

City OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
Monday, September 23, 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 Chris Fangman, Fire Chief Bill Darin, Director of Finance Lenny Kuntz, Human Resources Coordinator Terry Fornash, Historic Preservation Officer Scott Clark, Community Liaison Bev Holiday, and City Clerk Amy Able.

PRESENTATIONS, AWARDS AND PROCLAMATIONS

Mrs. Barb Heck, was recognized for twenty-five years of service and congratulated on her retirement.

PERSONNEL ORDERS

The city clerk read **R-2019-067**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT,
KENTUCKY PROMOTING: HERSCHEL DAY TO LIEUTENANT COLONEL; PAUL
KUNKEL AND KEVIN DROHAN TO CAPTAIN; ADAM BROWN, DARON ARNBERG,
BRANDON HAFFEY, JEFFREY KOHLS, AND LAWRENCE HOPPIUS TO LIEUTENANT
IN THE NEWPORT POLICE DEPARTMENT.

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	Motion carried	5-0.

The Mayor administered the oath of office and insignia was pinned by spouses or family of individual officers. The Mayor called for a ten-minute recess at 7:15. The meeting re-convened at 7:25 with all Board members present.

PUBLIC FORUM

Historic Preservation Officer Scott Clark announced the Newport Art and Music Fest will be September 28 from 11 to 5 at the Newport History Museum @ The Southgate Street School.

APPROVAL OF MINUTES

Commissioner Guidugli made a motion to approve the minutes of the Monday, August 19, 2019 regular meeting, the Thursday, August 22, 2019 special meeting, the Wednesday, August 28, 2019 special meeting, and the Monday, September 9, 2019 special meeting. Commissioner Peluso 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 Guidugli:	Yes	Commissioner Rehtin:	Yes	Mayor Peluso:	Yes
Commissioner Peluso:	Yes	Commissioner Fennell:	Yes	Motion carried	5-0.

OLD BUSINESS

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

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY 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. Upon hearing there were no 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:	Yes	<u>Motion carried 5-0.</u>	

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

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY 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 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 Guidugli:	Yes	Mayor Peluso:	Yes
Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	<u>Motion carried 5-0.</u>	

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

AN ORDINANCE OF THE BOARD OF COMMISSIONERS 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. Upon hearing there were no 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:	Yes	<u>Motion carried 5-0.</u>	

The city clerk gave second 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. 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 second 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 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 Guidugli:	Yes	Mayor Peluso:	Yes
Commissioner Peluso:	Yes	Commissioner Rehtin:	Yes	<u>Motion carried 5-0.</u>	

The city clerk gave second reading by title and summary to tentative **O-2019-025.**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY LEVYING AND ASSESSING AD VALOREM TAXES FOR CITY PURPOSES FOR THE FISCAL YEAR 2019-2020 ON ALL PROPERTY LOCATED WITHIN THE CITY OF NEWPORT, 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>	

NEW BUSINESS

The city clerk read **R-2019-069.**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY ADOPTING THE CAMPBELL COUNTY EMERGENCY OPERATIONS PLAN (EOP) AND SUPPORT PLANS OF JANUARY 2019.

Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Peluso. The mayor noted the plan is updated about every four years, Mr. Fromme added the full text is available for review. 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
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Commissioner Peluso: Yes Commissioner Fennell: Yes Motion carried 5-0.

The city clerk read **R-2019-070**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY GRANTING PROPERTY ASSESSMENT MORATORIUM TO TITIVATE CORP./VALERIE C. JACOBS RELATING TO THE RESTORATION OF PROPERTY AT 1138 COLUMBIA STREET IN NEWPORT, KENTUCKY.

Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Mr. Fromme stated in recent months the first properties from the West Side were added to the program and popularity continues. 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 Motion carried 5-0.

COMMENTS FROM CITY DEPARTMENT HEADS

Chief Darin thanked all the local departments who responded to assist with a recent three-alarm fire at Fourth and Washington including Bellevue-Dayton, Covington, Southgate, Fort Thomas, Wilder, and Ludlow, as well as Newport Police, Campbell County Fire Investigators, and the American Red Cross.

Mrs. Sims stated installation of new playground equipment and the ribbon cutting at Bernadette Watkins Park is to be completed by volunteers on September 27.

Mr. Kuntz stated property tax bills will be in the mail by September 30.

COMMENTS FROM CITY MANAGER

- Pleased to witness the promotion of dedicated and capable officers.
- Bittersweet to see the retirement of Mrs. Heck after her many years of service.
- The future looks bright as developments continue such as new stores at the plaza, the former Baptist Home, The Academy on Fourth, the project at the Peace Bell, and the \$200m purchase and planned redevelopment of NOL by North American.

COMMENTS FROM THE BOARD OF COMMISSIONERS

Commissioner Guidugli

- On behalf of his family and neighbors, praised the fire department and all responding public safety worker team members for their efforts and protecting additional homes during the recent three-alarm fire.

Commissioner Rehtin

- “Trash Bash” was a success. Thanks to organizers from the East Row and participants including teams from the West Side, Clifton, and city staff. Great seeing many children involved.
- Congratulations to the new leadership team in the Police Department.
- The city manager has draft legislation for codifying how people bring proposed legislation before the Board. We have been approached about fairness, sanctuary cities, and sustainability. Would like to see the issue discussed at a future caucus meeting.

Commissioner Fennell

- Thanked Mrs. Heck for her service to the City.
- Congratulated those promoted in the Police Department.

- Thanked to the Fire Department for their excellent work.

Commissioner Peluso echoed the remarks of Commissioner Fennell.

Mayor Peluso

- Thanked all the first responders for their work as a team preventing the fire from spreading to additional structures.
- Wished all the best to Mrs. Heck.
- Recent ribbon cuttings included reopening of a business in Newport since the 1920's, Jerry's Jug House at 414 East 7th St., and Ivy Gate Boutique at 625 Monmouth where the owners were very pleased with the turn out and support from the City. October 12 there will be a ribbon cutting for Ross, Dress for Less at the former Kmart, next to the new Burlington Coat Factory.

ADJOURNMENT

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

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 8:00 p.m.

Date Approved/Signed

Jerry R. Peluso, Mayor

Attest:

Amy B. Able, City Clerk