

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL JULY 10, 2019

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

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

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

MOTION By Guidugli seconded by Hogan that the Minutes of the Public Hearing for MRA on June 12, 2019, Minutes of Public Hearing for Budget held June 12, 2019, Regular Meeting of Council June 12, 2019 and Minutes of the Special Meeting of Council June 18, 2019 are accepted as received. Motion carried.

FOR THE RECORD: Following correspondence received and filed:

Request from Bellevue High School for annual block party on August 12 from 6- 9 p.m. Requests for barricades and 200 block of Center Street closure.

MOTION By Salzman seconded by Witte to allow for the annual High School block party in the 200 block of Center Street from 6-9 p.m. with notification to safety departments. Motion carried.

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

General Fund	(33)	\$457,106.30
General Fund (6/30/2019)	(16)	7,012.16
Capital Improvement	(2)	3,198.66
Capital Improvement (6/30/2019)	(1)	821.92
Port Bellevue	(1)	185.35
Port Bellevue (6/30/2019)	(1)	701.87
Parks Fund	(5)	7,174.46
Harbor Greene	(1)	33,232.51

Motion carried.

FOR THE RECORD: Council Member Witte noted that school construction is going well.

FOR THE RECORD: Council Member Guidugli noted that the Fire Board met and approved the 2019-2020 budget.

FOR THE RECORD: Council Member Salzman noted that the City has authorized Bluegrass Recreational to proceed with park upgrades and repairs. A generational swing will be installed at Thomas J. Wiethorn

Memorial Beach Park and an inclusive swing set will be added to Swope Park.

Pedestrian Task Force suggestion of an extension of yellow curb marking at Washington and Fairfield has been done. Member Fisher noted this should improve visibility of pedestrians while attempting to cross Fairfield.

Permanent “Ad Hoc” committee will be formed for Pedestrian Safety.

FOR THE RECORD: Member Kruse reported that the leadership committee for Bellevue sesquicentennial event met to discuss event dates and budget. Great events are being planned.

FOR THE RECORD: Mayor Cleves announced the following:

Behringer Crawford Museum will hold “Chippie’s Sensational Science Lab for children 4-12 at Thomas J. Wiethorn Memorial Beach Park on July 17 and 31 from 2 -3 pm.

FOR THE RECORD: Terry Hatton President of the Bellevue Veterans Club provided Council with an update on the progress being made with the field, press box, drainage improvements and various other needs through the Reds Community Foundation. Mr. Hatton provided updates on costs and need for sponsorships. Volunteers are requested on August 10 and 11 from 8-3 p.m.

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

Written report provided to Council. Chief Estep noted overdoses were up in June, nine total. Officers attend 2nd Saturday Concert Series.

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

Written report provided to Council. Budget has been adopted and included pay increases. Chief Adkins expressed appreciation for budget help from both cities.

Department will have a boat in water to assist with river closure needed for firework display.

FOR THE RECORD: Code Enforcement Officer, reported on the following:

Written report provided to Council. Mr. McDaniel noted thirty-five notice of violations were issued and eighteen citations, of which nine have been paid. First Code Board meeting was held on July 9, with seven cases going before the Board. Administrator Warnock noted that the Code Board had not met for over two years and the meeting was a productive and professional meeting.

Member Hogan asked what the primary violations are – weeds and older violations that have not been addressed. Member Guidugli expressed appreciation for all staff efforts on Code Enforcement. Administrator Warnock stated a \$500.00 fine has been levied on a five-year vacant property. Liens will be filed within legal period. Member Salzman stated properties that are vacant and tax delinquent should have an expedited foreclosure process. Member Fisher asked if these properties are typically owner occupied – majority are non-owner occupied.

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

Written report provided to Council.

Over one hundred artists are signed up for this year's Art in the Park, which will be held on September 7. Volunteers are needed.

August Shop Bellevue Theme will be "Mid-Summer Nights".

Trees have been removed and planted – Tree Board is planning for fall planting season. Member Hogan asked if residents will be asked to give permission for tree plantings – yes per Jody Robinson.

FOR THE RECORD: Administrator Frank Warnock reported on the following:

Small cell towers are a topic of major concern with complex issues across the nation. Issues such as encroachment and Federal Government taking away Local Government rights. These issues are all under review by the City Attorney and staff. City Attorney Fessler stated conflicting interest add to the complexity of the issues. Federal Government prohibits cities ability to regulate and charge fees. Federal Government has a goal to promote completion and rapid deployment of the new 5G technology. City is trying to address resident concerns without violating any mandates.

FOR THE RECORD: David Tandy, with Bingham Greenebaum Doll LLP addressed Council representing Verizon 5G – hardware division. Mr. Tandy stated he was here to introduce himself and work with the City as a good neighbor.

FOR THE RECORD: Member Witte expressed questions on distance for cell towers and possible source of revenue for schools. Member Hogan asked where existing ones are – 300 block of Foote and Ward/ Fairfield are two locations.

FOR THE RECORD: Administrator Warnock introduced Mike Yeager with the Engineering Firm Integrated Engineering. Mr. Yeager is currently working on projects in Bellevue such as Lincoln Road, Covert

Run, and Taylor hillside slippage and establishing a street and sidewalk priority list for repairs. Mr. Yeager was previously employed by the Kentucky Transportation Department and the City of Covington. Mr. Yeager has applied for a grant for Donnermeyer Drive in the amount of \$600,000.00 and various other grants applications. Member Salzman requested that the timing for cross walks be addressed.

FOR THE RECORD: Cathy Ege, 481 Van Voast addressed Council with the following:

Appreciation for all the efforts made under new Administration in such a short amount of time. Yellow curb extension at Washington and Fairfield is a great idea as well as Code Enforcement efforts.

FOR THE RECORD: Ed Ulsas, 357 Van Voast addressed Council with the following:

Questions regarding a proposed route change for Republic Services. Mr. Ulsas was advised that Republic came to the City requesting a route change to better serve the cities of Bellevue and Dayton. Proposed changes are being delayed until the City of Dayton is on board with the change. Republic will notify customers and the City will post on website and social media when or if this transpires.

FOR THE RECORD: City Attorney, David Fessler read for a first time Ordinance 2019-07-01 amending and increasing the penalties for parking regulations violation citations in the City of Bellevue, and repealing a provision of the Ordinance regulating the display of vehicles for sale. Administrator Warnock stated the intent is to increase penalties to deter people from committing the violation and for the City to purchase new software for both parking and code enforcement. Member Fisher questioned which fees are being increased – these and are identified within City Code sections referenced within the Ordinance.

FOR THE RECORD: Member Salzman requested discussion of Ordinance 2019-04-03 as it relates to parking requirements, Section 2 (L). Member Salzman stated he would like to see a modification made to the Ordinance prior to first reading. Administrator Warnock stated the intent is to not affect the neighborhood. Mayor Cleves stated he has received several complaints from residents about parking issues regarding this business activity. Member Guidugli noted that some cities do not allow short-term rentals. Member Fisher questioned why the regulations within the Zoning Code were not being enforced by City. This Ordinance pulls from the zoning code similar language.

FOR THE RECORD: Anna Stephens, 349 Berry addressed Council to express concerns for the Short Term Rental Ordinance as it relates to parking. Ms. Stephens stated neighbors who have short term rentals generate

many extra cars and resident parking concerns need to be addressed by Council.

FOR THE RECORD: Cathy Ege, 481 Van Voast addressed Council to inquire about licensing for short term rentals.

FOR THE RECORD: David Fessler, City Attorney provided explanations of sections from Ordinance 2019-04-03 as it relates to parking and licensing.

MOTION By Salzman seconded by Hogan that prior to first reading Ordinance 2019-04-03 be amended as follows Section 2.0 (L) Owners of three (3) or more units in the same Short-Term Rental Building shall provide off-street parking for their Guest(s). The Parking may be off-site on private property. FOR THE RECORD: Member Witte noted he would like to see ordinance remain as proposed as parking is a major concern for residents. Member Fisher noted this would provide economic freedom to residents who winter in Florida. Member Guidugli noted that some cities do not even allow short-term rental. VOTE: Yes 4 No 2 FOR THE RECORD THE DISSENTING VOTES WERE CAST BY MEMBERS WITTE AND GUIDUGLI. Motion carried.

FOR THE RECORD: City Attorney David Fessler read as amended for a first time Ordinance 2019-04-03 establishing rules, regulations and licensing requirements for short term rental of owner occupied dwellings including guest rooms and suites by persons not members of the owner-occupant's household, and establishing penalties for the violation thereof; and repealing section 24 (A) (3) of Ordinance 2007-12-01.

FOR THE RECORD: City Attorney David Fessler read Order 2019-07-01 appointing Matt Hanson to Code Enforcement Board.

MOTION By Salzman seconded by Fisher, that Order 2019-07-01 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Order 2019-07-02 authorizing the Mayor and City Administrator to execute a professional agreement with Integrated Engineering to provide engineering related services for the City of Bellevue.

MOTION By Guidugli seconded by Kruse that Order 2019-07-02 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Order 2019-07-03 authorizing the City Administrator to prepare an application to the City of Bellevue Planning Commission to amend Sec.9.31 cellular communications facilities.

MOTION By Hogan seconded by Fisher that Order 2019-07-03 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney, David Fessler read Order 2019-07-05 re-appointing Marcus Carey, Robert Greene, Darryl Cummins, Robert Sanders, Tom Quirk and Wesley Williams and appointing

Bryce Rhoades as a member of the Northern Kentucky Regional Ethics Authority Enforcement Committee for a two-year term. Commencing February 1, 2019 and expiring on January 31, 2021.

MOTION By Guidugli seconded by Hogan that Order 2019-07-05 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney, David Fessler read Order 2019-07-06 adopting the 2019 Campbell County Emergency Operations Plan (EOP).

MOTION By Fisher seconded by Hogan that Order 2019-07-06 be adopted as read. Motion carried.

FOR THE RECORD: Fairfield Avenue Mile Race will begin at 9 am on Saturday, Car Show from 4-7 pm, Concert 7 -10 and Fireworks at 10 pm.

MOTION By Guidguli seconded by Hogan to adjourn at 8:30 pm. Motion carried.

Mayor Charlie Cleves

ATTEST:

Mary H. Scott, City Clerk