

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL MAY 8, 2019

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

MEMBERS: Kruse, Hogan, Witte, Fisher, Salzman and Guidugli. Mayor Charlie Cleves presiding.

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

MOTION: By Hogan seconded by Guidugli that the Minutes of the Regular Meeting of Council April 10, 2019 are accepted as received. Motion carried.

FOR THE RECORD: Following correspondence received and filed:

Spectrum Mid-America, LLC name change to Charter Communications.

Request from Fred Warren for Council opposition to changes to the mandate of the Ohio River Valley Sanitation Commission (ORSANCO). Member Fisher requested Council consideration for opposing the changes and supports preservation of our water sources. FOR THE RECORD: Mayor Cleves stated his son works for ORSANCO and will not comment.

MOTION: By Guidugli seconded by Kruse to authorize the City Administrator to draft a Resolution expressing Council Members opposition to proposed changes to ORSANCO and recognizing Council support for the preservation of our water sources. Motion carried.

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

General Fund	(42)	\$ 24,623.19
General Fund (4/31/2019)	(9)	28,609.06
Capital Improvement	(3)	2,869.91
Port Bellevue	(1)	41,809.38
Port Bellevue (4/30/2019)	(1)	163.11
Parks Fund	(3)	3,749.27
Police Forfeiture Fund	(1)	2,796.00
Municipal Road Aid	(5)	3,067.22

Motion carried.

FOR THE RECORD: Council Member Salzman reported on behalf of the Pedestrian Task Force Committee:

Introduction of Jeremy Worley, 204 Poplar who expressed appreciation and recognition for the community engagement process. Full report and findings of the task force made available for Council. Member Salzman stated City would create an Ad Hoc Pedestrian Task Force Advisory Committee to meet on a quarterly basis. Member Kruse initiated discussion on temporary bump outs for Fairfield.

The Pedestrian Task Force Committee recognized Grandview School Crossing guard, Daphne Lewis as the first recipient of the Pedestrian Advocate of the Year. Ms. Lewis was provided a gift certificate for the Avenue Brew.

FOR THE RECORD: Erin Kendrick-Peabody, Partnership Specialist U.S. Census Bureau addressed Council to provide information on the importance of the 2020 Census such as; Federal funds which filter back to a local level and seats on Congress. New for the 2020 Census will be the ability to complete the forms online or continue with a paper questionnaire.

FOR THE RECORD: Mayor Cleves issued a Proclamation recognizing May as Historic Preservation Month.

FOR THE RECORD: Mayor Cleves introduced Tom McDaniel as Code Enforcement Officer for the City of Bellevue. Mr. McDaniel served formerly as Police Chief of Harrison Ohio, Blue Ash Police Officer and Code Enforcement Director for the City of Covington. Mr. McDaniel will strive for compliance using professional Code Enforcement standards.

FOR THE RECORD: Mayor Cleves reported that the City will hold a Special Meeting of Council on June 19 for the purpose of adopting Ordinances needed for new fiscal year 2019-2020 budget.

FOR THE RECORD: Police Chief Estep reported on the following:

Enjoyed the experience of participating on the Pedestrian Task Force Advisory Committee.

Officers worked with School for Career Day and Prom events.

Memorial Day Parade will be held on May 27th – event will begin at the Callahan Center for a service at 9:30 am.

May 15th will be the Police Memorial held in Covington. Bellevue cruisers will identify local fallen Officers in conjunction with May Police Memorial month.

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

Department participated in career day and prom events for Bellevue Independent.

Fire Board met to discuss budget for 2019-2020.

Ladder truck back in service – issues being discussed with manufacturer.

Member Witte noted the contributions to the Fire Department from Northern Kentucky Hates Heroin – Narcan and Educational materials.

FOR THE RECORD: Community Development Director, Jody Robinson reported on the following:

May is Preservation Month – awards will be presented on June 22, 6:30 pm at Newport Neighborhood Foundations.

Grant for trees are available – residents should reach out to Jody Robinson. Grant is through the Campbell County Extension Service and is a cost matching grant. Tree Board is actively indentifying vacant tree wells and funds will be allocated for fall planting season. Administrator Warnock advised that a program for tree removal and planting is being developed. Member Guidugli noted he would like to see a 50/50 cost sharing with the residents and the most problematic areas be addressed first.

City-wide yard sale will be held on June 8th.

Girls Night Out will be June Shop Bellevue theme.

FOR THE RECORD: Member Hogan requested Council consideration for closing of Pflueger Alley (between Ward and Foote) in the 400 blocks for Community Garden purposes on May 19, 9 am-2 pm. Crossroads Church members will be volunteering to rebuild the beds. Member Hogan further requested consideration for the closure of Kennedy Alley (between Poplar and Johnson Alley) for a neighborhood gathering on May 27 (Memorial Day) from 1-6 pm.

MOTION: By Fisher seconded by Guidugli to close Pflueger Alley (between Ward and Foote) in the 400 block on May 19 from 9 -2 pm for Community Garden purposes. Motion carried.

MOTION: By Guidugli seconded by Salzman to close Kennedy Alley (between Poplar and Johnson Alley) for a neighborhood gathering on May 27th from 1-6 pm. Motion carried.

FOR THE RECORD: Administrator Warnock reported on the following:

Ideas generated from the City visioning session on March 2, 2019 will be considered in the 2019-2020 budget document. Budget Calendar included in Council packets.

Public Hearing for Municipal Road Aid is scheduled for June 12 at 6:30 pm. Engineer Mike Yeager will create a street priority list for street resurfacing.

City will be working with Bob Summeral for city fleet maintenance needs. Bob Summeral has longer work hours and is under the State pricing contract. City employees will also receive a 10% discount on their vehicles.

Mayor Cleves and Administrator Warnock will begin an Ambassador Program for Bellevue – each week they will visit a school, church or area business to reach out, introduce themselves and have conversations.

Waffle House update to Council – No date is scheduled for construction however, anticipated date is spring 2020.

FOR THE RECORD: The City Attorney read Ordinance 2019-04-01 amending Code of Ordinance Section 98.23 to establish a time and date for monthly meetings for the tree commission for a second time.

MOTION: By Guidugli seconded by Hogan that Ordinance 2019-04-01 pass the second reading. **VOTE:** Yes 6 No 0. Motion carried. **THE ORDINANCE BECAME LAW.**

FOR THE RECORD: The City Attorney read Ordinance 2019-04-02 providing authority to the City Administrator to determine traffic and parking signage and markings in consultation with the Police and Fire Chiefs for a first time.

MOTION: By Fisher seconded by Hogan that Ordinance 2019-04-02 pass the second reading. **VOTE:** Yes 6 No 0. Motion carried. **THE ORDINANCE BECAME LAW.**

FOR THE RECORD: Ordinance 2019-04-03 Short Term Rentals has been tabled for further review.

FOR THE RECORD: The City Attorney read Ordinance 2019-05-01 repealing Ordinance 2016-04-01 related to an update to the Official Zoning Map for Bellevue, identified as 90 Riviera Drive, 100 Landmark Drive, 103 Landmark Drive, 110 Landmark Drive and a portion of 24 Fairfield Avenue in Bellevue, Kentucky for a first time.

FOR THE RECORD: The City Attorney read Ordinance 2019-03-02 an Ordinance of the City of Bellevue requiring that the delivery of unsolicited written materials to a premises be placed on the front porch, through a mail slot, securely attached to the front door, between the exterior and interior front door, in a distribution box, or personally with the owner; classifying a violation of this Ordinance as a civil offense; establishing Administrative review and procedures to contest citations; fixing a maximum civil penalty for violations in the amount of two hundred dollars (\$200.00) per violation; designating the Code Enforcement Board having authority to determine whether

a violation has occurred; all effective sixty (60) days from passage be read for a first time. FOR THE RECORD THIS ORDINANCE WAS PREVIOUSLY TABLED AFTER FIRST READING. CHANGES MADE AFTER FIRST READING NECCESITATES ANOTHER FIRST READING.

FOR THE RECORD: Bruce Petrie, Attorney at Law representing Vallasis Communications, addressed Council over his client's concerns for alleged violation of 1st Amendment issues with Ordinance 2019-03-02. Vallasis Communications is the distributor of unsolicited advertisements and coupons. Mr. Petrie stated that Ordinance 2019-03-02 restricts the rights of his client. Vallasis Communications has an "opt out policy" for any resident who does not want this type of communication. Mr. Petrie further stated that this Ordinance will pertain to all groups who go door to door, and that the application of enforcement must be fair and equal to everyone and not result in disparate treatment. Mr. Petrie stated his client would like to work with the City in addressing any issues with the door to door delivery and opposes this legislation.

FOR THE RECORD: City Attorney Dave Fessler stated there is a meeting scheduled with Vallasis and Attorney Petrie for next week to discuss the Ordinance, however, City Council is adamant about addressing the citizens' complaints on littering and the effect it has on the City. Attorney Fessler provided photos of the numerous incidences of littering by Vallasis. Public safety is also a concern of the City as the flyers pose a trip hazard.

FOR THE RECORD: City Attorney Fessler read Order 2019-05-01 declaring a 2012 Dodge Charger (0403) Police vehicle as surplus property.

MOTION: By Guidugli seconded by Fisher that Order 2019-05-01 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney Fessler read Order 2019-05-02 approving Tom McDaniel as Code Enforcement Officer.

MOTION: By Salzman seconded by Kruse that Order 2019-05-02 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney Fessler read Order 2019-05-03 approving a grant application for sidewalk placement on South Foote.

MOTION: By Guidugli seconded by Hogan that Order 2019-05-03 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney Fessler read Order 2019-05-04 approving a grant application for repairs to the Van Voast pedestrian bridge.

MOTION: By Salzman seconded by Kruse that Order 2019-05-04 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney Fessler read Order 2019-05-05 appointing Tom Quirk as Parking Citation Hearing Officer.

MOTION: By Fisher seconded by Hogan that Order 2019-05-05 be adopted as read. Motion carried.

FOR THE RECORD: June 8 begins 2nd Saturday Concert series with Trailer Park Floosies.

June 12th Mobile Mammography Unit 8-11:30 am – Callahan Center.

FOR THE RECORD: Member Fisher expressed appreciation to Larry and Christine Brondnaver owners of the Avenue Brew for their generous donation for the first Pedestrian Advocate of the Year award.

MOTION: By Guidguli seconded by Hogan to adjourn at 8:15 pm. Motion carried.

Mayor Charlie Cleves

ATTEST:

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 8th day of May 2019.
Mary H. Scott, City Clerk