COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL JUNE 13, 2012

Board of Council met in regular session on the above date at 7:00 p.m. The following members answered roll call:

MEMBERS: Olliges, Guidugli, Wiethorn, Rich, Almoslechner and Ratterman. Mayor Edward Riehl presiding.

The meeting was opened with a prayer and pledge to the flag.

FOR THE RECORD: Mayor Riehl introduced newly hired Officers Roy Catron and Michael Brown and presented to them their badge.

MOTION: By Wiethorn seconded by Almoslechner that the Minutes of the Regular Meeting of Council May 9, 2012 are accepted as received. Motion carried.

MOTION: By Rich seconded by Wiethorn that the Minutes of the Special Meeting of Council May 23, 2012 are accepted as received. Motion carried.

MOTION: By Guidugli seconded by Wiethorn that the following claims are paid:

General Fund	(84)	$ 82,580.41
General Fund (5/31/2012)	(13)	25,713.66
Capital Improvement	(8)	18,539.53
Parks	(8)	12,407.62
Parks Fund (5/31/2012)	(1)	150.00
Municipal Road Aid	(4)	7,818.10
Off-Street Parking Grant	(2)	1,750.00
Port Bellevue Fund (5/31/2012)	(1)	290.17
Military Fund (5/31/2012)	(1)	2,646.74

Motion carried.

FOR THE RECORD: Member Olliges reported that the next meeting of the Fire Board will be held June 20 6:00 pm at the Callahan Center.

FOR THE RECORD: Mayor Riehl reported that the June 9 2nd Saturday Concert Series was well attended next will be Hot Wax on July 14, fireworks on river to follow concert.

FOR THE RECORD: City Administrator Keith Spoelker stated that staff continues to work with Dayton to reduce the dust, debris and mud associated with the Manhattan Harbor fill project.

FOR THE RECORD: Assistant City Administrator, Jody Robinson reported on the following:

City wide yard sale will be held Saturday June 16.

July Shop Bellevue theme will be – Celebrate Independents Day, July 6.

Scaffolding is in place at 229 Fairfield for the ArtWorks mural partnership. Work is scheduled to begin on June 25. Council is encouraged to attend event which will be held 10 am at the Taft on June 21.

Bellevue and Covington were recognized with the Service to Preservation Award at the Ida Lee Willis Memorial Preservation Awards in Frankfort for the video project.

FOR THE RECORD: John Yung, Zoning Administrator addressed Council with the following:

Working with representatives from the Kentucky Division of Water on updating the city's floodplain. Last update was done in 2004.

Request from Bellevue Land LLC owner of 367 Berry for a curb cut on the Center Street side of property. The curb cut will allow 2 off-street parking spaces into garaged spaces. Member Guidugli questioned why the Berry Avenue side was not considered for the garage access and was advised by Bellevue Land representative that due to the grade this was not considered an option. Member Guidugli expressed appreciation to Bellevue Land LLC for taking on this project which was condemned due to a fire and converts a four unit building into a single family.

MOTION: Guidugli seconded by Ratterman to allow the staff approved curb cut on the Center Street side of the property located at 367 Berry Avenue. Motion carried.

FOR THE RECORD: Police Chief Turner reported that the department continues to monitor the dump trucks coming into Bellevue for safety and traffic law issues.

FOR THE RECORD: Fire Chief Auteri reported on the following:

May training included fire boat operations and medical emergencies.

Three or more unit rental inspections have been challenging during daytime hours. Member Guidugli requested a report of three or more unit rental properties for the next meeting of Council.

Continue to work on the 2013 fiscal year budget for the Fire Department.

FOR THE RECORD: Administrator Spoelker requested Council consideration for a Special Meeting of Council for June 20 at 7 pm for the purpose of 2nd reading on budget ordinances as well as a 1st reading on changes to the flood plain ordinance. Council agreed.

FOR THE RECORD: Bertha Hatton, 300 Washington addressed Council with the following:

Questioned speed on Fairfield of 35 mph when signs posted are for 25 mph.

Stated a need for sidewalks on the south side of Memorial.

FOR THE RECORD: Kathy Ege, 481 Van Voast addressed Council to voice concerns for June shop Bellevue event "Diva Dash" and what in her opinion was inappropriate behavior for a family event. Ms. Ege was advised that her concerns will be discussed with Renaissance.

FOR THE RECORD: Joanna Maehren, resident, shop owner and President of Bellevue Renaissance addressed Council with the following:

Great job with dump truck issues on Fairfield.

In response to controversy over recent Shop Bellevue Diva Dash, Ms. Maehren stated Shop Bellevue was never intended to hurt anyone's sensitivity. Renaissance received positive feedback from shop owners for the event and stated that Shop Bellevue was never intended to be a family event but instead geared toward women over the age of 30 who shop.

FOR THE RECORD: Tina Caudill resident of Highland Heights addressed Council. Ms. Caudill stated her son recently died of a drug overdose and questioned if City Officials have discussed drug problems. Ms. Caudill was advised that Ordinance 2012-05-01 Criminal Activity Nuisance Properties scheduled for a second reading tonight will hopefully address some of the drug issues. Member Rich expressed her condolences on the death of Ms. Caudill's son.

FOR THE RECORD: Jerry Rardin, 143 Ward addressed Council to advise that Bellevue Youth Football will hold a fundraiser on July 28 at the Bellevue Vet's. Mr. Rardin questioned the time the bands will need to stop playing outdoors – bands must stop by 11:00 pm.

MOTION: By Wiethorn seconded by Guidugli that Ordinance 2012-5-01 an Ordinance of the City of Bellevue, Kentucky ("City") entitled "Criminal Activity Nuisance Properties" providing a new process for nuisance enforcement and abatement of criminal activities nuisances that repeatedly occur or exist on real property within the City be read for a second time. Motion carried.

MOTION: By Guidugli seconded by Olliges that Ordinance 2012-5-01 pass the second reading. FOR THE RECORD: Member Wiethorn questioned if this Ordinance addressed verbal altercations and was advised by Chief Turner that the existing Chronic Nuisance Ordinance may possibly be used for those situations. City Attorney Paul Alley stated that the Criminal Activity Nuisance Property Ordinance will narrow in on crimes and allow Police to act quickly. Chief Turner stated that this will be an excellent tool for the Police and encouraged citizens to call Police whenever they witness criminal activity. VOTE: Yes 6 No 0. Motion carried. THE ORDINANCE BECAME LAW.

MOTION: By Wiethorn seconded by Guidugli that Ordinance 2012-05-02 regulating the placement of tables, chairs and outdoor furnishings for the purpose of outdoor dining on the public sidewalks be read for a second time. Motion carried.

MOTION: By Guidugli seconded by Olliges that Ordinance 2012-05-02 pass the second reading with the following amendment: DELETE SECTION IV (A) (18) ~~Portable heaters or heating devices of any type shall not be placed within the Outdoor Dining Area or on the Public Sidewalk.~~ VOTE: Yes 6 No 0. Motion carried. THE ORDINANCE BECAME LAW.

FOR THE RECORD: First Reading for Ordinance 2012-06-01 delayed till Special Meeting of Council 6/20/2012.

MOTION: By Wiethorn seconded by Guidugli that Ordinance 2012-06-02 Ordinance requiring all gasoline and diesel filling stations to receive prepayment for fuel purchases be read for a first time. Motion carried.

MOTION: By Ratterman seconded by Rich that Ordinance 2012-06-02 pass the first reading. FOR THE RECORD: Member Wiethorn questioned if this will help reduce the percentage of theft reports in Bellevue and was advised by Chief Turner that it will. VOTE: Yes 6 No 0. Motion carried.

MOTION: By Guidugli seconded by Olliges that Ordinance 2012-06-03 amending the annual budget for the fiscal year July 1, 2011 through June 30, 2012 by estimating revenues and appropriating funds for the operation of City Government be read for a first time. Motion carried

MOTION: By Olliges seconded by Ratterman that Ordinance 2012-06-03 pass first reading: Yes 6 No 0. Motion carried.

MOTION: By Ratterman seconded by Guidugli that Ordinance 2012-06-04 adopting the annual budget for the fiscal year July 1, 2012 through June 30, 2013 by estimating revenues and appropriating funds for the operation of City Government be read for a first time. Motion carried.

MOTION: By Guidugli seconded by Almoslechner that Ordinance 2012-06-04 pass the first reading. FOR THE RECORD: Member Wiethorn expressed appreciation to Administrator Spoelker for reducing the use of the fund balance to balance the budget but requested clarification on where the reductions came from. Administrator Spoelker advised that there is a reduction of General Fund Contribution to the Parks Fund of $10,000.00, reduction of General Fund contribution to Municipal Road Aid Fund in the amount of $80,000.00 and a reduction of the tree removal and open box removal of $13,000.00 from Public Services. Member Wiethorn stated that there is still a use of approximately $168,000.00 from the fund balance to meet expenditures for the fiscal year 2012-2013 budget. VOTE: Yes 4 No 2 FOR THE RECORD THE DISSENTING VOTES WERE CAST BY MEMBERS WIETHORN AND OLLIGES. Motion carried.

MOTION: By Guidugli seconded by Ratterman that Ordinance 2012-06-05 levying and assessing ad valorem taxes for General Fund and Municipal purposes for the City of Bellevue, Campbell County, Kentucky, for fiscal year July 1, 2012 through June 30, 2013, of all Motor Vehicles assessed within the City and setting the tax rate at .385 per $100.00 valuation be read for a first time. Motion carried.

MOTION: By Olliges seconded by Almoslechner that Ordinance 2012-06-05 pass the first reading. VOTE: Yes 6 No 0. Motion carried.

MOTION: By Guidugli seconded by Olliges that Ordinance 2012-06-06 updating the annual classification and compensation plan of the City of Bellevue be read for a first time. Motion carried.

MOTION: By Guidugli seconded by Ratterman that Ordinance 2012-06-06 pass the first reading. FOR THE RECORD: Member Wiethorn questioned the proposed pay increase and was advised that there will be a 1.5% pay increase for all employees and three officers will receive additional amount upon promotion. VOTE: Yes 6 No 0. Motion carried.

MOTION: By Guidugli seconded by Ratterman that Ordinance 2012-06-07 amending chapter 50 of the City of Bellevue, Kentucky, Code of Ordinances relating to waste collection, establishing regulations and a service fee; and amending the following sections of ordinance 95-6-3 and amending ordinance 2007-10-1 be read for a first time. Motion carried.

MOTION: By Olliges seconded by Ratterman that Ordinance 2012-06-07 pass the first reading. FOR THE RECORD THIS ORDINANCE REFLECTS CONTRACT RATE INCREASE ONLY. VOTE: Yes 6 No 0. Motion carried.

MOTION: By Guidugli seconded by Ratterman that Order 2012-06-01 finding and declaring one Beretta 92D pistol serial number BER411150Z as surplus property and authorizing the Mayor to execute the sale of same be read. Motion carried.

MOTION: By Ratterman seconded by Guidugli that Order 2012-06-01 be adopted as read. Motion carried.

FOR THE RECORD: Member Wiethorn questioned the process for previous surplus gun property and was advised that the Police Chief was able to determine a fair cash value of $120.00 per gun, officers purchased and money was deposited into Capital Improvement Fund.

FOR THE RECORD: Member Rich expressed appreciation for the recently updated Bellevue informational flyer.

FOR THE RECORD: Member Wiethorn requested that all Ordinances introduced tonight be read for a second time at the Special Meeting of Council on June 20, 2012 in addition to the first reading on the Floodplain Ordinance.

FOR THE RECORD: Member Guidugli suggested a "can shake" at the concerts as a fundraiser for the 2nd Saturday Concert Series.

FOR THE RECORD: Member Ratterman expressed appreciation for all the hard work on the fiscal year 2013 budget document.

MOTION: By Guidugli seconded by Olliges to adjourn at 9:05 pm Motion carried.

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Mayor Edward M. Riehl

ATTEST:

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Mary H. Scott, City Clerk
I hereby certify that the foregoing meeting was held in compliance with the requirements of the appropriate provision of H.B. 100 effective 6-21-74 also referred to as KRS Ch 61 on this 13th day of June 2012.
Mary H. Scott, City Clerk