

**CITY OF NEWPORT, KY**  
**MEETING OF THE BOARD OF COMMISSIONERS**  
**Monday, August 18, 2014**  
**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 John Hayden, Commissioner Frank Peluso, and Mayor Jerry Peluso. Also in attendance were: City Manager Thomas Fromme, City Attorney Daniel Braun, Chief Tom Collins, Fire Chief Gary Auffart, Development Services Director Greg Tulley, Community Liaison Bev Holiday, and City Clerk Amy Able.

**PRESENTATIONS, AWARDS & PROCLAMATIONS**

**Business Recognition** – Tom Parr was recognized for **Beacon Printing** which has been located in Newport since 1972, once located at 938 and 940 Monmouth where the City Building is today and at the current West Ninth Street location since 1990. Mr. Parr thanked the Board and announced their new service of raffle tickets that will have a very rapid turn-around from online ordering to shipping.

**PUBLIC FORUM**

**Mr. Joe South of Putnam Street** addressed the Board about recent complaints to the police department about barking dogs in the area. He added there are problems with cars speeding on this street where many children play. Chief Collins will discuss these matters further with Mr. South.

**Mr. Neil Hensley of East Third Street** addressed the Board about concerns that 536 East Third is being operated as a “vacation rental by owner” accommodating twenty (and according to online reviews, up to twenty-eight people) for overnight stays. Over the last several months this has created parking issues (with 10 to 15 cars coming for long weekends) as well as problems with noise and inappropriate behavior by those staying at this address. Mr. Hensley stated he cannot attend the upcoming Board of Adjustment meeting following the cease and desist letter sent by the City but he hopes there will not be any change to zoning to allow this to continue. Mr. Fromme stated this is not a permitted use and the City is involved in enforcement action; the owners have a right to appeal and they are appealing the decision of the Zoning Administrator (ruling it is not a permitted use.)

**Mr. Tom Guidugli, Sr.**, Executive Director of Neighborhood Foundations, announced the groundbreaking of the Scholar House at Sixth and Patterson will be at 10:30 a.m. on Wednesday, August 20, 2014. The \$9 million project includes housing for single parents who are in school, a community center and a day care that will provide a positive environment focused on success through advancing education.

There being no one else present responding to the Mayor’s invitation to address the Board, the mayor announced the close of the public forum.

**APPROVAL OF MINUTES**

Commissioner Peluso made a **motion to approve the minutes of the July 21, 2014 regular meeting**; 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 Hayden: Yes    Mayor Peluso: Yes**  
**Commissioner Guidugli: Yes    Commissioner Fennell: Yes    Motion carried 5-0.**

Commissioner Guidugli made a **motion to approve the minutes of the June 27, 2014 special meeting**; 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 Guidugli: Yes    Commissioner Hayden: Yes    Mayor Peluso: Yes**  
**Commissioner Peluso: Yes    Commissioner Fennell: Present    Motion carried 5-0.**

### **OLD BUSINESS**

The city clerk gave second reading to tentative **O-2014-012**, an ordinance **amending the Parking Meter Zones Schedule of Chapter 73** as relates to Section 72.30 of the Code of Ordinances concerning the charge and maximum time set for various zones. 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 Hayden: Yes    Mayor Peluso: Yes**  
**Commissioner Guidugli: Yes    Commissioner Fennell: Yes    Motion carried 5-0.**

The city clerk gave second reading to tentative **O-2014-013**, an ordinance amending Sections 111.02, 111.27, 111.51, 111.57 and 111.58 of the Code of Ordinances concerning **alcoholic beverages**. Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Hayden. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

The city clerk gave second reading to tentative **O-2014-014** an ordinance amending Section 37.094 of the Code of Ordinances concerning occupational licenses to include subsection (g) to provide for a credit of the occupational license fee for new employees as part of an **economic development project by Divisions, Inc. under the Kentucky Business Investment Program** pursuant to KRS 154.32-010 through 154.32-100. 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 Hayden: Yes    Mayor Peluso: Yes**  
**Commissioner Fennell: Yes    Commissioner Guidugli: Yes    Motion carried 5-0.**

At 7:16 p.m. Commissioner Guidugli made a motion for **recess from the regular session**, Commissioner Hayden offered a second to the motion. The mayor called for a roll call vote.

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

See attached minutes of the Newport Public Properties Corporation.

*Commissioner Hayden made a motion to enter into a session for a meeting of the City of Newport Public Properties Corporation, Commissioner Guidugli offered a second to the motion. The mayor called for a roll call vote.*

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

*Roll was called for the Board of Directors of the Newport Public Properties Corporation with the following*

members present: Commissioners Hayden, Peluso, Guidugli, Fennell, and Mayor Peluso.

The city clerk read Resolution 2014-001 of the Newport Public Properties Corporation authorizing and permitting President Thomas J. Fromme to (1) execute the Consent and Receipt of Notice to vacate and close that portion of Seventh Street in the City of Newport, Kentucky described in the Consent; and (2) execute any and all necessary documentation, including a deed, necessary for conveying legal title to the portion of the vacated Seventh Street acquired by the Corporation to the Board of Education of the Newport Independent School District. Commissioner Guidugli offered a motion to adopt Resolution 2014-001; second to the motion was offered by Commissioner Hayden. There being no further comments or discussion a roll call vote was taken.

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

There being no further business for the Newport Public Properties Corporation to address, Commissioner Guidugli made a motion to adjourn the meeting; second to the motion was offered by Commissioner Fennell.

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

Commissioner Fennell made a motion to reconvene the regular session of the Board of Commissioners; Commissioner Hayden offered a second to the motion.

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

The regular meeting reconvened at 7:22 p.m. with all Board members responding to roll call.

## **NEW BUSINESS**

The city clerk read **R-2014-047**, an order authorizing City Manager Fromme to **execute a Development Agreement with Levee Partners, LLC regarding the Lot B Project**. Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. David Bastos and Mr. Greg Fussaro of Capital Investment Group gave a presentation to the Board including a video of preliminary renderings. They explained the current plans for a mixed use concept include an 800 car, three-level parking structure, 238 residential units, a hotel, and retail space. The hotel is expected to sign the final agreement this week. They have discussed with Mr. Tulley plans to make a pedestrian connector (at Saratoga) to the existing Levee Gallery building. They have discussed with Mr. Tulley and KYTC District 6 looking into squaring off the intersection of Third and Washington to aide in creating a more pedestrian friendly area and improve access to things south of Third Street. Hotel visitors will drive in off of Third Street to access the front of the hotel and enter the garage. There will also be a garage entrance for the multi-family units from the Dave Cowan's Drive approach. The expected time frame is to begin "moving dirt" in mid-October 2014. The City of Newport's Design Review Commission has given approval, Newport on the Levee has given approval, and financing is ready. The hotel needs the pad by July 1. The rest of the project would be expected to be completed in mid-2016. Commissioner Hayden thanked everyone involved for their hard work, he said the aesthetics are outstanding, and this development will be great for surrounding businesses. Commissioner Guidugli added CIG has been a solid partner and since this is their third project here he hopes others will see the great success and more developers will get involved. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

The city clerk gave first reading by title and summary of tentative number **O-2014-015** an ordinance **closing and vacating part of Seventh Street** in the City of Newport, Campbell County, Kentucky. 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 Hayden: Yes      Mayor Peluso: Yes**  
**Commissioner Fennell: Yes      Commissioner Guidugli: Yes      Motion carried 5-0.**

The city clerk gave first reading by title and summary of tentative number **O-2014-016** an ordinance **closing and vacating part of Second Street and an unnamed 14' alley** in the City of Newport, Campbell County, Kentucky. Commissioner Guidugli made a motion to approve; second to the motion was offered by Commissioner Hayden. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

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

The city clerk gave first reading by title and summary of tentative number **O-2014-017** an ordinance of the board amending the Official Zoning Ordinance, Article XVI, Administration, Section 16.9, of the **Zoning Appendix of the Code of Ordinances concerning penalties** for violation thereof. Commissioner Fennell made a motion to approve; second to the motion was offered by Commissioner Guidugli. Mr. Braun explained that in reviewing the code following some recent cases, it was determined that for consistency, staff recommends it would be best to have these penalties also be at the level of a Class B misdemeanor. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

#### **COMMENTS FROM DEPARTMENTS**

Chief Collins stated National Night Out was a success with an estimated one thousand people in attendance.

The Police Department is finalizing planning to be prepared for Riverfest with a goal of having traffic cleared out by 11 p.m.

Chief Auffart announced that the Fire Department will begin hydrant testing this month and continuing next month for streets north of Thirteenth Street.

#### **COMMENTS FROM CITY MANAGER**

City Manager Fromme stated it is exciting to see several developments now underway. He thanked Capital Investment Group and Mr. Walker for their commitment in the \$70-80 million project. This will be the last year for students to attend the Fourth Street School; this is a prime location for future development. Towne Properties at Fifth and Monmouth is likely to spur even more development along the Monmouth corridor.

Parking stickers and parking meters will be discussed at the next caucus meeting on September 8, 2014.

Providing adequate housing for families with children and retirees who are downsizing will need to be a focus moving forward.

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

Commissioner Peluso

- A resident is concerned about the traffic flow on Eleventh at Brighton. Because of the number of cars having difficulty making left turns onto Brighton and causing a back-up, eliminating parking in the spaces closest to the corner has been suggested. Mr. Fromme stated in a recent meeting with Rob Hands of KYTC this issue discussed and is already under review.

Commissioner Fennell

- There is a renewed interest in light rail. Covington has recently expressed interest. She referenced the Central Loop Study and noted Newport supported Cincinnati's streetcar and expansion of light rail into Newport had once been discussed. She recently spoke with John Deitrich of Cincinnati and they hope to meet soon to explore the subject. Cincinnati, Covington and Newport need to work together.

Commissioner Guidugli

- Rides on Monmouth, the car show in downtown Newport, will be held on August 24, 2014.

Mayor Peluso

- Thanked Capital Investment Group and John Walker of Newport on the Levee. It is exciting to see all the changes that began in 1997 with the aquarium. Looking at the area, development has not stopped. This is thanks to good partnerships.

**ADJOURNMENT**

There being no further business, Commissioner Guidugli made a **motion to adjourn**; second to the motion was offered by Commissioner Hayden. The mayor called for a roll call vote.

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

The meeting adjourned at 8:50 p.m.

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Date Approved/Signed

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Jerry R. Peluso, Mayor

Attest:

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Amy B. Able, City Clerk