

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL SEPTEMBER 11, 2019

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

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

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

FOR THE RECORD: Mayor Cleves called for a moment of reflection for those who lost their lives on September 11, 2001.

MOTION By Kruse seconded by Fisher to excuse Council Member Hogan. Motion carried.

MOTION By Kruse seconded by Fisher that the Minutes of the Regular Meeting of Council August 14, 2019 are accepted as received. Motion carried.

MOTION By Fisher seconded by Kruse to approve the request to close the 200 block of Kennedy Alley (between Washington and Foote) on September 28 from 4-10 pm for a block party be approved. Motion carried.

MOTION By Guidugli seconded by Kruse to approve the request to close the 100 block of Division on October 5 from 5 -10 pm for annual block party be approved. Motion carried.

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

General Fund	(42)	\$620,037.24
General Fund (8/31/2019)	(15)	37,730.06
Capital Improvement	(4)	4,086.34
Port Bellevue (8/31/2019)	(1)	184.23
Parks Fund	(6)	26,662.77
Municipal Road Aid	(3)	1,363.35
Harbor Greene	(1)	36,618.75

Motion carried.

FOR THE RECORD: Council Member Guidugli reported that the Fire Board did not meet due to lack of quorum; next meeting will be scheduled in October.

FOR THE RECORD: Sean Fisher reported as Council Liason for the South Bank Riverfront Development Committee, that recommendations from the committee will be presented to Council in October.

FOR THE RECORD: Member Salzman noted that the Transit Advisory Board recent discussions were on sidewalks.

FOR THE RECORD: Council Member Kruse provided an update on the Sesquicentennial Committee. Committee will focus on three main events, March will be a kickoff event, July will be a picnic and a gala event planned for October. Several mini events will take place throughout the year. Facebook page will be up soon.

FOR THE RECORD: Mayor Cleves announced the City now has micro grants available for residential community events. Funds up to \$150.00 are available to offset costs such as kids' activities or port-a-lets.

FOR THE RECORD: Mayor Cleves presented to Council Member Fisher congratulations and a gift from the Board of Council on the celebration and birth of their twin daughters Audrey and Vivian.

FOR THE RECORD: Mayor Cleves reported that the City was contacted by State Representative Dennis Keene for a street needs assessment for possible State funding. A priority list was created and provided to Representative Keene.

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

Written report provided to Council.

Department plans to expand on Stuff the Cruiser Event for 2020.

Fireworks went well. Department received help from Independence Officers.

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

Written report provided to Council.

Appreciation for the support the Fire Department receives from both Bellevue and Dayton Police Departments during difficult runs.

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

Written report provided to Council, detailing 22 written citations, and 65 Notice of Violations issued. The Code Enforcement Board heard 15 citations.

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

Art in the Park September 7 over 100 artists participated making this the largest Art in the Park. Appreciation to all those who volunteered for this successful event.

Republic Service Route change will take place October 14 for trash collection. Recycling will remain on the current schedule. The City has information on website, Facebook, Bellevue Community News and the marquee at the Marianne Theatre.

City held a Public Hearing on September 5 at 6 pm for the 2019-2020 property tax rate. Recommendation is to take the compensating rate +4% for a tax rate of .365 on real property and a personnel tax rate of .532. No residents attended the Public Hearing. Member Guidugli noted that some cities charge the residents for street resurfacing.

Park improvements have been made to Swope, O'Fallon and the Thomas J. Wiethorn Memorial Beach Park. Total renovations were \$19,100.00.

City applied for and received FEMA funding of \$10,826.00 for the 2019 flooding event at the Thomas J. Wiethorn Memorial Beach Park and Anspaugh hill slide.

City applied for a \$3,000.00 Kentucky League of Cities Safety Grant. This grant is pending review by the KLC.

City requested bids on the Marianne Theatre, only one response for a proposal to create luxury condominiums. Mayor Cleves stated that the City purchased the property in 2014 for a cost of \$138,000.00 and has since had to make repairs and insure estimating the cost to be now at \$300,000. Estimated cost of needed repairs is 1.6 million. Parking for condominiums would be minimum compared to a commercial use needs. Member Guidugli stated that the City created a task force for the first RFP. The City received two proposals and the developer selected could not produce a cost effective development.

Met with representative of Duke Energy with Mayor Cleves on various projects in Bellevue to seek possible funding, such as the Berry Avenue tree / sidewalk issue.

Administrator Warnock requested Council consideration for setting the time and day for Trick or Treat in Bellevue. Past options include Halloween evening from 6-8 pm. or Sunday afternoon from 2- 5pm

MOTION By Salzman seconded by Guidugli to set October 31 Halloween evening from 6 – 8 pm as Trick or Treat in Bellevue. Motion carried.

FOR THE RECORD: Tim Wilhelm, 360 Taylor as Chair for Art in the Park addressed Council to express appreciation for the City support of this event, with special appreciation and thanks to Public Services for all their assistance. This year's event was the largest and the crowd spilled up to the Fairfield Avenue businesses as well.

FOR THE RECORD: Anita Grant, 326 Locust addressed Council with the following:

Thanks to Public Services for cleaning the alley between Locust and Grandview.

Did not realize the Public Hearing for the tax rate was at 6 pm.

Marianne Theatre holds a special place in the heart of the Bellevue residents.

FOR THE RECORD: Bill Woody, 101 Ross addressed Council stating he would like to see the tax rate lowered.

FOR THE RECORD: City Attorney Dave Fessler read Ordinance 2019-08-01 amending provisions of the City of Bellevue Code Enforcement Board Chapter 35.90 to establish a meeting time and date and modifying other provisions for a second time.

MOTION By Salzman seconded by Guidugli that Ordinance 2019-08-01 amending provisions of the City of Bellevue Code Enforcement Board Chapter 35.90 to establish a meeting time and date and modifying other provisions pass the second reading. VOTE: Yes 5 No 0. Motion carried. THE ORDINANCE BECAME LAW.

FOR THE RECORD: City Attorney Dave Fessler read Ordinance 2019-08-02 establishing an Entertainment Destination Center in the City of Bellevue; and further directing the City of Bellevue to apply for an Entertainment Destination Center License from the Kentucky Department of Alcoholic Beverage Control; and further establishing the requirements for a license to sell alcoholic beverages within the common areas of the entertainment destination center for a second time.

MOTION By Guidugli seconded by Fisher that Ordinance 2019-08-02 establishing an Entertainment Destination Center in the City of Bellevue and further directing the City of Bellevue to apply for an Entertainment Destination Center License from the Kentucky Department of Alcoholic Beverage Control; and further establishing the requirements for a license to sell alcoholic beverages within the common area of the entertainment destination center pass the second reading. VOTE: Yes 5 No 0. Motion carried. THE ORDINANCE BECAME LAW.

FOR THE RECORD: Member Fisher expressed appreciation for the work on this Ordinance and bringing this for Council consideration.

FOR THE RECORD: City Attorney Dave Fessler read Ordinance 2019-09-01 levying an ad valorem tax rate for the fiscal period July 1, 2019 through June

30, 2020 on all property located in the City of Bellevue, Kentucky. Levying and ad valorem tax rate and establishing the rate therefore and adopting the Campbell County property Valuation Administrator's assessment on said property and providing for a tax lien against all taxable property in the City of Bellevue to secure the payment of said taxes.

FOR THE RECORD: City Attorney Dave Fessler read Ordinance 2019-09-02 approving a text amendment to the Zoning Code of the City of Bellevue related to cellular antenna towers and small cell towers.

FOR THE RECORD: City Attorney Dave Fessler read Ordinance 2019-09-03 establishing a non-exclusive franchise for the use of the public streets, alleys, and other public grounds of the City for cable television systems, internet, or telephone services within the City; and providing the terms thereof.

FOR THE RECORD: City Attorney Fessler read Order 2019-09-01 creating a Transit Advisory Board.

MOTION By Fisher seconded by Guidugli that Order 2019-09-01 creating a Transit Advisory Board be adopted as read. Motion carried.

FOR THE RECORD: City Attorney Fessler read Resolution 2019-09-01 establishing bid for a non-exclusive telecommunication franchise (wired).

MOTION By Witte seconded by Kruse that Resolution 2019-9-01 creating and establishing for bid a nonexclusive telecommunications franchise for the placement of wired telecommunications facilities providing for the transmission, distribution and sale of telecommunications services within the public right-of-way of the City of Bellevue, Kentucky for no more than a twenty (20) year duration, imposing a franchise fee in the sum of three percent (3%) of franchisee's gross receipts per year arising from franchisee's (1) sale of telecommunications services to customer subscribers inside the corporate limits of the City of Bellevue and (2) lease or contract of usage of franchisee's telecommunications system or facilities; reserving the right to increase the stated franchise fee up to five percent (5%) of franchisee's gross receipts; and further providing for compliance with relevant laws, regulations and standards; usage limitations, indemnification, insurance, cancellation or termination, and such other terms and conditions contained in the attached wired telecommunications franchise agreement; and bid requirements; all effective on date of passage be adopted as read. Motion carried.

FOR THE RECORD: City Administrator Warnock noted that the City is trying to get a control of the new 5G as well as all franchise agreements entered into by the City, outside Counsel will be brought in to assist with this. Planning and Zoning, Historic Preservation and Tree Board concerns will be addressed through the franchise agreements.

FOR THE RECORD: September 14 2nd Saturday Concert Series 7-10 GenX
September 18 Kroger Flu Shot Clinic 9-11 am at the Callahan Community Center.

October 14 -20 Fall clean up – Dumpsters will be located on Van Voast adjacent to City Building.

FOR THE RECORD: Council Member Witte received resident request for additional recycling, options such as recycling bin at City Building or possibly on Fairfield Avenue were discussed.

MOTION By Guidugli by Kruse to go into Executive Session at 8:10 pm pursuant to KRS 61.810 (1) (b) deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold aby a public agency. Motion carried.

MOTION By Salzman seconded by Kruse that Council return to Regular Session at 8:55 p.m. FOR THE RECORD: No action taken by Council. Motion carried.

MOTION By Salzman seconded by Kruse to adjourn at 8:55 pm. Motion carried.

Mayor Charlie Cleves

ATTEST:

Mary H. Scott, City Clerk