

CITY OF NEWPORT, KY
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
Monday, April 24, 2023
MINUTES

Call to Order:

The meeting was called to order by Mayor Guidugli Jr. at 7:00 p.m. in the Multipurpose Room of the Newport Municipal Building at 998 Monmouth Street. The meeting was opened with a silent invocation and the Pledge of Allegiance.

In attendance were:

Commissioner Radwanski, Commissioner Smith-Morrow, Commissioner Rechten, Mayor Guidugli Jr., City Manager Thomas Fromme, Assistant City Manager John Hayden, City Attorney Dan Braun, Police Chief Christopher Fangman, Fire Chief Frank Peluso, City Clerk Tiffany Myers.

Absent from the meeting: Vice Mayor Fennell

Personnel Orders:

COMMISSIONERS ORDER NO. R-2023-033

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, PROMOTING NOLAN KRESSER TO THE POSITION OF ENGINEER MEDIC IN THE NEWPORT FIRE/EMS DEPARTMENT EFFECTIVE FEBRUARY 8, 2023.

A motion by Commissioner Radwanski, seconded by Commissioner Smith-Morrow, to approve Order R-2023-033 as read.

Comments:

Chief Fangman stated that Nolan has been with the fire department since November 2022 and did very well on his engineering testing.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rechten	Yes
Vice Mayor-Fennell	Absent
Mayor Guidugli	Yes

Motion carried 4-0.

Recess:

Mayor Guidugli Jr. called for a 5-minute recess at 7:02 p.m. The meeting resumed at 7:07 p.m. with attendance taken. The following were present: Commissioner Radwanski, Commissioner Smith-Morrow, Commissioner Rehtin, and Mayor Guidugli Jr. Absent is Vice Mayor Fennell.

Consent Agenda:

COMMISSIONERS ORDER NO. R-2023-038

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, GRANTING A PROPERTY ASSESSMENT MORATORIUM TO COLUMBIA CITADEL LLC RELATING TO THE RESTORATION OF THE PROPERTY AT 36-40 W SEVENTH STREET IN NEWPORT, KENTUCKY.

COMMISSIONERS ORDER NO. R-2023-039

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, GRANTING A PROPERTY ASSESSMENT MORATORIUM TO AMERICAN BUILDING CO. RELATING TO THE RESTORATION OF THE PROPERTY AT 4 W FOURTH STREET IN NEWPORT, KENTUCKY.

COMMISSIONERS ORDER NO. R-2023-040

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, GRANTING A PROPERTY ASSESSMENT MORATORIUM TO 1114 COLUMBIA STREET, LLC, RELATING TO THE RESTORATION OF THE PROPERTY AT 1114 COLUMBIA STREET IN NEWPORT, KENTUCKY.

Motion by Commissioner Rehtin, seconded by Commissioner Smith-Morrow, to approve the Consent Agenda as presented.

Comments:

City Manager Thomas Fromme said all three moratoriums are for the city's west side.

Roll Call:

Commissioner Radwanski Yes

Commissioner Smith-Morrow Yes

Commissioner Rehtin Yes
Vice Mayor Fennell Absent
Mayor Guidugli Jr. Yes

Motion carried 4-0.

Public Forum:

No one from the audience approached the podium to speak on items listed on the agenda.

Approval of Minutes:

Motion by Commissioner Smith-Morrow, seconded by Commissioner Rehtin, to approve the minutes for the Regular Meeting for March 27, 2023, and the Special Meeting for April 3, 2023, as presented.

Roll Call:

Commissioner Radwanski Yes
Commissioner Smith-Morrow Yes
Commissioner Rehtin Yes
Vice Mayor Fennell Absent
Mayor Guidugli Jr. Yes

Motion carried 4-0.

New Business:

COMMISSIONERS ORDER NO. R-2023-019

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AUTHORIZING AND DIRECTING CITY MANAGER THOMAS J. FROMME TO EXECUTE A DEVELOPMENT AGREEMENT WITH NEWPORT HOTEL ASSOCIATES, LLC REGARDING THE MARGARITAVILLE RESORT PROJECT.

A motion by Commissioner Radwanski, seconded by Commissioner Smith-Morrow, to approve Order R-2023-019 as read.

Comments:

City Manager Thomas Fromme said that this hotel had been planned since 2008, and the project fell through due to the economy. However, this is an exciting day for Newport and the Greater Cincinnati Region.

Richard Spore with Keating, Muething & Klekamp Law Firm said the IRB is a 30-year Industrial Revenue Bond worth \$ 200 million; so far, only \$ 80 million has been spent at the Levee for improvements, leaving a balance of \$120 million to finance the project. In addition, there will be a 3% surcharge on every retail transaction in the Margaritaville project to help pay for the project and marketing. This 3% surcharge is not mandatory by the city; the developer chose to do this.

Jim Storemont and Tim Perry are representatives for the Margaritaville project. This resort will have 264 rooms, a license to Chill Bar, and a Five O'clock Somewhere Bar. Also, there will be a bar on the roof that will have a pool, a JWB Grill, and a Joe Merchant Coffee Shop.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor-Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0

COMMISSIONERS ORDER NO. R-2023-037

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY, AUTHORIZING AND SO DIRECTING MAYOR THOMAS L. GUIDUGLI, JR. TO EXECUTE A MUNICIPAL ROAD AND COOPERATIVE PROGRAM AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET, DEPARTMENT OF RURAL AND MUNICIPAL AID REGARDING MUNICIPAL ROAD AID FUNDS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AS PROVIDED FOR IN THE KENTUCKY STATE STATUTES, AND ACCEPTING ALL STREETS SUBJECT THERETO AS BEING PART OF THE CITY OF NEWPORT.

Motion by Commissioner Smith-Morrow, seconded by Commissioner Rehtin, to approve Order R-2023-037 as read.

Comments:

City Manager Thomas Fromme stated in the past that we had to put the Yearly Road Aid funds as a public hearing, but that is no longer required due to legislative changes. The Municipal Road Aid money goes into the Public Works account for ongoing street repairs. Unfortunately, due to gas prices lowering, the funds received from the State have been significantly lower, and

it could take up to 10 years to receive the funds we had prior to lower gas prices.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0.

COMMISSIONERS ORDER NO. R-2023-041

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT AUTHORIZING AND DIRECTING HUMAN RESOURCES COORDINATOR EMILY MOORE TO EXECUTE A JOINDER AGREEMENT WITH THE KENTUCKY PUBLIC EMPLOYEES DEFERRED COMPENSATION AUTHORITY REGARDING PUBLIC EMPLOYEES DEFERRED COMPENSATION PLANS

Motion by Commissioner Rehtin, seconded by Commissioner Smith-Morrow, to approve Order R-2023-041 as read.

Comments:

City Manager Thomas Fromme, the Kentucky Deferred Program started a new entity, and for the city to remain in the program, we need to approve this order. The KY Deferred Program allows employees to choose to allocate money to a 401K, 457, 451, or Roth plan.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0.

First Reading of Ordinances:

COMMISSIONERS ORDINANCE NO. O-2023-002

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING SECTION 93.63 OF THE CODE OF ORDINANCES CONCERNING OUTDOOR DINING AND SEATING UPON CITY SIDEWALKS AND/OR RIGHTS-OF-WAY AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF.

Motion by Commissioner Rehtin, seconded by Commissioner Smith-Morrow, to approve the first reading of O-2023-002 as read.

Comments:

City Manager Thomas Fromme stated that this ordinance is being updated because it's over twenty years old. Plus, with the recent pandemic, we realized it was time to amend this ordinance. Guidelines will be provided to all applicants.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0.

COMMISSIONERS ORDINANCE NO. O-2023-003

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING CHAPTER 111; ALCOHOLIC BEVERAGES, LICENSING PROCEDURE, SECTION 111.58, SUBSECTIONS (D) (4) AND (E) (2) OF THE CODE OF ORDINANCES CONCERNING EXTENDED HOURS LICENSES.

Motion by Commissioner Radwanski, seconded by Commissioner Smith-Morrow, to approve O-2023-003 as read.

Comments:

City Manager Thomas Fromme said this ordinance would mandate an annual review. If there are excessive police calls to a bar, the city can revoke or not renew the bar's extended-hour license.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0.

COMMISSIONERS ORDINANCE NO. O-2023-005

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING SECTION 32.061 REGARDING THE DEFINITION OF PRESERVATION-RELATED PROFESSIONAL IN THE HISTORIC PRESERVATION.

Motion by Commissioner Radwanski, seconded by Commissioner Smith-Morrow, to approve O-2023-005 as read.

Comments:

City Manager Thomas Fromme advised that this ordinance will allow the city to have more qualified candidates to serve on the board by expanding the definition of qualifications.

City Attorney Dan Bruan stated that he used the US Government of Interiors definition as guidelines for this ordinance to help broaden the scope and range of experience.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor-Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0.

COMMISSIONERS ORDINANCE NO. O-2023-004

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY AMENDING SECTION 32.064 OF THE CODE OF ORDINANCES CONCERNING COMPOSITION OF THE HISTORIC PRESERVATION COMMISSION.

Motion by Commissioner Radwanski, seconded by Commissioner Smith-Morrow, to approve O-2023-004 as read.

Roll Call:

Commissioner Radwanski	Yes
Commissioner Smith-Morrow	Yes
Commissioner Rehtin	Yes
Vice Mayor Fennell	Absent
Mayor Guidugli Jr.	Yes

Motion carried 4-0.

Department Heads:

Chief Fangman said the police department would receive a Business Engagement of the Year award.

City Clerk Tiffany Myers said she would attend the annual Clerk Spring Conference this week in Owensboro.

City Manager Comments:

City Manager Thomas Fromme offered condolences to Vice Mayor Fennell. In addition, he felt this was a productive meeting, and a lot was accomplished.

Board of Commissioners Comments:

Commissioner Rehtin:

- Kevin Cook addressed our meeting last month with two requests to make our meeting more accessible and transparent. His first comment was that the visuals on the TV in our meeting room were not visible to the folks viewing our meeting at home. I want to report to Kevin tonight that the CM has directed staff to make the display that is on the TV available on the broadcast to the homes.
- Kevin Cook suggested adding a chat feature to our meetings so that citizens viewing at home could ask questions via chat while the meeting was happening. The CM reported to me that this issue would be addressed as well. City Manager

Thomas Fromme stated that Ms. O'Brien is looking into a chat feature for the new website.

- About a week ago, the Westside Citizens Coalition was planting trees when a fire broke out at RMR. The fire was out quickly, and the State EPA was notified of the fire. The fire happened along train tracks, and with everything in the news about chemical spills on train tracks, many people were concerned about the chemicals in the air and what they were exposed to. After hearing the concerns, I found that Campbell County has Office Emergency Management (OEM) that helps with local disasters. Mr. Rehtin would like the city manager and other appropriate city officials to meet with OEM and ask the following questions.
 1. What can and will the RMR folks do to eliminate these fires?
 2. What were the causes of the recent fires?
 3. How often and what precautions does RMR have in place for torch-cutting activities?
 4. What chemicals are present in these fires' fumes, smoke, gaseous effluent, or the torch cutting at RMR?
 5. Are these fumes potentially harmful to us?
 6. What plans are in place of the County OEM Disaster Plan when fires occur and become excessive?
 7. Does a disaster plan address RMR and the possible disaster of a fire or explosion specifically?

Commissioner Smith-Morrow:

- She is very excited about Margaritaville and the opportunities it will provide for Newport.

Mayor Guidugli Jr.:

- Thanked the city staff for all their hard work on tonight's legislation.
- Taking a Mayors' Monarch Pledge. With the decline of the Monarch butterfly's population, this pledge will require planting vegetation around the city to help maintain its habitat. At the end of December, I will report on the steps taken to help.
- Offered condolences to Vice Mayor Fennell.

Adjournment:

Motion by Commissioner Smith-Morrow, seconded by Commissioner Radwanski, to adjourn the meeting. Motion carried- so ordered. Accordingly, the meeting was adjourned at 8:11 p.m.

Respectfully submitted,
City Clerk Tiffany Myers

Date Approved:

Mayor Thomas L. Guidugli Jr.

Attest:

City Clerk Tiffany Myers

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