

COUNCIL CHAMBER CITY OF BELLEVUE, CAMPBELL COUNTY, KENTUCKY

MINUTES OF THE REGULAR MEETING OF COUNCIL DECEMBER 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 Kruse, Guidugli, Witte, Salzman, Hogan 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 November 13, 2019 are accepted as received. Motion carried.

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

|                                  |      |               |
|----------------------------------|------|---------------|
| General Fund                     | (82) | \$ 313,691.04 |
| General Fund (11/30/2019)        | (8)  | 30,572.70     |
| Capital Improvement              | (1)  | 18.38         |
| Capital Improvement (11/30/2019) | (2)  | 2,880.38      |
| Parks Fund                       | (1)  | 2,840.00      |
| Municipal Road Aid               | (2)  | 3,992.52      |
| Port Bellevue                    | (2)  | 230.14        |
| Lincoln Road                     | (1)  | 5,488.44      |

Motion carried.

FOR THE RECORD: Council Member Fisher reported on the following:

Southbank Riverfront Development Group final recommendations will be available soon.

Would like Council consideration for modification to Section 90.07 Dangerous Animals by elimination of breed specific section (1) (d) and elimination of 90.18 Number of dogs permitted within household.

FOR THE RECORD: Council Member Witte reported that Bellevue High School held their annual Holiday party and held a dedication for new High School façade.

FOR THE RECORD: Council Member Salzman expressed appreciation for the closure of Johnson Alley between Van Voast and Ward for 1<sup>st</sup> Saturday's. Member Salzman requested Council consideration to continue these play alleys into the 2020 year.

MOTION By Salzman seconded by Guidugli to approve the closure of Johnson Alley between Van Voast and Ward for 1<sup>st</sup> Saturday for the year 2020. Motion carried.

FOR THE RECORD: Member Salzman provided Council with an article on Kratom, a substance, which is unregulated in Kentucky and can cause addictions. A business in Bellevue is currently selling this substance and Member Salzman encouraged everyone to consider the potential risks associated with this substance. Mayor Cleves advised that he and Administrator Warnock have already approached Representative Keene, Senator Schroder and County Attorney Steve Franzen to urge legislation on this substance.

FOR THE RECORD: Member Kruse provided an update on the Sesquicentennial committee meetings, introducing Jill Fessler and Tina Neyer who serve on the Leadership Committee. An informational fair will be held in January to allow residents to sign up as volunteers for various events. Next step for leadership will be to work on fundraising opportunities. 150<sup>th</sup> banner with newly created logo displayed.

FOR THE RECORD: Mayor Cleves encouraged participation in the “Drop your drawers or socks” campaign. Please drop off at the Clerk’s Office and all donations will go directly to Grandview Elementary.

David Windmiller, property owner of 119 Fairfield expressed an interest in purchasing the triangle tract of land adjacent to 119 Fairfield owned by the City. This will be brought to Council in January.

FOR THE RECORD: Adam Chaney, Executive Director of SD1 and Angela Cook, Executive Assistant addressed Council to provide a brief presentation of the history between SD1 and the City of Bellevue, permit requirements, responsibilities, community expectations, Storm Water assistance programs, Private Cost Share, Recent changes and Basement backflow preventer program Residents can contact SD1 directly for the backflow preventer program..

Member Fisher asked if SD1 Website details the current list of projects – yes per Mr. Chaney.

Member Witte questioned if SD1 looks at rain gardens and drains for water solutions – yes, all options are considered.

Member Guidugli asked about the addition of storm water boxes that were added during the Taylor Avenue replacement project. Member Guidugli questioned who is responsible for maintenance as well as the design. SD1 does not maintain but has been working with the City on solutions.

Administrator Warnock advised that the Interlocal Agreement with SD1 specify below ground as SD1 responsibility and above ground being City responsibility. Great effort between SD1 and City to solve problems related to storm water management.

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

Written report to Council.

Lunch at Grandview during the week of Thanksgiving.

Officer Brown delivered Thanksgiving dinners to several families in need.

After receiving complaints of speeders on Cleveland, a speed survey was conducted. The report showed that during the 10-day survey, the average speed was 18mph in a posted 20 mph zone.

Anti-Grinch Program has begun; Residents can have packages delivered to the Bellevue Police Department, up to 25 lbs. in weight. This service is from December 1 – 23<sup>rd</sup>.

Member Witte questioned the Police Report – Gun Run / Shots fired – five calls. Chief Estep explained this was probably related to fireworks.

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

Written report provided to Council.

Firefighter left for Covington. Position has been filled.

Winterizing fire hydrants.

Fire Board will meet 6pm Callahan Center December 18.

Department annual Christmas drive for ten families from Bellevue and Dayton will be distributed on December 23. This year the department was able to provide 18 bikes, a bike for each child on the list.

Member Guidugli noted the proposed CERS rate increase for fiscal year 21 and stated the current medic unit needs to be replaced or refurbished.

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

Written report provided to Council.

Many activities during the Holiday Season are being held, as well as launch of the Bellevue Entertainment District (BED). This year more advertising has been done and a lot of positive feedback has been received. Shop local!

Noon – 6 pm Fairfield December 13<sup>th</sup> will be a Hoxworth Blood Drive. Please consider giving.

A total of 18 trees have been planted this fall.

FOR THE RECORD: Rick Mallery, Public Services Foreman reported on the following:

Written reported to Council.

Department priorities have been leaf pickup, tree planting and potholes filled.

FOR THE RECORD: Administrator Warnock reported on the following:

A neighborhood meeting for the residents of Bonnie Leslie and N. Sherry will be held on December 12 at 7 pm. A status report will be provided, Memorandum of Understanding and schematic of the project. Project will include two large retaining walls.

Date for planning session for fiscal year 2021 will be 9 am Callahan Community Center February 8, 2020.

City received a KLC Liability Grant for \$3,000.00.

Proposed CERS rates for the 2021 fiscal year will be 26.95 for nonhazardous and 44.33 for hazardous employees. This is a 12% increase over current year.

Appreciation for all the accomplishments that have been made over this past year. Member Guidugli stated this is the best leadership, staff and Council that he has worked with.

FOR THE RECORD: Jim Livers, 320 Center Street addressed Council with the following:

Concerns for the activity in alley behind his house at 330 Center. Mr. Livers stated his car has been broke into and he believes drug activity is going on. Mr. Livers requested Council consideration for a streetlight to be placed in the alley of the 300 block.

FOR THE RECORD: Jack Schneider, 420 Fairfield addressed Council regarding the following:

Concerns with the new Bellevue Entertainment District (BED). His business (Schneiders Sweet Shop) is posted on entrance door NO ALCHOL PERMITTED, however customers are not abiding

by the signage and he is concerned for the young employees that he has may feel intimidated by this as well as his patio patrons during summer months.

**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 second reading.

**MOTION:** By Kruse seconded by Salzman that Ordinance 2019-11-01 pass the second reading.  
**VOTE:** Yes 6 No 0. Motion carried. **THE ORDINANCE BECAME LAW.**

**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 second reading.

**MOTION:** By Guidugli seconded by Hogan that Ordinance 2019-11-02 pass the second reading.  
**VOTE:** Yes 6 No 0. Motion carried. **THE ORDINANCE BECAME LAW.**

**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 second reading.

**MOTION:** By Salzman seconded by Guidugli that Ordinance 2019-11-03 pass the second reading.  
**VOTE:** yes 6 No 0. Motion carried. **THE ORDINANCE BECAME LAW.**

**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 second reading.

**MOTION:** By Fisher seconded by Hogan that Ordinance 2019-11-04 pass the second reading.  
**VOTE:** Yes 6 NO 0. Motion carried. **THE ORDINANCE BECAME LAW.**

**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 second reading.

**MOTION:** By Salzman seconded by Guidugli that Ordinance 2019-11-05 pass the second reading.  
**VOTE:** Yes 6 No 0. Motion carried. **THE ORDINANCE BECAME LAW.**

FOR THE RECORD: City Attorney David Fessler read Orders 2019-12-01 appointing Steve Guidugli to the Bellevue Dayton Fire Board, Order 2019-12-02 appointing Pat Hogan to the Bellevue Dayton Fire Board and Order 2019-12-03 appointing Tom Quirk to the Bellevue Dayton Fire Board.

MOTION By Fisher seconded by Kruse that Orders 2019-12-01, 2019-12-02 and 2019-12-03 be adopted as read. Motion carried. FOR THE RECORD: Members Guidugli and Hogan present not voting.

FOR THE RECORD: City Attorney David Fessler read Order 2019-12-04 Authorizing the Mayor to purchase land located at 334 Bonnie Leslie Avenue in an amount not to exceed \$35,000.00.

MOTION By Kruse seconded by Salzman that Order 2019-12-04 be adopted as read. Motion carried. FOR THE RECORD: Member Guidugli present not voting. FOR THE RECORD: Member Salzman stated purchase should come after resident meeting.

FOR THE RECORD: City Attorney David Fessler read Order 2019-12-05 Authorizing the Mayor to enter into an agreement with the Commonwealth of Kentucky Transportation Cabinet and City for the Grandview Elementary Sidewalk Project.

MOTION By Guidugli seconded by Kruse that Order 2019-12-05 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Order 2019-12-06 appointing Will Beauchamp, Christine Mayhew and Sloane Lee to the City of Bellevue Human Rights Commission.

MOTION By Fisher seconded by Salzman that Order 2019-12-06 be adopted as read. Motion carried.

FOR THE RECORD: City Attorney David Fessler read Ordinance 2019-12-01 changing the time when distilled spirits, wine and malt beverages may be sold at retail from 11 am on Sundays to 10 am on Sundays in the City of Bellevue for a first time.

FOR THE RECORD: Administrator Warnock advised that this Ordinance was requested and all twenty-two license holders were sent an informal survey to ask their opinion on opening time for Sunday sales. Results varied but majority supported a 10 am Sunday sale time. Jon Styles representing the Party Source stood to support the 10 am sale time. Member Salzman questioned what time Newport began Sunday sales – 9 am.

FOR THE RECORD: Mayor Cleves read Resolution 12-24-2019 supporting Santa One, the reindeer-powered sleigh Santa Claus uses to deliver presents to good children around the world, has been cleared for its worldwide air travel flight on Christmas Eve, December 24, 2019.

FOR THE RECORD: Member Witte requested on behalf of Kevin Burkart, 215 Bonnie Leslie requested consideration for the utility pole and stop sign placement being an issue for pedestrians.

FOR THE RECORD: Greg Cozart on behalf of Bellevue Land Company donated \$1500.00 for parking and code enforcement software.

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

Mayor Charlie Cleves

ATTEST

Mary H. Scott, City Clerk