

City OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
Monday, September 17, 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 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, Director of Finance Lenny Kuntz, Community Services Director Doug Roell, Code Enforcement Director Brian Steffen, Historic Preservation Officer Scott Clark, Community Liaison Bev Holiday, and City Clerk Amy Able.

PRESENTATIONS, AWARDS & PROCLAMATIONS

Ms. Paige Ellerman gave an update on the Newport Penguins.

PUBLIC HEARINGS

The city clerk read the notice and proposed **Property Tax Rate**, as advertised. Mr. Fromme addressed the Board noting the adopted budget included a four percent increase to revenue which would be obtained through adoption of the proposed, allowable rate. He stated that compared to other cities in the area Newport does not have additional taxes such as a fire district tax. No residents in attendance responded to the mayor's invitation for comments and the public hearing was closed at 7:38.

The city clerk gave first reading to Ordinance **O-2018-010**.

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT,
KENTUCKY LEVYING AND **ASSESSING AN AD VALOREM TAX** FOR CITY PURPOSES FOR
THE FISCAL YEAR 2018-2019 ON ALL PROPERTY LOCATED WITHIN THE CITY OF
NEWPORT, KENTUCKY.

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

PUBLIC FORUM

Scott Clark promoted Beyond the Curb which will feature five Newport properties on September 30.

APPROVAL OF MINUTES

Commissioner Peluso made a motion to approve the minutes of the Monday, July 16, 2018 regular 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 Guidugli:	Abstain	Mayor Peluso:	Yes
Commissioner Fennell:	Yes	Commissioner Rehtin:	Yes	<u>Motion carried 5-0.</u>	

NEW BUSINESS

The city clerk gave first reading to Ordinance **O-2018-011**

AN ORDINANCE AMENDING SECTION 15.7, TABLE 16 OF THE OFFICIAL ZONING ORDINANCE OF THE CITY OF NEWPORT, KENTUCKY CONCERNING **PERMITTED USE AND LOCATION OF SIGNS** TO COMPORT WITH PREVIOUS CHANGES MADE TO SIGN CLASSIFICATIONS SET FORTH IN COMMISSIONERS ORDINANCE O-2016-024.

Mr. Steffen stated this merely adjusts the table concerning allowable signs to correspond with changes already made to the Zoning Ordinance. Commissioner Fennell 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 Fennell: Yes Commissioner Rehtin: Yes Mayor Peluso: Yes
Commissioner Guidugli: Yes Commissioner Peluso: Yes Motion carried 5-0.

The city clerk read Order **R-2018-061**

AN ORDER **APPROVING AN INDUCEMENT CONTRACT BETWEEN THE CITY AND SKYWHEEL NEWPORT, LLC** AND ITS SUCCESSORS, ASSIGNS AND/OR TRANSFEREES IN WHICH THE CITY AGREES TO ASSIST IN FINANCING THE ACQUISITION AND CONSTRUCTION OF AN INDUSTRIAL BUILDING PROJECT ON A TRACT OF LAND LOCATED WITHIN THE CITY, THROUGH THE ISSUANCE BY THE CITY OF ITS INDUSTRIAL BUILDING REVENUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED \$15,000,000 FOR THE ACQUISITION AND CONSTRUCTION OF A MAJOR ENTERTAINMENT ATTRACTION FOR DOWNTOWN REDEVELOPMENT AND EMPLOYMENT IN SAID CITY; AND AUTHORIZING THE BEGINNING OF ACQUISITION AND CONSTRUCTION OF THE PROJECT PRIOR TO THE ISSUANCE OF THE BONDS, WITH SKYWHEEL NEWPORT, LLC AND ITS SUCCESSORS, ASSIGNS AND/OR TRANSFEREES PAYING FOR SAME AND TO BE REIMBURSED OUT OF THE PROCEEDS OF THE BONDS FOR ALL COSTS ADVANCED BY IT TOWARD THE COST OF THE PROJECT.

Commissioner Peluso made a motion for approval, Commissioner Fennell offered a second to the motion. Mr. Fromme stated the project has been in progress for three years with challenges due to the location including compliance with safety regulations of the Army Corps of Engineers. The design, approved by the ACE and the City ensures the integrity of the floodwall and will be a showcase for Newport and the entire region. The entrance will be between Mitchell's and the aquarium and project out eighty feet toward the river on a pier with the total height at about 280' (including the 40' floodwall.) This year-round attraction will feature heated and air conditioned gondolas, the admission price will be family-friendly, 400,000 riders a year are expected, and the agreed terms include 16.5 cents per rider and PILOTS on the IRBs. The property will remain City-owned. Mr. Richard Spoor responded to questions stating the developers are ready to go, the owners have similar attractions in Myrtle Beach, S.C. and Panama City Beach, FL. Discussion ensued. The acquisition of Newport on the Levee by North American Properties is complete and they are enthusiastic about the Skywheel. The KY Department of Agriculture is responsible for inspections of amusements. The performance bond includes provisions for demolition and any repair of the platform (a permanent improvement even if the wheel were removed.) The City is not funding this project, the city has no obligation on the bond, the developer meets City requirements for insurance, the demolition bond is a funded mechanism (like an insurance policy), a third party pays the surety bond, the City would not pay for removal should it not be successful. The mayor, upon hearing there were no further comments or questions, called for a roll call vote.

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

The city clerk read Order **R-2018-062**

AN ORDER AUTHORIZING AND DIRECTING CITY MANAGER THOMAS J. FROMME TO EXECUTE **CONTRACTS WITH EATON ASPHALT AND TMS CONSTRUCTION FOR 2018 "BID PACKAGE 1"** ROAD REFURBISHING AND SURFACING WORK.

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Mr. Roell explained several projects were put in one package in attempt to get the best price. Upon hearing from several potential bidders that there would be difficulty completing work this year due to weather delays on other projects, an addendum was issued allowing for pricing by the end of the calendar year or in the spring. The most favorable pricing options include delaying Lexington and Wildcat. Roads included in the package were selected by looking at the master plan and current conditions. As always, utilities were contacted, some streets in poor condition are waiting for pending utility work to be completed. There are streets in worse condition than Wildcat but it is not vehicle or pedestrian friendly, the design continues the sidewalk all-the way through and ties in all driveways to improve safety and parking. Traffic counts have been done and can be updated. While the State owns the piers (under I-471), the school and the City own the land. Long term planning for the area has included improving safety along Wildcat by replacing the existing path with a safer one, straightening the dog-leg, completing/connecting sidewalks after the old city garage would be removed, improving green space, and having the entire space be an amenity and safe for use. That area had some issues with soil making it not viable for certain types of development. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

COMMENTS FROM DEPARTMENT HEADS

Chief Collins reported traffic control efforts following Riverfest was successful; it took thirty-eight minutes to clear the streets and there were four calls for service between 10 p.m. and midnight.

Chief Darin reminded everyone to install working smoke detectors. A recent fire in the city where one firefighter sustained an injury would have been even worse without smoke detectors.

Mr. Roell announced Litterfest will be the week of October 15. Residents no longer need to transport items to a collection site as most large items can be placed curbside on their regular collection day during this special event. Some restrictions apply, guidelines have been sent to every household and are on the city website.

Mr. Roell thanked Terry Fornash and Ray Ebert for their work ensuring another successful pool season, Newport's is the only public pool in the county, guards (and Penguins coaches) are all Red Cross certified, and the best care possible is taken of the pool. He thanked Ms. Ellerman, scheduling with the Penguins has presented challenges but they have been worked through for the benefit of the community.

COMMENTS FROM THE CITY MANAGER

Thanked the staff for efforts with the Skywheel and all the developments which require intense planning. With such a lean staff, everyone plays an essential role. The next caucus meeting will offer an update on current projects.

COMMENTS FROM THE BOARD

Commissioner Fennell:

- The street reconstruction program benefits from budgeting funds from Insurance Premium Taxes to supplement the Municipal Road Aid.
- Recognized the Police Department for successful traffic management plan at Riverfest and thanks to the Fire and Public Works Departments who also contribute to making it a safe and enjoyable event.

Commissioner Peluso:

- The City has been inundated by Bird and Lime (dockless rental) scooters. We need to put a plan in place. Some are left in the middle of sidewalks. All other business pay their fair share to operate. We need to ensure equity and safety.

Mayor Peluso:

- There will be a special meeting at 4:30 on September 18, a caucus meeting at 7 on October 1 and the next regular meeting will be October 15.

ADJOURNMENT

There being no further business, Commissioner Guidugli made a **motion to adjourn**; 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:	Yes	<u>Motion carried 5-0.</u>	

The meeting adjourned at 8:55 p.m.

Date Approved/Signed

Jerry R. Peluso, Mayor

Attest:

Amy B. Able, City Clerk