

City OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
Monday, August 19, 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, Historic Preservation Officer Scott Clark, Community Liaison Bev Holiday, and City Clerk Amy Able.

PRESENTATIONS, AWARDS AND PROCLAMATIONS

The Fire/EMS Department and the Board recognized of Dr. Hudepohl, outgoing Medical Director for Newport Fire/EMS and thanked him for his many years of dedicated service since 1998. Dr. Daryl Emery has been selected and agreed to serve as the new Medical Director.

At 7:07 the mayor called for a brief recess. The meeting reconvened at 7:14 with all members of the Board responding to roll call.

PUBLIC FORUM No one present responded to the invitation to address the Board.

APPROVAL OF MINUTES

Commissioner Peluso made a motion to approve the minutes of the Monday, July 22, 2019 regular meeting, and the Monday, August 12, 2019 special meeting. 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 Rehtin: Yes Mayor Peluso: Yes
Commissioner Fennell: Yes Commissioner Guidugli: Yes Motion carried 5-0.

NEW BUSINESS

The city clerk gave first reading by title and summary to tentative **O-2019-020**.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$16,050,000 INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2019A (CPX OMV, LLC PROJECT) OF THE CITY OF NEWPORT, KENTUCKY, THE PROCEEDS OF WHICH SHALL BE USED TO PAY THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND EQUIPPING OF FACILITIES TO BE USED FOR RECREATION AND CULTURAL ACTIVITIES, TO BE LOCATED WITHIN THE CITY OF NEWPORT, KENTUCKY, AND LEASED TO CPX OMV, LLC; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LEASE AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT, IN LIEU OF TAXES AGREEMENT; AND ASSIGNMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Fromme explained this ordinance, paired with the following two, concern industrial revenue bonds for Phase 1 of the Ovation project. He reviewed implementation of the IRB and benefits of the TIF district. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

The city clerk gave first reading by title and summary to tentative **O-2019-021**.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$14,600,000 INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2019B (CPX NEWPORT COMMERCIAL DEVELOPMENT, LLC PROJECT) OF THE CITY OF NEWPORT, KENTUCKY, THE PROCEEDS OF WHICH SHALL BE USED TO PAY THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND EQUIPPING OF OFF-STREET PARKING FACILITIES, TO BE LOCATED WITHIN THE CITY OF NEWPORT, KENTUCKY, AND LEASED TO CPX NEWPORT COMMERCIAL DEVELOPMENT, LLC; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A LEASE AGREEMENT APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT, AGREEMENT IN LIEU OF TAXES; AND ASSIGNMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS.

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

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

The city clerk gave first reading by title and summary to tentative **O-2019-022**.

AN ORDINANCE OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING THE ISSUANCE OF UP TO \$15,000,000 PRINCIPAL AMOUNT OF CITY OF NEWPORT, KENTUCKY TAX INCREMENT REVENUE BONDS (CPX NEWPORT COMMERCIAL DEVELOPMENT, LLC PROJECT); AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE SECURING SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCING AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX REGULATORY AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A PAYMENT IN LIEU OF TAX AGREEMENT; AND OTHER DOCUMENTS AND TAKING OTHER RELATED ACTION.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Fromme passed on apologies from Mr. Banta who was unable to attend due to a conflict and noted other representatives for the developer were present. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

The city clerk gave first reading by title and summary to tentative **O-2019-023**.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY **AMENDING VARIOUS SECTIONS OF THE OFFICIAL ZONING ORDINANCE** OF THE CITY OF NEWPORT, KENTUCKY.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mrs. Sims stated a public hearing was held by the Planning and Zoning Commission on July 23, 2019, no comments were received, staff and Planning and Zoning Commission were forwarded to the Board of Commissioners for review. She reviewed the individual changes and responded to questions from the Board. Commissioner Peluso asked about language in the existing ordinance (9.24(E)) indicating preliminary plat plans with no action within thirty days will be conditionally approved; staff will review the history of this item and whether it is statutory in nature. (This item was not included as an item to be changed in the recommendations in the proposed ordinance.) Mr. Braun asked for an amendment stating that from the items recommended by the Planning and Zoning Commission, the following will be tabled for further discussion: four definitions set forth in 7.0 ("farm products", "farmers' market", "producer", and "value-added farm product") and the Table 6 (of Section 10.3, Permitted and Conditional Uses in Commercial Zones) references to farmers markets. Commissioner Peluso withdrew his motion to approve; Commissioner Guidugli withdrew the second. Commissioner Guidugli made a **motion to approve as amended**; 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 gave first reading by title and summary to tentative **O-2019-024**.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY **AMENDING SECTION 37 APPENDIX A OF THE CODE OF ORDINANCES CONCERNING THE SCHEDULE OF FEES, CHARGES AND EXPENSES.**

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. 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-2019-065**

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 A NEW 5500 RAM VEHICLE.**

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Mr. Roell detailed the need for and selection of this model dump truck. This is a change to gasoline from diesel as costs for fuel and repair have risen. The vehicle will be for universal use in the Public Works Department, replacing outdated models. Following review of State contract pricing, the appointed Ford dealer could not take an order at this time. The invitation to bid was published and the bid received was \$5k under the State contract price. 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>

COMMENTS FROM CITY DEPARTMENT HEADS

Chief Collins thanked the Board and everyone who supported Newport Night Out including the Board, ReNewport and Doug Roell. There were an estimated 3,000 in attendance.

The car show will be on August 25, 2019.

Mrs. Sims stated the City has received a grant for playground equipment at Bernadette Watkins

Park through KaBoom. Volunteers are needed for build day on September 27, 2019.

COMMENTS FROM CITY MANAGER

Businesses are invited to attend the Newport Business Association luncheon on August 28, 2019.

Major renovations to Newport on the Levee have begun.

There will be a ribbon cutting this month at the former Baptist Home which will be Skypoint condominiums.

Plans are underway for Riverfest including traffic control measures and coordinated efforts from Public Works, the National Guard, the Fire and Police Departments who all play a part in keeping the event safe and enjoyable. Residents are encouraged to walk; visitors are encouraged to utilize park and ride.

COMMENTS FROM THE BOARD OF COMMISSIONERS

Members of the Board expressed condolences to the families of Al Garnick, a longtime public servant whose work included positions with the Fire and Police Departments and as Deputy Coroner, and Allen Weber, who was a longtime resident and an active leader in the Buena Vista neighborhood.

Commissioner Peluso recognized Doug Roell for his recent quick intervention resolving issues on West Broadway when lines were hit and the street was blocked.

ADJOURNMENT

Commissioner Guidugli made a motion to adjourn; second to the motion was offered by Commissioner Peluso.

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

The meeting adjourned at 7:55 p.m.

Date Approved/Signed

Jerry R. Peluso, Mayor

Attest:

Amy B. Able, City Clerk