

**CITY OF NEWPORT, KY**  
**MEETING OF THE BOARD OF COMMISSIONERS**  
**Monday, March 24, 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, Commissioner John Hayden, Commissioner Frank Peluso, and Mayor Jerry Peluso. **Absent:** Thomas Guidugli, Jr. Also in attendance were: City Attorney/Acting City Manager Daniel Braun, Chief Tom Collins, Fire Chief Gary Auffart, Assistant City Attorney Robert List, Community Services Director Doug Roell, Community Liaison Bev Holiday, and City Clerk Amy Able.

**PERSONNEL ORDERS**

The city clerk read **R-2014-032**, an order **appointing Christopher G. Boyd** to the position of **Patrol Officer, Grade III**, in the Newport Police Department effective April 14, 2014. Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Hayden:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk read **R-2014-025**, an order **appointing Dennis R. McCarthy, II** to the position of **Patrol Officer, Grade III**, in the Newport Police Department effective April 14, 2014. Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Hayden:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk read **R-2014-026**, an order **appointing Robert Wayne Sewell** to the position of **Patrol Officer, Grade III**, in the Newport Police Department effective April 14, 2014. Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Hayden. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Fennell:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

Mayor Peluso administered the oath of office to the three newest officers.

The Mayor called for a brief recess at 7:10 p.m. The meeting resumed at 7:15 p.m. with all members of the Board present.

**PUBLIC FORUM** No one in attendance responded to the mayor's invitation to address the Board.

**APPROVAL OF MINUTES**

Commissioner Peluso made a **motion to approve the minutes of the February 24, 2014 regular meeting**; 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.

<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Abstain</b>	<b><u>Motion carried 5-0.</u></b>	

### UNFINISHED BUSINESS

The city clerk gave second reading of **O-2014-003**, an ordinance creating Section 93.63(d) of the Code of Ordinances amending section 9.32 C. 1. b. of the official Zoning Ordinance of the City of Newport, Kentucky concerning permitted non-residential uses in the Transitional Zone (TZD). Commissioner Hayden made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk gave second reading of **O-2014-004**, an ordinance making certain findings concerning and establishing a **development area for economic development purposes within the city to be known as the City Center Development Area**; approving a local participation agreement between city, the county of Campbell, Kentucky (the "County"), special taxing districts, and the City Of Newport Finance And Administration Department; establishing an incremental tax special fund for payment of project costs and redevelopment assistance; designating the City Of Newport Finance and Administration Department as the agency responsible for oversight, administration and implementation of the development area; and authorizing the mayor and other officials to take such other appropriate actions as are necessary or required in connection with the establishment of the development area. Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Braun stated that Campbell County has had a first reading on the participation agreement and introduced Mr. Jim Parsons to answer any questions. Mr. Parsons stated participation from other districts is not likely but will be allowable. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b>Commissioner Hayden:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk gave second reading of **O-2014-005**, an ordinance creating Section 100 of Title IX, General Regulations, of the Code of Ordinances concerning the registration of **vacant residential property** located within the city and providing a penalty for the violation thereof. Commissioner Fennell 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.

<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

### NEW BUSINESS

The city clerk read **R-2014-027**, a resolution agreeing to **permit the Kentucky Transportation Cabinet to perform work** on city owned property and rights of way for the purpose of reconstruction and extension of the **Taylor Creek Culvert** under Kentucky Route 8 and Riverboat Row to the Ohio River and agreeing to accept ownership and maintenance of the same, in perpetuity, thereafter. Commissioner Peluso made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Braun explained this concerns a state funded, \$3.6 million project involving replacement of the storm water line. The City has reviewed the engineer's map that shows a seven foot extension of the line with a (3:1) sloped area above which may allow for a future observation/park area. Mr. Roell confirmed there will be some interruption of

traffic in the area and possible lane closures; efforts will be made to notify the businesses. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

The city clerk read **R-2014-028**, a resolution agreeing to **permit the Kentucky Transportation Cabinet to perform work** on City owned property and rights of way **on Waterworks Road** and upon a City owned structure for the purpose of reconstructing and replacing the bridge on Waterworks Road spanning Taylor Creek and agreeing to accept ownership and maintenance of the same, in perpetuity, thereafter. Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Braun explained this involves replacement of the bridge. Other water line replacement work was completed in that area recently under a cost sharing agreement with the Northern Kentucky Water District. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

Commissioner Peluso stated the majority of the traffic on the bridge comes from the City of Fort Thomas and he asked that a request be made to the City of Fort Thomas to share in the cost of maintenance.

The city clerk read **R-2014-029**, an order authorizing the city manager to enter into and execute an **agreement with the Newport Independent Schools concerning the joint cost and time sharing of a mechanic** within the community services department. Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Peluso. Mr. Braun stated the Police Chief and the School Board have reviewed a draft agreement. The position will require certification from the Transportation Cabinet for working on school buses. Chief Collins explained there is a great potential for savings through equipment exchanges and having a mechanic who can work on diesel equipment. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

The city clerk read **R-2014-030**, an order authorizing and directing the city manager to accept the bids of and execute a contract with Turf Masters Lawn Care to cut grass for the 2014 season with four one year renewal options for the City. Commissioner Guidugli made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Braun stated results of the recent bid were copied to the Board. Mr. Roell responded to questions and explained the owner of this company worked previously for a company who had done work for the City, giving him familiarity with the job. Some areas may be cut as few as fourteen times a season, others as many as thirty. All areas are monitored and requests for additional cuts are made by Public Works personnel. Last year Saratoga was treated for weeds and there were good results. The mayor stated it is unfortunate that on Saratoga there is a continuing problem with irresponsible pet owners not cleaning up after their dogs and he asked that signage be considered. One Newport business submitted a bid but it was \$700 higher per cut. The retention pond and the dam were included. The prices on four out of five bids (including Turfmasters) remained the same for the renewal option years. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

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

The city clerk read **R-2014-031**, a resolution **requesting inclusion of the City of Newport as a Kentucky Cultural District** and designating Southbank Partners to submit a narrative with the Kentucky Arts Council on behalf of the City. Commissioner Fennell made a **motion to approve**; second to the motion was offered by Commissioner Guidugli. Mr. Braun explained an application needs to be submitted by April 1, 2014 for designation as of 2015 and he asked Ms. Holiday to explain. Ms. Holiday stated six other cities already have the designation (Bardstown, Berea, Covington, Danville, Maysville and Paducah). With Newport's rich heritage and cultural opportunities this will be another marketing tool as we promote our entertainment, arts, architecture, and culinary traditions. Dr. MacIntosh of Southbank Partners will assist Ms. Holiday with the application process. This designation would make the City eligible to apply for grants through the Kentucky Arts Council. Upon hearing there were no further comments or questions, the mayor called for a roll call vote.

<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b>Commissioner Hayden:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk gave first reading of tentative number **O-2014-006**, an ordinance amending section 30.042 of the Code of Ordinances concerning meeting agendas. Commissioner Hayden made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Braun explained this is a housekeeping measure following the dissolution of the NCAC, items reporting from that organization can be removed from the agenda. Comments from neighborhood groups and any residents will continue to be welcomed and encouraged at meetings. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk gave first reading of tentative number **O-2014-007**, an ordinance amending section 30.040(a) of the Code of Ordinances concerning the **order of business for regular meetings**. Commissioner Fennell 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.

<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

The city clerk gave first reading of tentative number **O-2014-008**, an ordinance amending section 32.201 of the Code of Ordinances concerning powers and duties of the **Board Of Adjustment** to include variance and appeals procedures from the flood damage prevention ordinance. Commissioner Hayden made a **motion to approve**; second to the motion was offered by Commissioner Fennell. Mr. Braun explained this follows the recent adoption of flood regulations (FEMA FIRM) and makes clear under the duties of the Board of Adjustments that they are the body to hear related variance and appeals matters. Upon hearing there were no comments or questions, the mayor called for a roll call vote.

<b>Commissioner Hayden:</b>	<b>Yes</b>	<b>Commissioner Peluso:</b>	<b>Yes</b>	<b>Mayor Peluso:</b>	<b>Yes</b>
<b>Commissioner Fennell:</b>	<b>Yes</b>	<b>Commissioner Guidugli:</b>	<b>Yes</b>	<b><u>Motion carried 5-0.</u></b>	

### **COMMENTS FROM CITY DEPARTMENT HEADS**

Mr. Roell displayed an LED light fixture for street lights. He has been working with Duke Energy to look into conversion for cost savings. This sample by Phillips would work on our existing poles. There are two types, one for a parking lot and one designed to direct light to illuminate a road. The cost of the fixture is \$1,100. The light will not yellow, is UV stable, and has a warranted a life expectancy of 100,000 hours (or about twenty-two years at twelve hours a day.) Lenses for the current lights are about \$250 each (plus shipping costs) and require frequent replacement of

ballasts at \$60 and bulbs at \$30. This sample will be tested.

**COMMENTS FROM THE CITY MANAGER’S OFFICE**

Mr. Braun stated all is going well and he appreciates the Board’s confidence in him to serve in the absence of the city manager. He welcomed any questions or comments.

**COMMENTS FROM THE BOARD OF COMMISSIONERS**

Commissioner Fennell

- Regarding the Brent Spence Bridge replacement, OKI will continue to lobby. The mayor stated Brent Cooper, Interim President of the Northern Kentucky Chamber, asked if Newport would take a position. Commissioner Fennell will share recent studies with the Board.
- Traffic signal at near 21<sup>st</sup> Street on US 27 needs adjusting. Mr. Roell will report this to KY Highway Dept.

Commissioner Peluso

- Newport Primary School recently hosted a Talent and Art Show which was a great event. Congratulations to those promoted in the Police Department.
- Asked for updates on (Grand Ave.) Carother’s Road projects to be shared with residents. It was explained that weekly reports are published from KYTC and the most relevant of these updates is frequently shared via the city website and the city cable channel. Additionally, residents may sign up at KYTC’s site to receive direct reports via email or text. The project on Carother’s is well underway, will be ongoing and is on schedule, due to be completed in early July.

Commissioner Guidugli – no comments

Commissioner Hayden

- The contract for a shared mechanic with the schools is a good chance to work together and build relationships while finding excellent savings for both.
- The City should increase social media efforts.
- Thanked Mr. Braun for filling in adding he has spoken to the city manager on a number of matters that Mr. Fromme is continuing to monitor and he is doing well.

Mayor Peluso

- New businesses recently opening their doors include Packhouse Meats on Monmouth and Katharina’s on Overton.
- Plans are underway by the businesses for the Taste of Newport on June 8.
- Wished the city manager a speedy recovery.

**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 8:20 p.m.

\_\_\_\_\_  
Date Approved/Signed  
Attest:

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

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