

CITY OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
December 13, 2021, 7:00 PM
MINUTES

CALL TO ORDER

The meeting was called to order by Mayor Guidugli, in the Multipurpose Room of the Newport Municipal Building, 998 Monmouth Street, on Monday, December 13, 2021, 7:00 PM.

In Attendance:

Mayor Thomas Guidugli Jr., Vice Mayor Frank Peluso, Commissioner Jerry Peluso.

Absent:

Commissioner Beth Fennell, Commissioner Ken Rehtin.

Others Present:

City Manager Thomas Fromme, Assistant City Manager Larisa Sims, Chief of Police Christopher Fangman, Chief of Fire/EMS Frank Peluso, City Attorney Dan Braun, City Clerk Janie Patterson, Project Manager Doug Roell, Historic Preservation Officer Scott Clark.

PRESENTATIONS, AWARDS, PROCLAMATIONS

- Newport 225, Scott Clark Historic Preservation Officer – Presented an Original Plaque from 1814 that has been reproduced. December 14, 2021, starts the City of Newport's 226 year.
- Newport Walking Tour, NKU, Mark Neikirk Scripps Howard Center for Civic Engagement – Informed about an app that will be made available in the upcoming future which will create a walking tour script of historic sites that people will be able to download for free.

PERSONNEL ORDERS

COMMISSIONERS ORDER R-2021-103

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, PROMOTING ENGINEER/MEDIC AUDREY OWCZARZAK TO THE RANK OF LIEUTENANT IN THE NEWPORT FIRE DEPARTMENT EFFECTIVE NOVEMBER 14, 2021

Vice Mayor Frank Peluso made a motion to approve R-2021-103; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-104

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, PROMOTING ENGINEER/MEDIC RYAN S. WHALEY TO THE RANK OF LIEUTENANT IN THE NEWPORT FIRE DEPARTMENT EFFECTIVE NOVEMBER 14, 2021

Vice Mayor Frank Peluso made a motion to approve R-2021-104; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-105

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, APPOINTING SEAN BREITENSTEIN TO THE POSITION OF FIRE/MEDIC GRADE 1 IN THE NEWPORT FIRE DEPARTMENT EFFECTIVE DECEMBER 14, 2021

Vice Mayor Frank Peluso made a motion to approve R-2021-105; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

Recess/Break

Mayor Guidugli requested a short break to take pictures at approximately 7:22. The Board reconvened at 7:35.

Roll Call: Mayor Thomas Guidugli Jr., Vice Mayor Frank Peluso, Commissioner Jerry Peluso. All Present.

PUBLIC HEARINGS

None

PUBLIC FORUM

- City Resident Kris Weller – Expressed her sadness about the unexpected changes at General James Taylor Park, and she asked that the community be better informed of changes involving public parks.

APPROVAL OF MINUTES

- Regular Meeting Minutes November 15, 2021
- Special Meeting Minutes December 3, 2021

Vice Mayor Frank Peluso made a motion to approve both sets of minutes; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

OLD BUSINESS

COMMISSIONERS ORDINANCE O-2021-020

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING SECTION 116B.03 OF THE CODE OF ORDINANCES REGARDING PHOTOGRAPHING AND RECORDING OF ITEMS RECOVERED PURSUANT TO THE LEADS ONLINE ELECTRONIC REPORTING REQUIREMENTS

Comments

Chief Of Police Christopher Fangman – Commented this will be good with investigations to get more accurate information.

Vice Mayor Frank Peluso made a motion to approve O-2021-020; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

NEW BUSINESS

COMMISSIONERS ORDER R-2021-106

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY (THE "CITY") AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND NEWPORT ELEVEN LLC (THE "COMPANY") RELATING TO THE ACQUISITION AND CONSTRUCTION OF A RESIDENTIAL BUSINESS DISTRICT AS DESIGNATED BY THE CITY (THE "PROJECT"); AGREEING TO UNDERTAKE THE ISSUANCE OF INDUSTRIAL BUILDING REVENUE BONDS AT THE APPROPRIATE TIME TO PAY THE COSTS OF ACQUIRING AND CONSTRUCTING SAID PROJECT AND FACILITIES; AND TAKING OTHER PRELIMINARY ACTION

Comments

- Dick Spoor with Keating Mueiting and Kleekamp in Cincinnati is Bond Council – Commented that this is an industrial revenue bond and does not involve the faith and credit of Newport. The bonds will be paid entirely by payments of the developer, Newport 11, LLC.
- City Manager Thomas Fromme – Commented this has been a very difficult project with extraordinary infrastructure cost which is why it is recommended to adopt an IRB. This will also go in front of the Fiscal Court and the School Board.

Vice Mayor Frank Peluso made a motion to approve R-2021-106; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-107

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AUTHORIZING THE ISSUANCE OF UP TO \$18,500,000 MAXIMUM REVENUE BONDS, SERIES 2021 (OVATION MUSIC HOTEL PROJECT), IN ORDER TO ASSIST OVATION MUSIC HOTEL, LLC, OR ASSIGNS, TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN INDUSTRIAL BUILDING FACILITY LOCATED WITHIN THE CITY OF NEWPORT, KENTUCKY AND TO IMPROVE SAID FACILITY; AUTHORIZING THE ISSUANCE OF ADDITIONAL BONDS; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING A LEASE AGREEMENT BETWEEN THE CITY OF NEWPORT, KENTUCKY AND OVATION MUSIC HOTEL, LLC, OR ASSIGNS, WITH RESPECT TO THE FACILITY; AUTHORIZING A TRUST INDENTURE APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND FURTHER TO SECURE THE PAYMENT OF SAID BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT; AND AUTHORIZING A HOME OFFICE PAYMENT AGREEMENT

Comments

- Dick Spoor with Keating Mueiting and Kleekamp in Cincinnati is Bond Council – Commented this is an industrial revenue bond for the ovation music hotel which has been a part of the development plan for the ovation. This hotel will be constructed immediately behind the music venue in an air lot. This is an industrial revenue bond and does not involve the faith and credit of Newport. There is no obligation on the part of the City of Newport; Bonds will be repaid entirely by payments of the developer, Ovation Music Hotel LLC. There will be a series of phases and bond issues.

Vice Mayor Frank Peluso made a motion to approve R-2021-107; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-108

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING THE ISSUANCE OF UP TO \$130,000,000 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 LEASE AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX REGULATORY AGREEMENT; AND OTHER DOCUMENTS AND TAKING OTHER RELATED ACTION

Comments

- Dick Spoor with Keating Mueting and Kleekamp in Cincinnati is Bond Council – Commented this is the second series of bonds under the blanket approval. These bonds will be paid back by the TIF revenues.

Vice Mayor Frank Peluso made a motion to approve R-2021-108; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-109

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING AND APPROVING A CONTINUING CREDIT OF THE OCCUPATIONAL LICENSE FEE FOR NEW EMPLOYEES AS PART OF AN ECONOMIC DEVELOPMENT PROJECT BY ADT, LLC AS SUCCESSOR IN INTEREST TO DEFENDER SECURITY SYSTEM COMPANY UNDER THE KENTUCKY BUSINESS INVESTMENT PROGRAM AS PREVIOUSLY APPROVED

Vice Mayor Frank Peluso made a motion to approve R-2021-109; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso Yes
Vice Mayor Frank Peluso Yes
Mayor Thomas Guidugli Jr. Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-110

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING CITY MANAGER THOMAS J. FROMME TO EXECUTE A MEMORANDUM OF AGREEMENT WITH NEW RIFF DISTILLING, LLC FOR PARTICIPATION IN THE CITY OF NEWPORT'S JOB DEVELOPMENT INCENTIVE PROGRAM (JDIP) PURSUANT TO SECTION 37.212 ET. SEQ. OF THE CODE OF ORDINANCES

Comments

- Assistant City Manager Larisa Sims – Commented this will take the place of the initial KBI incentive that the City had already approved. New Riff Distilling, LLC plans to add 80 jobs over the next 10 years, they currently have a total taxable payroll tax of approximately 3.3 million and growing to over 4.5 million, they are also planning addition expansions around 3 million dollars.

Vice Mayor Frank Peluso made a motion to approve R-2021-110; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso Yes
Vice Mayor Frank Peluso Yes
Mayor Thomas Guidugli Jr. Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-111

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AUTHORIZING CITY MANAGER THOMAS J. FROMME TO ENTER INTO AND AN AGREEMENT WITH MADISON TREE CARE AND LANDSCAPING, INC FOR ZONAL TREE MAINTENANCE

Comments

- Project Manager Doug Roell – Commented this is part of the ongoing tree program. This is the second section which will mostly pertain to the east row neighborhoods. There are a total of 10 zones throughout the City. During the process, information will be available on the City website and shared with neighborhood groups

Vice Mayor Frank Peluso made a motion to approve R-2021-111; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote

Commissioner Jerry Peluso Yes
Vice Mayor Frank Peluso Yes
Mayor Thomas Guidugli Jr. Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-112

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY ACCEPTING THE BID PROPOSAL OF IPS GROUP, INC. REGARDING SOFTWARE AND ADD ON EQUIPMENT TO THE CITY VEHICULAR PARKING KIOSKS

Comments

- Bob Steffen – Commented this is an expansion to the equipment we already have which will make a total of eight; These kiosks will go in the ovation area and underneath the aquarium parking lot which will help with the bird droppings problem and also ensure people have places to park. They will not have cameras on them.
- Mayor Thomas Guidugli Jr. – Commented these are replacing meters that already exist, and we are not adding additional paid parking in that area. The meters are located under a bridge which causes a safety hazard due to bird droppings. This will get rid of that safety hazard.

Vice Mayor Frank Peluso made a motion to approve R-2021-112; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote

Commissioner Jerry Peluso Yes
Vice Mayor Frank Peluso Yes
Mayor Thomas Guidugli Jr. Yes

Motion Carried 3-0

COMMISSIONERS ORDER R-2021-113

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT KENTUCKY AUTHORIZING THE CITY MANAGER TO EXECUTE A ONE KENTUCKY OPIOID SETTLEMENT MEMORANDUM OF UNDERSTANDING AND THE ACCOMPANYING SUBDIVISION (DISTRIBUTOR AND JANSSEN) SETTLEMENT PARTICIPATION FORMS FOR THE CITY'S PARTICIPATION IN THE NATIONAL OPIOIDS SETTLEMENT

Comments

- City Manager Thomas Fromme – Commented most cities in Kentucky have signed up with the county program, and there is no downside to participate.

Vice Mayor Frank Peluso made a motion to approve R-2021-113; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso Yes
Vice Mayor Frank Peluso Yes
Mayor Thomas Guidugli Jr. Yes

Motion Carried 3-0

COMMISSIONERS ORDINANCE O-2021-021

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF NEWPORT, KENTUCKY

Comments

- City Attorney Dan Braun – Commented this is a standard measure done each year.

Vice Mayor Frank Peluso made a motion to approve O-2021-021; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso Yes
Vice Mayor Frank Peluso Yes
Mayor Thomas Guidugli Jr. Yes

Motion Carried 3-0

DEPARTMENT HEAD COMMENTS

- City Attorney Dan Braun – Congratulated Assistant City Manager Larisa Sims on her new position with CVG and wished everyone a Merry Christmas.
- Chief of Police Christopher Fangman – Applauded residents for their generous donations: Newport Police were able to take four SUV's filled with supplies, and the SWAT pickup truck loaded with water down to Western Kentucky.

CITY MANAGER COMMENTS

- City Manager Thomas Fromme – Commented Assistant City Manager Larisa Sims has done a terrific job and that she has been a great support to him and the City, and she will be greatly missed and wished her the best of luck.

BOARD OF COMMISSIONERS COMMENTS

- Commissioner Jerry Peluso – Offered hope to the people in Western Kentucky.
- Vice Mayor Frank Peluso – Thanked Larisa and wished her success. He also wished everyone a Merry Christmas.
- Mayor Thomas Guidugli Jr. – Thanked Assistant City Manager Larisa Sims for all her hard work and wished her luck and everyone a Merry Christmas.

ADJOURNMENT

Vice Mayor Frank Peluso made a motion to adjourn the meeting at 8:25 PM; Commissioner Jerry Peluso offered a second to the motion. The Mayor called for a vote:

Commissioner Jerry Peluso	Yes
Vice Mayor Frank Peluso	Yes
Mayor Thomas Guidugli Jr.	Yes

Motion Carried 3-0

01-24-2022
Date Approved/Signed

Thomas L. Guidugli Jr.
THOMAS L. GUIDUGLI JR., MAYOR

ATTEST:

Janie Patterson
JANIE PATTERSON, CITY CLERK