

City OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
Monday, April 22, 2019
MINUTES

CALL TO ORDER / ROLL CALL

The meeting was called to order by Mayor Peluso at 7:00 p.m. in the Multi-Purpose Room of the Newport Municipal Building at 998 Monmouth Street. The meeting was opened with a moment for silent invocation and the mayor led the Pledge of Allegiance.

In attendance were: Commissioner Beth Fennell Commissioner Thomas Guidugli, Jr., Commissioner Frank Peluso, : Commissioner Ken Rehtin, and Mayor Jerry Peluso. Also in attendance were: City Manager Thomas Fromme, Assistant City Manager Larisa Sims, City Attorney Daniel Braun, Police Chief Tom Collins, Fire Chief Bill Darin, Community Services Director Doug Roell, Director of Finance Lenny Kuntz, Community Liaison Bev Holiday, and City Clerk Amy Able.

PERSONNEL ORDERS

The city clerk read **R-2019-024**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT,
KENTUCKY, PROMOTING FRANK T. PELUSO, JR. TO THE POSITION OF CAPTAIN
GRADE 3 IN THE FIRE/EMS DEPARTMENT.

Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Fennell. The mayor called for a roll call vote.

Commissioner Guidugli:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Fennell:	Yes	Commissioner Peluso:	Abstain	<u>Motion carried 5-0.</u>	

Chief Darin stated Captain Peluso came to the Department in 2000, was promoted to Engineer in 2007, to Lieutenant in 2012, and to Acting Captain in 2019. Insignia was pinned by daughter Mia Peluso.

The mayor called for a brief recess at 7:00. The meeting resumed at 7:15 with Commissioners Fennell, Guidugli, Peluso, Rehtin, and Mayor Peluso present and responding to roll call.

PUBLIC FORUM

Mr. Gordon Henry, President of ReNewport and a resident of Park Avenue announced the Westside Citizens Coalition will meet April 23 at 7 p.m. which will include a presentation by Welcome House.

APPROVAL OF MINUTES

Commissioner Peluso made a motion to approve the minutes of the Monday, March 25, 2019 regular meeting, and the Monday, April 8, 2019 special and caucus meetings. Commissioner Fennell offered a second to the motion. Upon hearing there were no changes, corrections, comments or questions, the mayor called for a roll call vote.

Commissioner Peluso:	Yes	Commissioner Guidugli:	Yes	Mayor Peluso:	Yes
Commissioner Fennell:	Yes	Commissioner Rehtin		<u>Motion carried 5-0.</u>	

OLD BUSINESS

The city clerk gave second reading by title and summary of **O-2019-004**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF
NEWPORT, KY, PURSUANT TO THE PROVISIONS OF CHAPTER 153 OF THE CODE
OF ORDINANCES, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF

NEWPORT, KY TO INCORPORATE A **MAP AMENDMENT** FOR CERTAIN PARCELS OF REAL ESTATE DESIGNATION AS BEING WITHIN THE **I-1 ZONE TO THE R-3 ZONE**

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Fennell:	Yes	Commissioner Rehtin:	Yes	Commissioner Guidugli:	Yes
Commissioner Peluso:	Yes	Mayor Peluso:	Yes	<u>Motion carried 5-0.</u>	

NEW BUSINESS

The city clerk read **R-2019-025**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY MAKING A DECLARATION OF OFFICIAL INTENT WITH RESPECT TO REIMBURSEMENT OF TEMPORARY ADVANCES MADE FOR **CAPITAL EXPENDITURES FROM SUBSEQUENT BORROWINGS** AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY DOCUMENTATION RELATED THERETO.

Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Mr. Fromme stated this will allow recapture of engineering costs for the South Monmouth Corridor Project. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Guidugli:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Peluso:	Yes	Commissioner Fennell:	Yes	<u>Motion carried 5-0.</u>	

The city clerk read **R-2019-026**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING: (1) THE ISSUANCE OF ITS FIRST MORTGAGE REVENUE **REFUNDING BONDS (COURT FACILITIES PROJECT)**, SERIES 2019, IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$19,000,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE CITY'S OUTSTANDING FIRST MORTGAGE REVENUE BONDS, (COURT FACILITIES PROJECT), SERIES 2009, THE PROCEEDS OF WHICH WERE USED TO CONSTRUCT CERTAIN COURT FACILITIES; (2) THE EXECUTION OF A LEASE AMONG THE CITY, THE CAMPBELL COUNTY COURT HOUSE COMMISSION AND THE ADMINISTRATIVE OFFICE OF THE COURTS; (3) THE EXECUTION OF A MORTGAGE DEED OF TRUST TO PROVIDE SECURITY FOR SAID BONDS; (4) THE EXECUTION OF A GROUND LEASE WITH SAID COURT HOUSE COMMISSION; (5) THE SALE OF SAID BONDS; AND (6) THE TAKING OF ANY OTHER ACTION NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS ORDER.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Fromme stated this is a project of the Campbell County Courthouse Commission; it is a pass-through item with no cost to the City but the City receives an administration fee of \$45,000. He added the next order on the agenda is a companion concerning compliance with SEC guidelines. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Guidugli:	Yes	Commissioner Fennell:	Yes	<u>Motion carried 5-0.</u>	

The city clerk read **R-2019-027**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, ADOPTING CERTAIN GUIDELINES AND PROCEDURES IN

CONNECTION WITH THE **COMPLIANCE WITH RULE 15c2-12** OF THE SECURITIES AND EXCHANGE COMMISSION

Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Guidugli:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Peluso:	Yes	Commissioner Fennell:	Yes	<u>Motion carried 5-0.</u>	

The city clerk read **R-2019-028**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING CITY MANAGER THOMAS J. FROMME TO EXECUTE A **GROUND LEASE AGREEMENT WITH SKYWHEEL NEWPORT, LLC** REGARDING THE NEWPORT SKYWHEEL PROJECT.

Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Spoor offered to answer questions for the Board and reviewed the history. Following changes to satisfy the Army Corps of Engineers (ACE) there was a development agreement last summer and this is the ground lease contemplated by that agreement. While ACE has seen the lease, they are now reviewing the exhibits. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Guidugli:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Fennell:	Yes	Commissioner Peluso:	Yes	<u>Motion carried 5-0.</u>	

The city clerk read **R-2019-029**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING MAYOR PELUSO TO EXECUTE AN AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET AND THE CITY OF NEWPORT CONCERNING **RED BIKE STATIONS** PROJECT.

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Fromme stated the locations will be at Campbell County Public Library on Sixth Street, near the city building on Monmouth, and at the Scholar House at Sixth and Patterson. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Fennell:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Guidugli:	Yes	Commissioner Peluso:	Yes	<u>Motion carried 5-0.</u>	

The city clerk read **R-2019-030**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING AND DIRECTING CITY MANAGER THOMAS J. FROMME TO EXECUTE CONTRACTS **EATON ASPHALT AND PAUL MICHELS AND SONS, INC.** FOR 2019 "**BID PACKAGE 1**" ROAD REFURBISHING AND SURFACING WORK.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Roell stated work will begin after July 1, 2019 and there will be a partial reimbursement for Ann Street and West Ridge from the Water District. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Fennell:	Yes	Commissioner Guidugli:	Yes	<u>Motion carried 5-0.</u>	

The city clerk read **R-2019-031**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AUTHORIZING THE CITY MANAGER THOMAS J. FROMME TO ACCEPT

THE BIDS OF VARIOUS SUPPLIERS FOR THE DEPARTMENT OF COMMUNITY SERVICES PURSUANT TO BIDS RECEIVED APRIL 5, 2019.

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Mr. Roell reviewed the bids and responded to questions. Road salt is up 4%. Items for which no bid was received will be purchased at market rate. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Fennell: Yes Commissioner Rehtin: Yes Commissioner Guidugli: Yes
Commissioner Peluso: Yes Mayor Peluso: Yes Motion carried 5-0.

The city clerk read **R-2019-032**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING AND DIRECTING CITY MANAGER THOMAS J. FROMME TO EXECUTE A CONTRACT WITH PAUL MICHELS AND SONS, INC. FOR VETERANS POOL RESURFACING PROJECT.

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Roell stated the work will be complete before the pool opens for the season. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Fennell: Yes Commissioner Rehtin: Yes Mayor Peluso: Yes
Commissioner Guidugli: Yes Commissioner Peluso: Yes Motion carried 5-0.

The city clerk read **R-2019-033**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE PURCHASE ORDERS FOR THE PURCHASE OF SIX 2019 DODGE CHARGER POLICE PURSUIT AWD VEHICLES.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Chief Collins stated the Chargers have been consistent and the cost is considerably less than the Ford Explorers. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso: Yes Commissioner Rehtin: Yes Mayor Peluso: Yes
Commissioner Fennell: Yes Commissioner Guidugli: Yes Motion carried 5-0.

The city clerk read **R-2019-034**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING MAYOR JERRY PELUSO TO SIGN THE CONSENT AND RECEIPT OF NOTICE TO CLOSE PARTS OF PINES ALLEY AND MILLER ALLEY IN THE CITY OF NEWPORT, KENTUCKY.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Fromme stated this relates to the sale of the old City stable site and parking lot being acquired by Health Pointe. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso: Yes Commissioner Rehtin: Yes Mayor Peluso: Yes
Commissioner Guidugli: Yes Commissioner Fennell: Yes Motion carried 5-0.

The city clerk gave first reading by title and summary of **O-2019-005**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY CLOSING AND VACATING PARTS OF PINES ALLEY AND MILLER ALLEY IN THE CITY OF NEWPORT, CAMPBELL COUNTY, KENTUCKY.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Guidugli:	Yes	Commissioner Fennell:	Yes		<u>Motion carried 5-0.</u>

The city clerk gave first reading by title and summary of **O-2019-006**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY **AMENDING THE BUDGET** FOR THE CITY FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019, CONCERNING VARIOUS LINE ITEMS.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Kuntz reviewed the adjustments and said with the new software in place, once a budget line item is exhausted an adjustment is required for additional expenditures. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Guidugli:	Yes	Commissioner Fennell:	Yes		<u>Motion carried 5-0.</u>

The city clerk gave first reading by title and summary of **O-2019-007**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY **CREATING AND PERMITTING NON-EXCLUSIVE FRANCHISE AGREEMENTS** FOR THE USE OF CITY OWNED PROPERTY, STREETS, AND RIGHTS-OF-WAY FOR THE INSTALLATION AND OPERATION OF CELLULAR AND WIRELESS COMMUNICATION SYSTEMS AND SERVICES.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Fromme explained this as a proactive measure. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Fennell:	Yes	Commissioner Guidugli:	Yes		<u>Motion carried 5-0.</u>

COMMENTS FROM DEPARTMENT HEADS

Chief Darin stated the new ambulance has arrived and is in service on the West Side.

Mr. Kuntz stated work is being done on the second draft of the budget.

Mrs. Sims stated the repair the cap of the landfill is complete.

COMMENTS FROM CITY MANAGER

- There was a meeting with representatives from the Census, City concerns were expressed, it is in the best interest of the City to have an accurate count.
- Budget preparations are on schedule. A second reading may be ready on June 10.
- Legislative changes in Frankfort make the City eligible for a regulatory fee.
- Exploration of a city sticker and parking meter program continues. A recent decision to grant a parking variance may further impact the need for a program. The City met with IPS, a company with a different style solution.

COMMENTS FROM THE BOARD

Commissioner Rehtin:

- There will be a meeting April 24 at 7 p.m. at Carabellos to plan the fifth Trash Bash Challenge.

Mayor Peluso:

- Scooters are becoming more prevalent and there are problems when they are left blocking sidewalks.
- During a recent review of several streets he observed two hundred cars with out-of-state plates on one evening in the basin area.

EXECUTIVE SESSION

Commissioner Fennell made a motion to enter executive session as allowable under KRS 61.810 (1) (c) for discussion of proposed or pending litigation against or on behalf of the city. Commissioner Peluso made a second to the motion. Mr. Braun stated that no action was anticipated this evening and a return to regular session was not expected. The executive session will convene immediately following final comments from the Board. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

Commissioner Fennell:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Peluso:	Yes	Commissioner Guidugli:	Yes	<u>Motion carried 5-0.</u>	

ADJOURNMENT

There being no further business, the Board reconvened in executive session on the first floor of the city building at approximately 8:15 with Commissioners Fennell, Guidugli, Rehtin, and Peluso, Mayor Peluso, Mr. Fromme, and Mr. Braun present.

Following a motion and second to exit the executive session, carried by voice vote, there being no further business, **the meeting adjourned at 8:40 p.m.**

Date Approved/Signed

Jerry R. Peluso, Mayor

Attest:

Amy B. Able, City Clerk