

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL NOVEMBER 13, 2019

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

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

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

MOTION By Kruse seconded by Fisher that the Minutes of the Regular Meeting of Council October 9, 2019 are accepted as received. Motion carried.

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

General Fund	(67)	\$ 63,205.32
General Fund (10/31/2019)	(13)	37,553.00
Capital Improvement	(3)	541.47
Capital Improvement (10/31/2019)	(1)	2,635.91
Parks Fund	(4)	3,414.98
Municipal Road Aid	(3)	1,159.34
Port Bellevue	(1)	176,809.38
Port Bellevue (10/31/2019)	(1)	412.36

Motion carried.

FOR THE RECORD: Council Member Witte reported that high school student Melissa Hayward scored a perfect ACT on reading.

FOR THE RECORD: State Senator Will Schroeder addressed Council. Senator Schroeder chairs the State and Local Government Committee. Member Salzman questioned road funds availability during a tight budget year. Senator Schroeder suggested running all priority road projects through the County Fiscal Court. Mayor Cleves expressed appreciation to Senator Schroeder for being a Legislator who will listen and help.

FOR THE RECORD: Lieutenant Jon McClain recognized Officer Trevor Bonar who recently passed the physical agility testing for Kenton County Swat. Officer Bonar will represent Bellevue on the Kenton County Swat Unit.

FOR THE RECORD: Lieutenant Jon McClain presented commendations to Officers Marc Chapman, Michael Knight and Michael Lyon. These Officers were involved recently in a hostile environment stemming from a domestic call. Mayor Cleves commended each of the

Officers for their actions and presented with letters of commendation.

FOR THE RECORD: Mayor Cleves announced that the kickoff event for the Sesquicentennial will be 6:30 – 8 pm at the Mayors residence, 212 Fairfield on November 21.

FOR THE RECORD: Member Kruse reported that team leaders are assigned and year-long events will be held for the Sesquicentennial. Logo and branding should roll out within the month.

FOR THE RECORD: Mayor Cleves announced the City will again be participating in the “Drop Your Drawers or Socks” campaign through the Campbell County Library. Donations for youth underwear and socks can be dropped off at the Clerk’s Office and will go directly to Grandview Elementary. Donations accepted through December.

FOR THE RECORD: Rick Mallery Public Services Foreman provided a written report to Council and stated department is busy decorating City for the Holidays. Member Witte expressed appreciation for department assistance with tree wells. Residents can call Public Services or City Hall to arrange for leaf pick up.

FOR THE RECORD: Police Chief Estep provided a written report to Council and stated Officers have had a busy month. Sergeant Bass and Officer Brown both provided community outreach with Cub Scouts and Grandview Elementary. Member Fisher commended the actions of the entire Police Department.

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

Written report provided to Council.

Chief Adkins stated the Fire Department works well with the Police Department and commended the Police for all that they do.

Department is winterizing hydrants.

Administrator Warnock asked the average cost of an ambulance run – 900.00 is the average. Department will bill private insurance, Medicare and Medicaid – payments average 200.00.

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

Written report provided to Council.

A combination of fifty Notice of Violations and Citations were issued during the month. Member Guidugli and Salzman both noted great job on compliance.

FOR THE RECORD: Administrator Warnock reported on behalf of Jody Robinson, Community Development Director.

Written report submitted to Council.

New Yoga studio at 334 Fairfield.

Hoxworth blood drive will take place on December 11, 408 Fairfield.

Christmas Walk November 29 and 30 from 10 am to 6 pm.

Businesses will be open late on Thursdays in December.

FOR THE RECORD: Administrator Warnock further reported:

A new RFP for the Marianne Theatre will be prepared. Member Guidugli asked if deadline has been established - no still to be determined.

Bellevue Entertainment Destination (BED) begins on November 29. Meeting with the license holders within the BED will be held on Monday November 18 at 5 pm to advise of the rules and regulations. The goal for the BED is to provide a fun, clean, safe and energized Fairfield.

City will receive a \$6,000.00 Duke Energy Grant for the development of a pocket park. Thank you to Duke Energy as well as City Clerk-Treasurer Mary Scott for applying for the Grant.

Hillside slippage on Bonnie Leslie and N. Sherry still under review. A Neighborhood meeting will be held on December 12 to provide the residents with an update.

FOR THE RECORD: Tim Wilhelm, Taylor Avenue addressed Council to inquire if consideration would be given for a public private partnership for the Marianne Theatre. Mayor Cleves stated that the City will not consider continuing to own the property but a proposal for the building being utilized for public space is being considered.

FOR THE RECORD: Carol Rich, 822 Lincoln Road addressed Council to reflect on fairness and the meaning of fairness and how Bellevue is a community that welcomes people.

FOR THE RECORD: Ben Baker, Mayor of Dayton addressed Council to applaud Council efforts for passage of Ordinance 2019-10-0, known as a fairness ordinance. The City of Dayton previously adopted similar legislation.

FOR THE RECORD: Don Kaulfung representing Valassis addressed Council to urge Council to reconsider terminating the Memorandum of

Understanding with the City of Bellevue and Valassis. Mr. Kaulfung stated since the MOU was signed 55,000.00 ads were distributed and they only received one complaint involving five deliveries. Residents have stated they want to continue to receive the store ads per Mr. Kaulfung. Member Salzman stated that he as well as other have requested on multiple times to stop delivering to his house. Member Salzman brought to Council packets of ads that were delivered with dates attached. Council is asking for consistency for the delivery and so long as they follow the rules on delivery and placement they can still deliver in Bellevue, but the City will not tolerate litter. Attorney, Bruce Petrie representing Valassis reminded Council that they will need to be consistent with enforcement issues.

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

Rules for BED district – appreciated.

Issues with unsolicited materials – Council have other issues to address.

New revenue stream should be looked to make sure businesses are paying their fair share.

Bicycle path on Donnermeyer – concerned for traffic issues associated with a bike path.

FOR THE RECORD: Reverend Keith Haithcock from St John United Church of Christ addressed Council to provide an open letter to the City Council of Bellevue to show support for Council consideration for Ordinance 2019-10-01 to prohibit certain discrimination practices within the City.

FOR THE RECORD: City Attorney Dave Fessler read Ordinance 2019-10-01 creating a new chapter of the City of Bellevue Code of Ordinances to prohibit certain discriminatory practices within the City for a second time.

MOTION By Witte seconded by Kruse that Ordinance 2019-10-01, pass the second reading. VOTE: Yes 6 No 0. Motion carried. THE ORDINANCE BECAME LAW.

FOR THE RECORD: Member Witte expressed appreciation to Council for their support for passage of Ordinance 2019-10-01. Administrator Warnock advised that this Ordinance is not about enforcement but about education and understanding. Nothing to be afraid of.

FOR THE RECORD: City Attorney David Fessler read Ordinance 2019-11-01 amending Bellevue Code of Ordinances 112.20 to reduce the fee for a distilled spirits and wine special temporary auction license per event, from \$200.00 to \$100.00 for a first reading.

FOR THE RECORD: City Attorney David Fessler read Ordinance 2019-11-02 amending Ordinance 2019-04-03 to establish a codification section number; and, to make it clear that the annual fee for short-term rentals is \$40.00 per short-term rental unit for a first reading.

FOR THE RECORD: City Attorney David Fessler read Order 2019-11-01 approving the termination of a Memorandum of Understanding with Valassis Communications, Inc.

MOTION By Salzman seconded by Guidugli that Order 2019-11-01 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Ordinance 2019-11-03 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, in a distribution box, or personally with the owner; classifying a violation of this Ordinance as a Civil Offense; designating the Code Enforcement Board having authority to determine whether a violation has occurred and to fix penalties; all effective sixty (60) days from passage for a first reading.

FOR THE RECORD: City Attorney David Fessler read Ordinance 2019-11-04 amending Ordinance 2019-09-03, an Ordinance establishing a non-exclusive franchise for the use of the public streets, alleys, and other public grounds of the City for telecommunication services for a first reading.

FOR THE RECORD: City Attorney David Fessler read Ordinance 2019-11-05 amending Ordinance 87-1-1 codified in section 72.55 et seq. In the Bellevue Code of Ordinances relating to parking citation by placing request for hearing for parking citation reviews from a one-member hearing board to the Bellevue Code Enforcement Board for a first reading.

FOR THE RECORD: City Attorney David Fessler read Order 2019-11-02 appointing Cassandra Zoda to fill an expired term as member on the Bellevue Planning and Zoning to expire on 12/9/2025.

MOTION By Witte seconded by Guidugli that Order 2019-11-02 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Orders 2019-11-03, reappointing Linda Fields to Bellevue Tree Commission, Order 2019-11-04 reappointing Mary Jo Boeh to Bellevue Tree Commission, Order 2019-11-05 reappointing Kathy Barrett to Bellevue Tree Commission, Order 2019-11-06 reappointing Scott Witte to Bellevue Tree Commission and Order 2019-11-07 reappointing Diane Witte to Bellevue Tree Commission.

MOTION By Guidugli seconded by Hogan that Orders 2019-11-03 through 2019-11-07 are adopted as read. Motion carried. FOR THE RECORD MEMBER WITTE PRESENT BUT NOT VOTING.

FOR THE RECORD: Member Guidugli noted appreciation to Kathy Barrett for continuing to serve Bellevue after her move from Bellevue.

FOR THE RECORD: City Attorney David Fessler read Order 2019-11-08 approving the City of Bellevue Entertainment District (BED) rules.

MOTION By Kruse seconded by Salzman that Order 2019-11-08 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Order 2019-11-09 appointing Mayor Charlie Cleves as Representative of the City of Bellevue on the Ohio Kentucky- Indiana Regional Council Board of Governments.

MOTION By Guidugli seconded by Hogan that Order 2019-11-09 be adopted as read. Motion carried.

FOR THE RECORD: City Administrator Warnock noted that Mayor Cleves has attended each of the OKI Board Meetings resulting in over 900,000.00 in grant awards.

FOR THE RECORD: City Attorney David Fessler read Order 2019-11-10 approving the financing of a 2016 Ford Utility Police Interceptor Vehicle and authorizing Mayor Cleves to execute a loan agreement between the City and Wesbanco Bank, Inc.

MOTION By Witte seconded by Fisher that Order 2019-11-10 be adopted as read. Motion carried.

FOR THE RECORD:	Christmas Walk	November 29-30.
	Small Business Saturday	November 30.
	Start of BED	November 29.
	Property tax deadline	November 30.

MOTION By Guidugli seconded by Kruse that Council go into Executive Session at 8:25 pm Pursuant to KRS 61.810 (1) (b) deliberations on the future acquisition or sale of real property by a public agency. Motion carried.

MOTION By Fisher seconded by Kruse to return to Regular Session at 8:40 pm FOR THE RECORD NO ACTION TAKEN. Motion carried.

MOTION By Fisher seconded by Hogan to adjourn at 8:40 pm. Motion carried.

Mayor Charlie Cleves

ATTEST

Mary H. Scott, City Clerk