

**CITY OF NEWPORT, KY**  
**SPECIAL MEETING OF THE BOARD OF COMMISSIONERS**  
**Monday, March 9, 2020**  
**MINUTES**

**CALL TO ORDER / ROLL CALL FOR SPECIAL MEETING**

The special meeting was called to order by Mayor Peluso at 5:00 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, Commissioner Ken Rehtin, Commissioner Frank Peluso, and Mayor Jerry Peluso. Also in attendance were: City Manager Thomas Fromme, Assistant City Manager Larisa Sims, City Attorney Dan Braun, Police Chief Christopher Fangman, Fire Chief William Darin, and City Clerk Amy Able.

**PERSONNEL ORDERS**

The city clerk read **R-2020-009**

AN ORDER OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT,  
KENTUCKY, APPOINTING JOSHUA DAVID ZEBELL TO THE POSITION OF PATROL  
OFFICER, GRADE III AND KENNETH LITTLE TO THE POSITION OF PATROL OFFICER,  
GRADE I IN THE NEWPORT POLICE DEPARTMENT EFFECTIVE MARCH 23, 2020.

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    Motion carried 5-0.**

The mayor administered the oath of office and guests of each of the new officers were introduced. At 5:05 the mayor called for a brief recess. The meeting reconvened at 5:15 with Commissioners Fennell, Guidugli, Peluso, and Rehtin and Mayor Peluso present.

**NEW BUSINESS**

The city clerk gave first reading by title and summary to **O-2020-003**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF  
NEWPORT, KENTUCKY AMENDING SECTION 37.150 OF THE CODE OF  
ORDINANCES **CREATING APPENDIX C** CONCERNING THE SCHEDULE OF FEES,  
CHARGES AND EXPENSES.

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell who then stated, "for the purpose of discussion." Mr. Braun explained the Ordinance [O-2019-008] permitting non-exclusive franchise agreements provided for fees, this adds those fees to a schedule. The mayor noted there were no further questions. Mr. Braun asked for a new motion since the existing motion was stated as being for discussion. Commissioner Peluso offered a **motion to approve**; Commissioner Guidugli offered a second. 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 city clerk gave first reading by title and summary to **O-2020-004**

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF  
NEWPORT, KENTUCKY AMENDING ORDINANCE O-2019-008, SECTION III,

**CONCERNING CREATING AND PERMITTING NON-EXCLUSIVE FRANCHISE AGREEMENTS FOR THE USE OF CITY OWNED PROPERTY, STREETS AND RIGHTS-OF-WAY FOR THE INSTALLATION AND OPERATION OF CELLULAR AND WIRELESS COMMUNICATION SYSTEMS AND SERVICES.**

Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Braun explained this is a housekeeping measure establishing the City is not being opting out of receiving funds from the State telecommunications fund. He stated this was reviewed and approved by the Planning and Zoning Commission. Commissioner Peluso had Mr. Braun confirm that the City will still have the rights regarding placement of cabinets on poles so they do not block car doors. 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    Motion carried 5-0.**

The city clerk gave first reading by title and summary to **O-2020-005**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF NEWPORT, KENTUCKY CREATING CHAPTER 102 OF TITLE IX, GENERAL REGULATIONS, OF THE CODE OF ORDINANCE TO PROHIBIT CERTAIN ACTIONS WITHIN THE CITY**

Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Rehtin. Mr. Fromme stated extensive research was done to arrive at an ordinance fitting for the City's form of government. He said basically it takes civil rights and adds a category for sexual identity. He stated any complaints will be investigated by the City legal staff which has fifty years of combined experience as prosecutors. He added anything under federal law will remain subject to any such penalty by the state or federal agency. The mayor called for any questions or comments from the board, upon hearing none he called for any comments from the audience.

Mr. Terry Bond, Jr., a property and business owner, addressed the board speaking in favor of adoption of the ordinance stating its time has come and it reflects the values of the community.

Mayor Peluso read from a prepared statement voicing that he supports the purpose of the ordinance but believes the three main areas are covered by current federal law and the state's reasonable accommodation, fair housing and employment and a resolution would have been appropriate. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

The city clerk gave first reading by title and summary to **O-2020-006**

**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. Mrs. Sims reviewed the recommended changes. Commissioner Fennell voiced concern about changing the language calling for a civil engineer under Hillside Development Control. There was discussion of adding language to list specific examples "such as but not limited to".

Commissioner Guidugli made a **motion to amend the language in the proposed text amendment** with appropriate language that shall be provided by the legal department; second to the motion was offered by Commissioner Fennell. The mayor called for a vote on the secondary motion.

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

Upon hearing there were no further comments and questions, the mayor called for a roll call vote on the primary motion.

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

**ADJOURNMENT OF SPECIAL MEETING**

There being no further business, Commissioner Guidugli made a **motion to adjourn the special meeting**. Commissioner Fennell offered a second to the motion. The Mayor asked for a roll call vote.

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

The special meeting adjourned at 5:40 p.m.

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Date Approved/Signed

\_\_\_\_\_  
Jerry R. Peluso, Mayor

Attest:

\_\_\_\_\_  
Amy B. Able, City Clerk

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