

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL AUGUST 13, 2014

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

MEMBERS: Poynter, Rich, Helton, Almoslechner, Olliges and Guidugli. Mayor Edward Riehl presiding.

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

MOTION: By Olliges seconded by Poynter that the Minutes of the Regular Meeting of Council held July 9, 2014 be accepted as received. Motion carried.

MOTION: By Rich seconded by Poynter that the Minutes of the Special Meeting of Council held July 17, 2014 be accepted as received. Motion carried.

MOTION: By Guidugli seconded by Helton that the following claims be paid:

General Fund	(50)	\$	68,136.85
General Fund (7/31/2014)	( 14)		44,190.86
Capital Improvement	(4)		4,791.17
Municipal Road Aid	(7)		6,030.76
Parks	(9)		8,440.92
Parks (7/31/2014)	(1)		15.88
Port Bellevue	(2)		36,133.92

FOR THE RECORD: Member Olliges reported that the Fire Board will meet on August 20 in Dayton at 6 pm. Details on department monthly activity included in Council report.

FOR THE RECORD: Member Rich reported the following School Board information:

Students first day of school was today.

David Fuller will be new Principal for Grandview Elementary. Mr. Fuller previously served as Assistant Principal.

Block Party "Fill a Truck" was a success despite the rain.

New Superintendent, Robb Smith is busy with start of school but will be introduced at a future Council Meeting.

Band is working hard to raise funds for trip to Florida.

2014-2015 School schedule provided to Council.

Kentucky Department of Transportation information provided to Council.

FOR THE RECORD: Member Almoslechner reported that the Bellevue Neighborhood Association will have a booth at Art in the Park on September 13 and will be selling tickets to Drink in the Vue fund raiser on September 26.

FOR THE RECORD: Justine Ryan YMCA Program Director addressed Council to provide information on the new after school program that will be available at the

High School. The program is meant to link the school day and the after school program. The program will start September 9. Site Coordinator will be Molly Russell. This program is available through a Federal Grant.

**MOTION:** By Poynter seconded by Olliges to allow First Baptist Church to close the alley adjacent to First Baptist on August 23 for the purpose of a Family Fun Night pending notification of Safety Departments. Motion carried.

**MOTION:** By Helton seconded by Almoslechner to approve the request to hold a Farmers Market on Fairfield. Motion carried.

**FOR THE RECORD:** Member Poynter questioned the process for City events such as the Farmers Market. Member Poynter was advised that since the market is on Fairfield it is under the Renaissance umbrella however the City is showing their support. Member Guidugli stated the Farmers Market signs should be removed when the market closes for the day.

**FOR THE RECORD:** City Administrator Keith Spoelker reported on the following:

Taylor / Bonnie Leslie / North Sherry - FEMA has approved phase 1 of the Hazardous Mitigation Grant that the City submitted on behalf of the residents back in 2012. This phase is for 345K and will cover the engineering costs necessary to design/ develop a proposal to prevent slides with phase 2 of the grant. The total grant amount is for up to \$2.3 million to stabilize the hillside.

The RFP for reconstruction of Landmark Drive came in \$115K over the budget for the project. Requested Council consideration for using money from the FY 14 fund balance for the reconstruction. Council Member Guidugli asked if this could be done in sections. Member Helton questioned how businesses will be effected by the shut down of Landmark Drive. Member Olliges questioned if a “band aid” approach could be used until when the budget could sustain the cost. Administrator Spoelker advised that there are too many voids under the street due to lack of maintenance, he will work with the contractor to possibly work on weekends thus effecting less of the businesses.

Public Services are addressing alley issues / patching as needed.

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

TANK shuttle will need to be contacted regarding Landmark renovations.

Shop Bellevue September 5 – Dog Days (& Cats Too) of Summer.

Art in the Park – September 13 from 11 -5 – Over 80 artists have signed up – day will include music, restaurants and Generation Hill Winery.

Member Poynter questioned the square footage of the Kent Building as well as the Marianne Theatre, which will both be “pitched” at Developers Day August 28. The Kent Building is over 78,000. sq ft per Ms. Robinson.

Member Rich questioned the name of the original owner of the Marianne Theatre – Peter Smith.

**FOR THE RECORD:** Police Chief Turner addressed Council:

Written report provided in Council packets.

Member Almoslechner asked if there is a plan in place to replace Captain Riley, who will be retiring August 31. Chief Turner advised that he will be looking for a lateral transfer and has been in discussion with the City Administrator.

FOR THE RECORD: Member Helton questioned if the tree issue at Center and Berry was discussed by the Tree Commission. Zoning Administrator John Yung advised that the Commission did give approval for the removal of these trees. A contractor has been hired - work should be completed by end of next week. Signs will be posted for no parking and the sidewalk area will be secured during the removal. Member Guidugli expressed concerns for the decision to remove these trees.

FOR THE RECORD: Fred Andrea, 121 Ward addressed Council over the following:

Issue with Pit Bulls – one at 119 Ward which is able to jump the fence and has been running at large in the area of Bellevue Beach Park. The Pit Bull has tried to attack his dog. Another neighbor in the same block now has a young Pit Bull. Mr. Andrea suggested that Dr. Callahan from Bellevue Animal Hospital be contacted for possible insight into the issue of Pitt Bulls. Member Guidugli stated he would like to see the current Dangerous Animal Ordinance enforced. Member Olliges questioned who actually is responsible for the enforcement – per Administrator Spoelker enforcement is handled by the Police Department and Animal Control. Member Guidugli suggested owners of dangerous animals be required to show proof of a \$500,000 Insurance policy. Member Olliges requested staff to poll other cities on what they are doing. Information on the current Dangerous Animal Ordinance will be sent to Council as well as neighboring community research.

Mr. Andrea suggested that Utility companies be required to put streets back in good condition after working on them.

FOR THE RECORD: Kathy Ege, 481 Van Voast addressed Council to announce the Friends of Bellevue Annual Membership Meeting will be held on September 16 from 6:30-8:30 at Harbor Green. This will be a family friendly event with food and music. Membership dues are \$15.00 single, \$25.00 Family and \$35.00 for a business membership.

FOR THE RECORD: Ed Ulsas, 357 Van Voast addressed Council to advise that the boards on the Pedestrian Railroad Bridge crossing Van Voast are not stable.

FOR THE RECORD: Ryan Salzman, 218 Van Voast addressed Council:

Attended a Riverfront Commons meeting and was provided information including copies of renderings of proposed trails and ramps, next step is up to cities to define potential paths. Funding for signs is available through Southbank.

MOTION: By Guidugli seconded by Helton that Ordinance 2014-07-01 amending the Official Zoning Ordinance of the City of Bellevue, Campbell County, Kentucky, by amending the Official Zoning Map, being Ordinance No. 96-6-1 by changing the zone or district of real estate described herein be read for a second time. Motion carried.

MOTION: By Almoslechner seconded by Rich that Ordinance 2014-07-01 pass the second reading. VOTE: Yes 6 No 0. Motion carried. THE ORDINANCE BECAME LAW.

FOR THE RECORD: Member Poynter questioned the process for notifying property owners effected by this change. Zoning Administrator John Yung advised that the Ordinance will be published in the Campbell County Recorder and those effected will be sent a notice by 1<sup>st</sup> class mail. Member Helton questioned if certified mail would be a better process. Mr. Yung will check on the official requirements.

FOR THE RECORD: Mayor Riehl stated the City held a Special Meeting on July 17, 2014 to hear comments for Application 14-002 for a Stage II development plan revision from the Ackermann Group for the property located north of Fairfield Avenue bordering and between Berry and Lafayette. Planning and Zoning has met and denied the request with a 5-2 vote of the Planning Commission. The Ackermann Group is now asking for Council consideration on the issue.

MOTION: By Rich seconded by Almoslechner to concur with Planning and Zoning Commission and uphold the decision of Planning and Zoning Commission to deny the planned proposal and changes. VOTE: Yes 4 FOR THE RECORD: Members Guidugli and Olliges stated Present not voting. Motion carried.

FOR THE RECORD: Member Rich stated she is in favor of apartments in the community however not on prime riverfront property.

FOR THE RECORD: Member Guidugli stated he was advised by Northern KY Regional Ethics Board there may be a possible conflict of interest if he voted; therefore "Present but not Voting" was his response.

MOTION: By Helton seconded by Olliges that Order 2014-08-01 authorizing and directing Mayor to enter into an agreement with JPS Construction for resurfacing Landmark Drive in the amount of \$155,478.80 be read. Motion carried.

MOTION: By Olliges seconded by Helton that Order 2014-08-01 be adopted as read. Motion carried.

FOR THE RECORD: Public Hearing will be held on September 10 at 6:45 for the proposed 2014 property tax rate.

Annual Senior Appreciation Luncheon will be held on Tuesday August 19. The event will be from 11:30 – 4:00 pm at the Bellevue Veterans Club.

FOR THE RECORD: Member Rich reported that the City will be celebrating 150 years in six years - Plans should begin for the celebration.

Questioned if the City uses a Street Sweeper still – yes attachment to the back hoe is used for this purpose.

Questioned the cost to insure the Marianne Theatre – approximately 1200.00 per year.

FOR THE RECORD: Dobbs Ackermann approached Council requesting clarification on City decision regarding the Harbor Greene Development and why the project did not meet approval. Member Helton stated he supports the decision made by the Planning and Zoning Commission. Administrator Spoelker advised Mr. Ackermann that Planning and Zoning provided the Ackermann Group detailed reasons for the denial which the City Council

supports. Member Guidugli voiced concerns over payment default by the Ackermann Group being used due to the City rejecting the development plan change “if someone lived in the Historic District they could not stop paying their taxes if they were denied a permit”.

MOTION: By Guidugli seconded by Almoslechner that Council go into Executive Session at 8:20 pm pursuant to KRS 61.810 (e) “Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussion would jeopardize the siting, retention, expansion, or upgrading of the business. Motion carried.

FOR THE RECORD: Council returned to regular Session at 9:40 pm.

MOTION: By Guidugli seconded by Olliges to adjourn at 9:40 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 August, 2014.

Mary H. Scott, City Clerk