

City OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
Monday, July 16, 2018
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 Frank Peluso, Commissioner Beth Fennell, Commissioner Thomas Guidugli, 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, Director of Finance Lenny Kuntz, Code Enforcement Director Brian Steffen, Assistant City Attorney Robert List, Assistant City Attorney John Hayden, Community Liaison Bev Holiday, and City Clerk Amy Able.

PRESENTATIONS

Cara Brooks of Duke Energy introduced Bob Reese who gave an overview of the Smart Meter installation program now in progress in Newport.

PUBLIC HEARINGS

The city clerk read the notice for the Public Hearing for Municipal Road Aid as published.

Municipal Road Aid Funds

The public hearing's purpose is obtaining written or oral comments regarding the proposed use of Municipal Road Aid Program funds for the 2018-2019 fiscal year. The proposed use of these funds is for road improvements such as resurfacing, rehabilitation, or reconstruction and signalization for City streets. Funds will be used for reconstruction and maintenance of roads including expenses such as filling potholes as well as snow removal and treatment, street cleaning, line painting, and repair or replacement of sidewalks, curbs, gutters, lighting and signage when done in conjunction with a street reconstruction project.

Municipal Road Aid Program

Cash balance carried forward (estimate)	\$0
Anticipated receipts (including interest)	\$304,008.88
Total available for appropriation	\$304,008.88

Public Inspection: The City's budget and proposed uses of Municipal Road Aid program funds are available for public inspection at City Hall during normal business hours.

Mr. Fromme stated these funds were included in the budget with the exception of the (approximately \$9,000) portion approved at the June meeting which, under a cooperative agreement with KYTC, is allocated for emergency road and bridge replacement fund. In the past MRA funds were received in even monthly payments, under the new agreement the majority of that revenue will be received in August. The mayor called for any questions or comments and upon hearing none closed the public hearing at 7:27 p.m.

PUBLIC FORUM

Mr. Ed Davis, Chair of the Westside Coalition offered an honorary resolution recognizing and thanking Newport Public Works for their efforts and assistance with enhancements including planting over 100 trees over the past two years, numerous litter clean-up events, park improvements and more. He stated Public Works is always ready to assist with guidance and labor to make a difference.

APPROVAL OF MINUTES

Commissioner Fennell made a motion to approve the minutes of the Monday, June 18, 2018 regular meeting and the Tuesday, June 19, 2018 special meeting. Commissioner Guidugli 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 Fennell:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso: Yes
Commissioner Guidugli:	Yes	Commissioner Peluso:	Yes	<u>Motion carried 5-0.</u>

NEW BUSINESS

The city clerk gave first reading of tentative **O-2018-005**

AN ORDINANCE CLOSING AND VACATING PART OF AN UNNAMED ALLEY IN THE CITY OF NEWPORT, CAMPBELL COUNTY, KENTUCKY.

Commissioner Peluso made a motion for approval, Commissioner Guidugli offered a second to the motion. Mr. Fromme explained this is a "paper alley" located behind Miller Street and the 100 block of Park Avenue and all affected parties have agreed to the closing. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

Mr. Fromme explained the next four ordinances having first reading are housekeeping measures updating language in the codification concerning the makeup of various city departments.

The city clerk gave first reading of tentative **O-2018-006**

AN ORDINANCE AMENDING SECTION 31.13 OF THE CODE OF ORDINANCES CONCERNING THE OFFICE OF THE CITY MANAGER.

Commissioner Guidugli made a motion for approval, Commissioner Fennell offered a second to the motion. 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 gave first reading of tentative **O-2018-007**

AN ORDINANCE AMENDING SECTION 31.43 OF THE CODE OF ORDINANCES CONCERNING THE DEPARTMENT OF FINANCE.

Commissioner Guidugli made a motion for approval, Commissioner Fennell offered a second to the motion. 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 gave first reading of tentative **O-2018-008**

AN ORDINANCE AMENDING SECTION 31.42 OF THE CODE OF ORDINANCES CONCERNING THE OFFICE OF THE CITY MANAGER.

Commissioner Peluso made a motion for approval, Commissioner Fennell offered a second to the motion. 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 gave first reading of tentative **O-2018-009**

AN ORDINANCE AMENDING SECTION 31.46 OF THE CODE OF ORDINANCES CONCERNING THE CODE ENFORCEMENT DEPARTMENT.

Commissioner Fennell made a motion for approval, Commissioner Peluso offered a second to the motion. 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 Motion carried 5-0.

The city clerk read Order **R-2018-039**

AN ORDER AUTHORIZING CITY MANAGER THOMAS FROMME TO EXECUTE **AGREEMENTS WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET**, DEPARTMENT OF HIGHWAYS, CONCERNING **MAINTENANCE RESPONSIBILITIES FOR STATE MAINTAINED ROADS** AND STATE OWNED PROPERTY LOCATED WITHIN THE CITY.

Commissioner Guidugli made a motion for approval, Commissioner Peluso offered a second to the motion. 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 Motion carried 5-0.

Mayor Peluso recognized Tom Guidugli, Sr., Executive Director of Neighborhood Foundations, and Dennis Elrod, CDBG Administrator for the project detailed in the next six agenda items. The project includes rehabilitation of four existing homes and development of one vacant lot, four of the properties are on Columbia Street and one on West Tenth Street. Regarding the Anti-Displacement plan, there will be none as all are vacant. Regarding cost overruns, the development agreement makes clear this is the sole responsibility of Newport Millennium Housing but the Order must be worded this way as the State agreement is with the City. Call for applicants is usually done when projects are half way to completion (income confirmation is only good for six months) but any early applicants are advised how to prepare.

The city clerk read Order **R-2018-040**

AN ORDER AUTHORIZING MAYOR JERRY PELUSO TO ENTER INTO AND EXECUTE **A DEVELOPMENT AGREEMENT** WITH NEIGHBORHOOD FOUNDATIONS AND NEWPORT MILLENNIUM HOUSING CORPORATION III CONCERNING THE **2017 NEWPORT HOMEOWNERSHIP DEVELOPMENT PROJECT.**

Commissioner Peluso made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Order **R-2018-041**

AN ORDER **ADOPTING A RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN** FOR THE 2017 NEWPORT HOMEOWNERSHIP DEVELOPMENT PROJECT.

Commissioner Guidugli made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Motion carried 5-0.

The city clerk read Order **R-2018-042**

AN ORDER **ADOPTING PROCUREMENT STANDARDS** AND A CODE OF CONDUCT TO GOVERN ALL PROCUREMENTS MADE IN CONNECTION WITH THE 2017

NEWPORT HOMEOWNERSHIP DEVELOPMENT PROJECT.

Commissioner Fennell made a motion for approval, Commissioner Peluso offered a second to the motion. 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 Motion carried 5-0.

The city clerk read Order **R-2018-043**

AN ORDER ACKNOWLEDGING RECEIPT OF STATE CLEARINGHOUSE COMMENTS AND AGREEING ALL REQUIREMENTS SET FORTH IN THESE COMMENTS SHALL BE MET DURING IMPLEMENTATION OF THE 2017 NEWPORT HOME OWNERSHIP DEVELOPMENT PROJECT.

Commissioner Guidugli made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Motion carried 5-0.

The city clerk read Order **R-2018-044**

AN ORDER APPROVING AND ADOPTING REVOLVING FUND GUIDELINES FOR RECEIPT AND USE OF PROGRAM INCOME RESULTING FROM IMPLEMENTATION OF THE 2017 NEWPORT HOME- OWNERSHIP DEVELOPMENT PROJECT.

Commissioner Peluso made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Order **R-2018-045**

AN ORDER ACKNOWLEDGING AND ACCEPTING THE REQUIREMENT THAT THE CITY MUST FUND ALL COST OVERRUNS RELATED TO IMPLEMENTATION OF THE 2017 NEWPORT HOME- OWNERSHIP DEVELOPMENT PROJECT.

Commissioner Guidugli made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Motion carried 5-0.

Mayor Peluso pointed out the next ten items on the agenda are property assessment moratoriums. Mr. Fromme noted several are a reflection of the interest in development on the west side (a total of five this year). It was noted one applicant is from Wisconsin and another from Seattle.

The city clerk read Order **R-2018-047**

AN ORDER GRANTING A PROPERTY ASSESSMENT MORATORIUM TO TRIAD HOLDINGS LLC RELATING TO THE RESTORATION OF PROPERTY AT 946 YORK STREET, NEWPORT, KENTUCKY.

Commissioner Fennell made a motion for approval, Commissioner Guidugli offered a second to the motion. 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 Order **R-2018-046**

AN ORDER GRANTING A PROPERTY ASSESSMENT MORATORIUM TO G & G REAL ESTATE OF NKY LLC RELATING TO THE RESTORATION OF PROPERTY AT 913 YORK STREET, NEWPORT, KENTUCKY.

Commissioner Fennell made a motion for approval, Commissioner Guidugli offered a second to the motion. 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 Order **R-2018-048**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO G & G REAL ESTATE OF NKY LLC RELATING TO THE RESTORATION OF PROPERTY AT **808 ISABELLA STREET**, NEWPORT, KENTUCKY.

Commissioner Fennell made a motion for approval, Commissioner Peluso offered a second to the motion. 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 Motion carried 5-0.

The city clerk read Order **R-2018-049**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO RICK SIMS RELATING TO THE RESTORATION OF PROPERTY AT **901 MONROE STREET**, NEWPORT, KENTUCKY.

Commissioner Peluso made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Order **R-2018-050**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO JERRY LAY AND BILLY WHITE RELATING TO THE RESTORATION OF PROPERTY AT **845 OVERTON STREET**, NEWPORT, KENTUCKY.

Commissioner Fennell made a motion for approval, Commissioner Guidugli offered a second to the motion. 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 Order **R-2018-051**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO DIVERSIFIED STRATEGIES INVESTMENT FUND LP RELATING TO THE RESTORATION OF PROPERTY AT **730 MAPLE AVENUE**, NEWPORT, KENTUCKY.

Commissioner Fennell made a motion for approval, Commissioner Guidugli offered a second to the motion. 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 Order **R-2018-052**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO DIVERSIFIED STRATEGIES INVESTMENT FUND LP AND ARTURO CORDERO RELATING TO THE RESTORATION OF PROPERTY AT **740 LINDEN AVENUE**, NEWPORT, KENTUCKY.

Commissioner Peluso made a motion for approval, Commissioner Fennell offered a second to the motion. 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 Order **R-2018-053**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO DIVERSIFIED STRATEGIES INVESTMENT FUND LP RELATING TO THE RESTORATION OF PROPERTY AT **402 WEST NINTH STREET**, NEWPORT, KENTUCKY.

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

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

The city clerk read Order **R-2018-054**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO NICOLE CORDERO / DUANE CRONIN RELATING TO THE RESTORATION OF PROPERTY AT **923 MONROE STREET**, NEWPORT, KENTUCKY.

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

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

The city clerk read Order **R-2018-055**

AN ORDER GRANTING A **PROPERTY ASSESSMENT MORATORIUM** TO CHAD AND KRISTINE SCHULTZ RELATING TO THE RESTORATION OF PROPERTY AT **208 EAST EIGHTH STREET**, NEWPORT, KENTUCKY.

Commissioner Guidugli made a motion for approval, Commissioner Fennell offered a second to the motion. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

COMMENTS FROM CITY MANAGER

Work has begun internally to encourage some shared dumpsters in areas where adaptive reuse has made buildings viable structures again but in some places trash collection and a large number of cans for businesses can be problematic.

Future discussions at caucus meetings will address parking concerns and possible new approaches.

EXECUTIVE SESSION / ADJOURNMENT

Commissioner Peluso made a **motion to enter executive session** as allowable under KRS 61.810 (1)(c) to discuss pending litigation against or on behalf of the public agency; second to the motion was offered by Commissioner Guidugli. It was noted that there would be no action anticipated following the executive session. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

There being no further business, Commissioner Fennell made a **motion to adjourn**; second to the motion was offered by Commissioner Guidugli. The mayor called for a roll call vote.

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

The meeting adjourned at 8:17 p.m.

An executive session commenced at 8:30 p.m. in the city manager’s conference room on the second floor of the city building with Commissioners Fennell, Peluso, Rechtin, and Guidugli, Mayor Peluso, City Manager Fromme, City Attorney Braun, Assistant City Attorney List, Assistant City Attorney Haden, and Assistant City Manager Sims in attendance. Following a motion to adjourn and a second, the executive session concluded and adjourned at 9:30 p.m.

Date Approved/Signed

Jerry R. Peluso, Mayor

Attest:

Amy B. Able, City Clerk

NOT an official copy