

**CITY OF NEWPORT, KY**  
**REGULAR MEETING OF THE BOARD OF COMMISSIONERS**  
**Monday, December 14, 2020**  
**MINUTES**

**CALL TO ORDER / ROLL CALL**

The meeting was called to order by Mayor Peluso at 7:00 p.m. and held via video teleconference via the Zoom meeting application with a live stream to the City's Facebook page. The mayor opened the meeting with a moment of silent prayer and the Pledge of Allegiance.

Clerk's note: In accordance with the Governors Emergency Order and the provisions of SB 150, it is allowable to conduct the meeting via a live video teleconference. The meeting agenda published on the city website, posted at the city building, and distributed to media of record advised the public how to comment in advance or during the meeting. No advance comments were received by staff.

**In attendance** via video teleconference were: Commissioner Beth Fennell, Commissioner Frank Peluso, Commissioner Thomas Guidugli, Jr., Commissioner Ken Rehtin, and Mayor Jerry Peluso. Also in attendance were: City Manager Thomas Fromme, City Attorney Dan Braun, Assistant City Attorney John Hayden Police Chief Chris Fangman, Fire Chief Bill Darin, Assistant City Manager Larisa Sims, Interim City Clerk Joy Rovno, Jim Parsons and TJ Ackerman.

**PERSONNEL ORDERS**

**PRESENTATIONS AWARDS AND PROCLAMATIONS**

Scott Clark, Historic Preservation Officer gave an update on the City's 225 birthday. He stated December 14, 1795 Newport became a city. He stated this is the very start of our 225 year of being a city. He described the first 25 years of the establishing of Newport, which was growing as such a fast pass at the time surpassing Cincinnati. He went on to say the past 25 years the city has experienced rapid growth, Newport is the envy of the area. Mr. Clark also gave an update on the Newport History Museum, which is currently refreshing exhibits. Starting in early spring and exhibit designed to be seen in person and to travel will follow a theme to tell a story in 50 artifacts from our founding to present day. These artifacts will be selected by 10 community curators, to help tell the story of each object using their own words. These curators will be chosen from Newport residents. In closing Mr. Clark stated, we celebrate our diverse past and make history every day.

**APPROVAL OF MINUTES**

Commissioner Peluso made a **motion to approve the** minutes of the November 16, 2020 regular meeting second to the motion was offered by Commissioner Fennell. Upon hearing there were no corrections or questions, the mayor called for a vote; the **motion carried unanimously, 5:0.**

**OLD BUSINESS**

## **NEW BUSINESS**

The city clerk gave first reading by title and summary of **R-2020-056**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY APPOINTING ROSS CARTWRIGHT TO THE CODE ENFORCEMENT BOARD OF THE CITY OF NEWPORT, KENTUCKY.

Mayor Peluso stated Mr. Cartwright has lived the city 30 years, he was recently married and is looking forward to serving on the Code Enforcement Board.

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 vote; the **motion carried unanimously, 5:0**.

The city clerk gave first reading by title and summary of **R-2020-057**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, GRANTING PROPERTY ASSESSMENT MORATORIUM TO ANN AND STEVEN MEGERLE RELATING TO THE RESTORATION OF PROPERTY AT 632 MONROE STREET IN 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 vote; the **motion carried unanimously, 5:0**.

The city clerk gave first reading by title and summary of **R-2020-058**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, GRANTING PROPERTY ASSESSMENT MORATORIUM TO NADINE RENEE SCHULER RELATING TO THE RESTORATION OF PROPERTY AT 518-522 YORK STREET IN NEWPORT, KENTUCKY.

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 vote; the **motion carried unanimously, 5:0**.

The city clerk gave first reading by title and summary of **R-2020-059**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, GRANTING PROPERTY ASSESSMENT MORATORIUM TO LUTHER COMBS RELATING TO THE RESTORATION OF PROPERTY AT 601 EAST 9<sup>TH</sup> STREET IN NEWPORT, KENTUCKY.

Commissioner Fennell asked Scott Clark if the properties in the historic district would require his approval.

Scott Clark replied all these properties will require historic preservation approval.

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 vote; the **motion carried unanimously, 5:0**.

The city clerk gave first reading by title and summary of **R-2020-060**.

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AUTHORIZING THE ISSUANCE OF UP TO \$17,000,000 MAXIMUM AGGREGATE PRINCIPAL AMOUNT TAXABLE INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2020A, AND AUTHORIZING THE ISSUANCE OF UP TO \$9,000,000 MAXIMUM AGGREGATE PRINCIPAL AMOUNT TAX-EXEMPT SPECIAL OBLIGATION REVENUE BONDS, SERIES 2020B, AND AUTHORIZING THE ISSUANCE OF UP TO \$7,000,000 MAXIMUM AGGREGATE PRINCIPAL AMOUNT TAXABLE SPECIAL OBLIGATION REVENUE BONDS, SERIES 2020C, IN ORDER TO ASSIST NEWPORT CLIFTON DEVELOPMENT LLC, OR ASSIGNS, TO FINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF AN INDUSTRIAL BUILDING FACILITY AND RELATED INFRASTRUCTURE IMPROVEMENTS LOCATED WITHIN THE CITY OF NEWPORT, KENTUCKY AND TO IMPROVE SAID FACILITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SAID BONDS; AUTHORIZING A SPRINGING EXECUTORY INTEREST DEED; 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 OR BOND PLACEMENT AGREEMENT; AUTHORIZING A PILOT MORTGAGE TO SECURE PILOT PAYMENTS, AUTHORIZING THE EXECUTION OF AN AMENDED AND RESTATED AGREEMENT IN LIEU OF TAXES; AUTHORIZING HOME OFFICE PAYMENT AGREEMENTS, AND AUTHORIZING THE EXECUTION OF ANY FURTHER NECESSARY INSTRUMENTS

Thomas Fromme stated this is goes back to the original inducement resolution that was signed off on in the past few months. This is for the City Rama project on 13<sup>th</sup> Street, the city has no obligation; these are tax exempt bonds and the capitalization of the actual project. He state the city will receive pilot payments on this project.

Commissioner Fennell asked about the industrial building facility, she questioned if an industrial building would be on this site.

Thomas Fromme replied that it's the title of the IRB, there is no industrial building on the site, the homes are single family residential.

Commissioner Guidugli asked for a summary of the project.

Thomas Fromme stated there will be over 50 homes built on this site. 13<sup>th</sup> Street between Central Avenue to York Street, including both sides of 13<sup>th</sup> street and 14<sup>th</sup> Street. Condominiums will be built on 14<sup>th</sup> Street, with homes built on 14<sup>th</sup> and 13<sup>th</sup> Street. These homes are all single family owner occupied unites. It's a partnership between Citi Rama and the Cincinnati Home Builders Association and the NKY Home Builders. This will be a great development for our school system and it will help needed infrastructure. The hillside has geotechnical problems, ultimately if this project did not move forward the city would be looking at another Grandview situation, peering this area for the next 25 years. This project is bringing in new residents and restoring the area.

Commissioner Guidugli asked what time of year would the Citi Rama take place.

TJ Ackerman replied the time frame for Citi Rama is October 1 – October 14, 2021.

Thomas Fromme asked when construction would begin.

Mr. Ackerman replied construction has begun with site clearing and demolition. The first phase of preparation should be March or April of 2021. The transfer of lots to owners should be in April and May with construction being completed in September in time for the show.

Commissioner Fennel asked how many homes would be complete in September.

Mr. Ackerman replied 7 homes will be in the show and in addition a model and spec home for the townhomes and that would be 6 additional homes making the total of 13 homes. He anticipates an average of 15 – 20 homes completed a year, the project is expected to be complete in 2-3 years from the October 1<sup>st</sup> start date.

Commissioner Fennell stated the board has discussed the traffic on this street in the past. Ms. Fennel asked about traffic calming plans.

Mr. Ackerman replied they are working with the city engineer and their traffic engineer to look at traffic calming devices such as a change in pavement surfaces, or small bumps to slow vehicles down.

Commissioner Fennell replied these kind of street design changes are the most effective such as an angled move from left to right. She stated this is encouraging and thanked Mr. Ackerman for his efforts.

Thomas Fromme stated the traffic department is currently conducting traffic counts on 13<sup>th</sup> Street.

Commissioner Rehtin asked when utility work would begin.

Mr. Ackerman replied that will follow the completion of five retaining walls on the site. These are important to have in place, it will protect all the infrastructure, utilities and streets throughout the site, providing structural stability.

Commissioner Rehtin asked Larisa Sims if the wall construction will be followed up by city geotechnical engineer.

Larisa Sims replied yes, the city has hired a geotechnical expert to conduct all of the inspections on behalf of the city.

Commissioner Rehtin asked when the city would accept the street.

Thomas Fromme stated an inspector will be on site to make sure they comply with the required building codes, specifically building codes for city streets. He gave an example of a development in the city, which the city never accepted the road because it did not comply with our standards.

Commissioner Rehtin asked about storm drainage within the development.

Mr. Ackerman explained there will be a storm water detention, which will be underground on their property, the north side of 13<sup>th</sup> Street will have underground basins to allow storage cavities to hold the water and disperse it at very slow rates into the existing system.

Commissioner Rehtin asked if the electric would be underground.

Mr. Ackerman replied yes the electric, coaxial cable and telephone and all other standard utilities will be underground.

Commissioner Rehtin asked about the maintenance of the property.

Mr. Ackerman replied all the homes will be in an HOA, which will be private, under the operation of those owners. The HOA will be the responsibility of the owners to establish fees and architectural guidelines to protect the overall investment of the development and provide standards. In addition the row houses will have a maintenance agreement and maintained by outside organized vendors so that the landscaping, lawn care, snow removal as well as exterior care will all be handled separately but cohesively. On 14<sup>th</sup> Street where there are individual homes those will be managed by the owners themselves but they could choose or elect to put their homes into a similar type of operation.

Commissioner Rehtin made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. The mayor called for a vote; the **motion carried unanimously, 5:0.**

The city clerk gave first reading by title and summary of **NO. R-2020-061**  
AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AUTHORIZING JERRY PELUSO, MAYOR, TO EXECUTE A QUIT CLAIM DEED TO RELEASE THE REVERTER CONDITION AND THE CITY'S INTEREST IN THE PROPERTY CONVEYED TO CPX NEWPORT COMMERCIAL DEVELOPMENT, LLC CONTAINED IN DEED BOOK 819, PAGE 301 OF THE CAMPBELL COUNTY CLERK'S RECORDS AT NEWPORT, KENTUCKY.

Dan Braun explained when the city entered into the agreement to deed the property over to the development, a reverter clause was put on the deed in case the development did not commence the land would go back to the city. The developer was given a time frame in which to commence the project the developer has done that, now they are asking the reverter clause be removed from the deed. It is necessary to remove it, they have complied with the city and the developers financing requires it.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Rehtin. The mayor called for a vote; the **motion carried unanimously, 5:0.**

## **COMMENTS FROM CITY DEPARTMENT HEADS**

### **Chief Fangman:**

- Wished everyone a safe Merry Christmas and Happy New Year.

### **Chief Darin:**

- Wished everyone a Merry Christmas

### **Larisa Sims:**

- Covid Financial Assistance funds still available to businesses.

### **Dan Braun**

- Wished all the board members a Merry Christmas and Happy New Year
- Looks forward to serving the Mayor Guidugli
- Pleasure serving Mayor Peluso

## **COMMENTS FROM CITY MANAGER**

- Proud of staff, Board of Commissioner, and residents for continuing to move forward during this difficult time.
- Hopfully with the Covid-19 vaccine business will be back to normal in the middle of next year.
- A lot of interest from small businesses for last Covid-19 financial assistance.
- Thanked Larisa Sims and Bev Holiday for informing businesses about the Covid-19 assistance.
- Stated small businesses are the backbone of the city.
- Thanked Mayor Peluso for his service.
- During Mayor Peluso's 12 years as Mayor, the city has had much of its growth.
- Experiencing development in the west end of the city.
- Congratulated Mayor Elect Tommy Guidugli and all the commissioners.
- Wished everyone a Merry Christmas and Happy New Year.

## **COMMENTS FROM THE BOARD OF COMMISSIONERS**

### **Commissioner Guidugli**

- Thanked Mayor Peluso for all of his help, support, and guidance.
- Appreciates all the board members for all of their mentoring and allowing him to grow.
- With all of this support allowed him to seek a higher office.
- Stated working together will lead us through the future.
- Congratulated Mayor Peluso for his 12 years of serving as Mayor.
- Thanked the residents for all they do for the City of Newport
- Wished everyone a Merry Christmas and a Joyful New Year.
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### **Commissioner Peluso**

- Thanked Mayor Peluso for his leadership these past twelve years.
- Mayor Peluso is a true leader
- Wished everyone a Merry Christmas and a blessed New Year.

- Thanked the citizens for allowing him to continue to serve.

#### Commissioner Rehtin

- Thanked the residents of Newport for investing in their homes and investing in the city.
- The city has moved forward under the leadership of Mayor Peluso.
- Appreciated the opportunity to continue to serve the city.
- Wished everyone a Merry Christmas.

#### Commissioner Fennell

- Thank Chief Fangman for his help and responsiveness to some issues she had brought to his attention.
- Thanked Mayor Peluso for his many years of service. She stated no one worked harder or cares more about the city than Jerry.
- Thanked Mayor for his level of leadership and his level of caring about the people and businesses.
- Congratulated Mayor elect Guidugli
- Wished everyone happy holidays.

#### Mayor Peluso

- Asked Chief Fangman to have the traffic division look into the 1100 blk of Ann. Cars are having a difficult time turning right or left on to 11<sup>th</sup> Street.
- He read with heavy heart a list of long- time residents of the city had passed within the last week.
- Thanked the residents of Newport for electing him three times to serve as their Mayor. Humbled.
- Our city is better today because of team work
- Thanked all the past and present employees over the past 12 years
- Thanked all city employees
- Thanked the city manager, who runs the city from day to day, through his recommendations especially through tough times was a big part of what pulled us through.
- Thanked the Board of Commissioners, past and present for their support.
- It's a true team effort and that is why we are successful
- Happy Birthday to the City of Newport
- Wished everyone a Merry Christmas and Happy New Year

**ADJOURNMENT**

There being no further business, Commissioner Rehtin made a **motion to adjourn**; second to the motion was offered by Commissioner Fennell. The motion carried unanimously, 5:0. The meeting adjourned at 8:05 p.m.

Respectfully submitted,  
Joy Rovno, Interim City Clerk

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Date Approved/Signed

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Jerry R. Peluso, Mayor

Attest:

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City Clerk