

**City of Taylor Mill
COMMISSION MEETING
Wednesday, September 12, 2018**

CALL TO ORDER:

The meeting was called to order at 7:00 p.m. by Mayor Bell. In attendance were: Mayor Bell, Commissioner Frietch, Commissioner Kreimborg, Commissioner Murray, Commissioner Peace, City Administrator Brian Haney, and City Attorney Frank Wichmann. Also in attendance was special guests, Sgt. Cyrus Harris and Tim Kling.

INVOCATION/PLEDGE OF ALLEGIANCE:

Commissioner Kreimborg led the invocation with a moment of silence for the injured and deceased victims of shooting in Cincinnati; the residents facing Hurricane Florence approaching the U.S. East Coast; as well as the family members in the death of Jerry Bamberger, former Covington Commissioner. It was followed by the Pledge of Allegiance led by Mayor Bell.

MINUTES:

Commissioner Murray made a motion to accept the minutes from the Commission Meeting on August 8, 2018, as submitted. Commissioner Kreimborg seconded the motion. All Commissioners present were in favor.

MOTION CARRIED

Commissioner Frietch made a motion to accept the minutes of the Special Commission Meeting on August 28, 2018. Commissioner Peace seconded the motion. All Commissioners present were in favor.

MOTION CARRIED

GUESTS:

Mayor welcomed Sgt. Cyrus Harris, a recent graduate from the Sergeants' Academy in Eastern Kentucky and commended him as being a top-notch officer and noted how instrumental he was in saving lives of the couple in the recent pit bull attack. Commissioner Kreimborg and Mayor Bell presented Sgt. Harris an award in recognition for his completion of the Academy of Police Supervisor Training Course at the Criminal Justice Training in Richmond, Kentucky.

Mayor Bell welcomed Tim Kling, who presented a property development update for UDF. Mr. Kling noted that this topic was being addressed tonight, as well as the previous night, going through the zoning appeals for some variances in order to pursue the development of a UDF Store at the corner of Sawmill and Pride Parkway. The purpose of tonight's meeting was that the UDF development needed additional relief in regards to the PDS requirement for cross-access between the adjacent parcels within the DTM zones. Request was made by Mr. Kling to show the site plan to commissioners. The adjoining parcel in question is the development of the Farm Apartments behind the UDF with the multi-family apartments. He understands that the idea or intent would be to join together adjoining commercial properties so that each individual retailer does not have multiple access points along the road, causing more interference on that road.

Mr. Kling explained that in this particular case, he did not see the benefit of it, from the standpoint that it is not a commercial piece of property, but a multi-family piece of property that's adjoining. There does not seem to be any other opportunities for development that could occur on Pride, adjacent to our property. He noted that, even if they felt there was some benefit for that, we would have great concern. Our indoor parlor is on the right side of the store and our outdoor patio where families will gather with parking on the right side as well. Traversing that site to get to the adjoining Farm property could be very dangerous for our patrons. While it would be a shortcut for them, there is also the concern that they could not get back out onto Pride Parkway from our site, but would have to access the light at Pride Parkway and Sawmill, which would bring the traffic right between the pumps and customer parking. There is already a lot of activity with people who pump gas and then walk into the store, with cars pulling out from the store. I would have concerns about pedestrian safety, in that area as well, with that cross-traffic. Mr. Kling explained that the purpose of tonight's meeting was to request that this condition be waived by the Commission.

Questions were asked by the Mayor and Commission for clarification for the inter-parcel access by PDS. PDS was requiring the adjacent access between the parcels be waived by the Commission. Commissioner Frietch wanted to know the reasoning why PDS was wanting this access through there? Mr. Kling noted that this is not a unique request regarding this development, but is something that is commonly seen in other developments where there is multiple retailers and they don't want to see each retailer have their own access point off the main roads. Commissioner Frietch and Commissioner Murray discussed the danger this access road would present by allowing the residents of the Farm Apartments to take a short-cut from their location all the way across UDF just to get to Sawmill, while already having two-lane city roads to use from the Farm Apartments just behind to come down and go to Sawmill to get to the same light. This access road would allow residents at the Farm Apartments to go straight through the UDF parking lot, making it a quicker, but creating a more dangerous situation.

Mr. Kling noted that this was not requested for the residents of the Farm, but was the result of the way in which PDS writes the code and, while it makes sense for those kinds of developments, it does not apply here. For clarification, Mayor Bell wanted to know what the Planning Commission's objection was.

Mr. Kling explained that this was the Planning Development Commission's requirement, rather than an objection, that only the City Commission can waive. Commissioner Peace referred to the

Zoning Code Section 929E-13E, Paragraph 1, which addressed a inter-parcel access to accommodate business to business and Paragraph 5, which gave the City Commission the right to waive the required easement by PDS.

A motion was made by Commissioner Murray to waive the requirement for access easement in the whole or in part that property. Commissioner Frietch seconded the motion. Commissioner Peace abstained; however, the remaining Commissioners were in favor.

MOTION CARRIED

Commissioner Peace requested that just for the record that the slides be reviewed for the proposed elevations to share with the public.

Mr. Kling presented a slide presentation of the proposed UDF development, and explained the design of its building. He explained that this was the first time they would be using this urban-style building design with a flat roof and other architectural details to accommodate the City's requirement. Mr. Ed Kuehne, resident at 5303 Old Taylor Mill Road, asked a question as to whether or not trees in the back would be cut down and was answered in the negative.

Mayor Bell addressed the need for full disclosure about the issue on a conveyance access from Pride Parkway. Mr. Kling explained that access off of Pride Parkway is currently under review and has not yet been approved access point. A traffic study has been submitted and is one of the variables and is critical to the project. Without access off Pride Parkway, there is no UDF, since access and circulation are needed to accommodate fuel semi-trucks and refrigerated trucks to come in, circulate around, and exit, some on a daily basis. It was noted that the \$6 million investment in this project necessitates proper access. Mr. Kling felt that it was feasible because there is already enough lanes, there's a turn lane, it would be safe movement, and it will relieve some of that traffic off of Sawmill instead of trying to push everyone through Sawmill into that one access point. Mr. Kling further explained that in order for the large trucks to circulate and make deliveries, there needs to be another way for them to get in and circulate the lot as well and the access would help with that.

Mayor Bell and the Commissioners had further discussion regarding the number of feet for the conveyance off Pride Parkway (250 feet from intersection, and the turn lane is a little over 300 feet long) and whether it had been approved or denied by the State Highway Department. Commissioner Peace explained that it had to be submitted to District 6, who is not legally allowed to approve it. It is strictly a State Highway Engineer who has to approve it. Therefore, District 6 had to reject it and forward it to Frankfort, where it is at the current moment. Mayor Bell noted that he had written a letter to Frankfort in support of that and is waiting for the traffic study and to see whether the State Engineer approves of the waiver. Mayor Bell and Commissioner Peace acknowledge that there is a lot of moving parts and pieces when it comes to this potential development and that it is important to make the public aware of all the circumstances.

Commissioner Murray noted that Mr. Peace did not even own the land yet and that this would not be possible until he had installed the storm sewers. Commissioner Peace explained that it

technically had been signed off by the governor, but that it was in limbo until the storm sewers were finished and until then it is an active encroachment. Until that encroachment is satisfied, they can't close it, but for all effect and purposes, it is done because the governor signed it. They just can't close until the storm sewers are put in, which Commissioner Peace noted that he has bids on it.

Commissioner Kreimborg asked Mr. Tim Kling about rumors regarding property at Hwy 17 and Hands Pike. Mr. Kling clarified the fact that UDF have owned this property for about 8 years, but that they were waiting for the Independence property to be stabilized. However, while it is now stabilized, they learned that Hands Pike was going to be rerouted, creating a concern that property was not as convenient as it might have been. He stated that they are currently keeping it in their back pocket for future development or sale and that they were marketing the rear of that site currently for potential users of that and are not selling the whole thing.

GUESTS:

Ed Kuehne, resident of 5303 Old Taylor Mill Road, stated that he is in favor of the UDF, but believe residents of apartments will still attempt to cut through the parking lot. Mr. Kuehne also asked that the design of the building be modeled after the Glendale, Ohio sites, because of its more aesthetic appearance than that of the one proposed. Mr. Kling noted that they would have loved to put that building at this location in Taylor Mill, but the Zoning Commission would not allow it. Mr. Kuehne asked him to consider it, but Mayor Bell explained that a process would have to be gone through to consider any changes, starting with the Zoning Commission and Mr. Kling. He further explained the differences and similarities between the two designs and that this one was for residential style. He said that it would be taken under consideration. Commissioner Peace explained that the Zoning Commission would have to be involved and allow changes, due to the roof lines of surrounding buildings and consistency with one being proposed.

Judy Trame, a 24-year resident of 730 Mill Valley Drive expressed appreciation for knowing that the UDF is going to be a reality and stated that she is a big advocate of it. She said that she was at the Board of Adjustments Meeting the night before and that a UDF would give residents of Taylor Mill choices as to where to buy gas and advocated for the tax revenue that would come to the city because of it. She expressed an apology to Tim Kling and Phil Peace and other that she did not stand up for all the hard work they had put into it and that they had stayed with them. She said that someone in the know told her that 65 UDF's or more had been built since this project had been started.

Mayor Bell reviewed the history of the release of property along Pride Parkway by the State of Kentucky two years after its completion, around 2015 or 2016. He noted that this property could not have been built before 2018 and that residents need to be aware that the State kept this property until repairs of sidewalks, falling water, and a quick-claim deed that encumbered the property, meaning it prohibited building on it. Commissioner Peace clarified the fact that, while the land across the street was encumbered, this parcel was not. Mayor Bell said that there was a portion a little up from that was encumbered, citing a map showing it. He explained that, regardless, the UDF was wanted and that they were waiting upon Frankfort approval. He reiterated his letter of endorsement for this project to Frankfort and that early issue was zoning. He noted that there was

not a lot of blame to go around for not building it yet and noted that it would happen if the State of Kentucky allows a conveyance off of Pride Parkway. Mayor Bell reiterated he supported a conveyance access so that a UDF could be built. Commissioner Peace noted that Mayor Bell's letter of support was included with the traffic study that was submitted to the State.

Ray Mauer, resident of 3193 High Ridge said that he was concerned about getting off Pride Parkway getting into this development and wondered if the large semi-trucks would create a hazard as people tried to leave the development. He was concerned that people coming out of it, making a left turn on a small two-lane road could be hazardous. Mr. Kling stated that they had come out on smaller roads than Sawmill Road and that it was a wide turn with not a lot of traffic there. It was also noted that it was a three-lane road right there. Mr. Mauer noted that when people are going to work, it could be a problem. Mr. Kling said that site plans show drivers navigate and work around situations like this.

Karen Schlipf, resident of 3197 High Ridge Drive raised a question as the projected revenue gain for the city. Mr. Kling responded that approximately 25-30 people are hired when these stores open, with 10-12 full-time, others part-time. He said he was unaware of income taxes here. Its 5700 square feet, 25-30 people, open 24 hours a day. Commissioner Kreimborg said that, while he is backing UDF, most of employees will be hired at minimum wage, so there would not be a great deal of revenue generated from that for Taylor Mill. She indicated her support for UDF and her interest in the building design in Glendale. Mr. Kling cited property tax income, property, gas, things inside, all of which would be an increase in property tax from what is currently being received even if there is no income tax received. A figure from Mr. Mike Shoulte of \$80,000 was floated previously as income.

Mayor Bell asked the Commissioners if they wanted to discuss and decide which design of building they wanted to build. Commissioner Peace explained that it was already approved and it matched code, as well as being what the city had requested. Zoning would have to be changed. Mr. Kling stated that this was a prototype because it had a flat roof and that it was designed with what the city was wanting.

Mayor Bell asked Commissioner Peace when he applied for conveyance and it was determined it was around July. Mayor Bell said that what he was trying to say was that it was nobody's fault for the building not having been built yet, due to issues such as a conveyance, etc. He said that they all supported the building of UDF and that no one person or the Commission did NOT approve of its building and that he was trying to exonerate from everyone's mind that there was a conspiracy not to build it. Commissioner Peace referred to the former Commission and Mayor as being against it. Commissioner Frietch suggested that they move on from this subject, but to view video from 3-4 years ago to see the history and what was discussed.

PROCLAMATIONS:

City Attorney Frank Wichmann read a Proclamation of the City of Taylor Mill, proclaiming September, 2018 as City Government Month in the City of Taylor Mill, in an effort to further

educate others about their city government and the public services provided. Motion was made by Commissioner Peace and seconded by Commissioner Murray to approve the proclamation. All Commissioners present were in favor.

MOTION CARRIED

City Attorney, Frank Wichmann read a proclamation of the City of Taylor Mill, proclaiming September 12, 2018, as Childhood Cancer Awareness Day in the City of Taylor Mill and encouraging citizens to join in this recognition. Commissioner Frietch made a motion accept this proclamation and seconded by Commissioner Kreimborg. All Commissioners present were in favor.

MOTION CARRIED

City Attorney, Frank Wichmann read a resolution from the City of Taylor Mill extending to St. Anthony Parish an expression of our pride in its positive impact on its membership as it celebrates its 140th Anniversary. Commissioner Kreimborg elaborated on the resolution by displaying a plaque that will be presented to them and advising that in lieu of its church festival, it will be having a celebration on September 29th and they are asking past and current members to come and celebrate with them. There will be a mass at 5:00 p.m., followed by a spaghetti dinner and entertainment and other activities throughout the evening to help them celebrate. Commissioner Kreimborg made a motion to accept the proclamation and Commissioner Murray seconded it. All Commissioners present were in favor.

MOTION CARRIED

Commissioner Peace went back and read the entire proclamation for Childhood Cancer Awareness Day that was previously approved.

MUNICIPAL ORDER of the City of Taylor Mill and Kenton County, Kentucky, appointing Kristy Webb to the non-elected office of City Clerk Tax Collector for the City of Taylor Mill. As a City Clerk Tax Collector, she shall have all of the duties and responsibilities imposed upon that position by KRS 838.085, Section 3136 of the Taylor Mill Code of Ordinances and all other duties and responsibilities imposed upon her by the City Commission. Compensation is \$44,500. Motion was made by Commissioner Murray and seconded by Commissioner Kreimborg to approve the order. All Commissioners present were in favor.

MOTION CARRIED

Mayor Bell noted changes that have occurred recently in the City administration over the past few months. He noted the new appointment of Kristy as City Clerk, the resignation of Gena Forsyth to seek new opportunities and the appointment of Brian Haney as the new CAO. He called upon Brian to share a little about himself and welcomed him.

Kristy Webb went forward before the Commission to take the Oath as City Clerk Tax Collector for the City of Taylor Mill, administered by City Attorney Frank Wichmann.

Mayor Bell next commended Gena Forsyth for her 4 1/2 years of outstanding service as City Clerk. Brian Haney read Gena's letter of resignation after she had been given opportunity to explain her next position. Motion was made by Commissioner Murray and seconded by Commissioner Peace to accept Gena's resignation. A roll call vote was held and Commissioners expressed regret in losing her, but voted in favor of her resignation.

MOTION CARRIED

UNFINISHED BUSINESS:

Mayor Bell asked Brian to given an update on the Treasurer Executive Search Process. He stated that they have been searching for someone, with assistance of Associate Director, Meghan Sandfoss of the Northern Kentucky Area Development District. Brian stated that he has tentatively selected a person to fill this position and she is currently going through the background check at the moment. Once this process has been completed, he will present this person to the Commission for hiring.

NEW BUSINESS:

Mayor Bell brought to the Commissioners the issue and need to establish a size-limitation on customary accessory; i.e., pole barns. He noted this process began when citizens on Bonnie Lane expressed concern about one resident who had a 1,800-square- foot home and was installing an 820-square-foot pole barn in his backyard on a very small lot. The pole barn was almost half the size of the house. The Commission decided at a meeting that they needed to put in a text amendment to restrict the size. He recalled the amount of discussion at the meeting and noted that Fort Wright and Edgewood limited theirs to 10 percent, while Taylor Mill chose to allow 25 percent on Commissioner Murray's recommendation. Pole barns can be built in the backyard, just limited to 25 percent of house square footage.

This was passed by the Planning Commission on September 6, 2018.

City Attorney Frank Wichmann read the change on Ordinance of the City of Taylor Mill in Kenton County, Kentucky, amending the Text of Section 9.10 of the Taylor Mill Zoning Ordinance to establish size limitations on customary accessory uses. By summary, the ordinance changes the limitations on what is known as customary accessory structures, such as pole barns and other things. They shall not exceed 25 percent of the principal building or the available yard, whichever is less.

This was a first reading. And will require two readings to be enacted.

Mayor Bell stated that he needed approval from the Commission regarding construction on the east side of Sunset Place. The original project that City Engineer, Robert Seitzinger talked about was to include no curbs nor gutters, but a mill and overlay on the eastern path of Sunset Place as

to the east of Church Street. The initial contract included spot repairs for curbs and pavement, however the condition of it is that it is in rough shape.

At previous Commission Meetings last year, we had discussed potential options. We had presented the option that we ultimately bid out and we had also presented what our estimated cost would be for the construction. After these discussions with the Commissioners and the Mayor, and multiple site visits, the Commission has wanted to take a closer look at the cost associated with doing more construction on this eastern portion. To do so would add to the contract price and will require us to go through a change-order process in order to have Michael's Construction to do the work. Overall, went through the numbers and recently double-checked the numbers. The total adjustment, the amount of the change order would be \$31,930.50 would be how much addition the reconstruction would be over what we had previously been given. So, with that, a change order prepared to execute this, a change-order must be approved by the City, approved by the Contractor, and we must get all the signatures. So, tonight would be the opportunity for the Commissioners to vote on this to allow the City to make any changes that had been discussed.

Commissioner Kreimborg asked if Kathleen, Temporary Treasurer were able to find the money to move around to cover the \$31,930.50 extra.

Commissioner Murray wanted assurance that both sides of the street would be the same. City Engineer, Robert Seitzinger reiterated that it would be the same. Commissioner Frietch wanted to know where the money was coming from in the budget. Mayor Bell responded that there had been a \$350,000 surplus at the end of that budget and the idea was that the money from this budget would be used. Commissioner Peace noted that money had been left in the repaving parking lot at Pride Park so that if something came up, it could be used for this. It was about \$75,000. This had been set aside as a fund for emergency street repair and this would be an emergency street repair.

Commissioner Kreimborg also reminded Commissioners that they had been promising the senior citizens that they would repave the parking lot to keep seniors from walking on gravel. Commissioner Murray spoke of the Park Place being rented out and that the parking lot needs a couple of inches asphalt put down, as well as installing the promised solar lights.

There was discussion as to where to take the money for the Sunset construction. CAO Brian Haney needs time to look into this. We can agree to make the repair and then decide on where to take the funds from.

Commissioner Peace made motion to approve the Change Order for Sunset Place and it was seconded by Commissioner Frietch. All Commissioners present were in favor.

MOTION CARRIED

UNFINISHED BUSINESS:

CAO Brian Haney discussed that, due to having an old single resume and due to lapse in time, he received several email requests that the BOA position be posted for advertisement again and bring it back at the next meeting.

NEW BUSINESS:

Due to the hiring of CAO Brian Haney, he is no longer able to represent Taylor Mill and serve on the Kenton County Joint Code Enforcement Board. This leaves a vacancy. Commissioners agreed to have that vacancy advertised to give interested residents an opportunity to apply.

Mayor Bell went on to move to the next order of new business regarding the Employee Appreciation Turkey/Ham Certificates. Commissioner Frietch requested that they first look at the Tangible Tax Rates and discussion of waste fees before addressing the Employee Appreciation Turkey/Ham Certificates. Mayor Bell agreed to discuss the Tangible Tax Rates first.

Mayor Bell noted currently, our tax rate is \$4.39 per \$1,000 and we have not had a property tax increase for two consecutive years. In talking with Commissioner Murray, Mayor Bell felt like they could go two ways. One, the Commission can keep the same rate as they had the last two years, which is \$4.39 per \$1,000 or another option would be to take a compensating rate which guarantees the same amount of dollars the city had the previous year. Mayor Bell said the second option was just a suggestion and that he was not saying he was for or against it either way. Having said that, because of the extensive road repairs that the city had over this past fiscal year and year before, the road budget was hit hard. The Winston Park area alone cost the city around \$35,000 and pretty much took the whole road budget. Other concrete work was done on Saddlebrook Drive and McCowan Drive. Mayor Bell wanted to know the wishes of the Commission as to whether to keep the rate the same as \$4.39 per \$1,000 or take a compensating rate. Mayor Bell did not figure the Commission would want to take any increase of 1 to 2 percent, but wanted to convey that, the less money that the city takes in, means less street repair and fewer things that the city might want to do in the future. Mayor Bell asked for the Commission to share their thoughts and comments and had Commissioner Frietch go first.

Commissioner Frietch wanted the tax rates to remain the same for the residents and not raise any tax. In regard to that, her understanding was that the budget was to be prepared with no tax increases; but the budget was prepared with tax increase, so because of that and not raising taxes, it's going to be like last year where the city needs to address the budget and cut back in the budget. Last year when we did not raise taxes, the city had the \$100,000.00 and it never really got addressed for the rest of the fiscal year. With this, and not taking any tax increase, she suggests going back to the budget to take a look at the budget and see where it can be cut back. Commissioner Frietch didn't vote for the previous budget for the very reason that, because it had tax increase incorporated into the budget, of which it was her understanding that it was not supposed to be included. She is concerned with the balancing what is going on with the budget.

Commissioner Murray made note that the city hadn't taken any compensation rates for the last two years.

The thing with compensation rates is that you might go up a little bit and you might go down a little bit. With the compensation rates, the city will be assured of getting the same amount that was received the year before. Officer Murray stated that he can go with anything and understands not wanting compensating rates, plus percents, or anything like that. However, he would like to see compensating rates because of the \$35,000 that the city will be putting toward Sunset Place

and other expenses such as having a new roof put on over at the Fire Department. Commissioner Murray expressed that he was going to push for a new roof in the bay area of the fire department. The roof is leaking and he wants them to be able to function without having rainwater fall on them. He feels that adjustments do have to be made and it's not raising the rates, but with compensating rates, the city would be able to keep the amount that is coming in now. Commissioner Murray said that he can go with whatever the rest of the Commission wants.

Commissioner Peace said that he was going to remain the same for last year. He did not see a reason to raise taxes when we have a budget that has a giant hole in it and that is why he voted against it because it had a tax hike built into it which is expressly forbidden because that is not the way it came. In looking at the tax compensation rates that came out in the packet, just looking at 2018, there are additions in the deletions column. There are a lot of homes rolled onto the system for 2018, so there's additional revenue from that without raising rates. Commissioner Peace is for leaving it the way it is and the leaving tax rates the way they are. If this city had spent the last two years cutting and thrifting things out and taking extra cost out of the budget and we still could make ends meet, I absolutely could see an increase in taxes. But we approved a budget that we knew had a hole in it and not one thing was given up in it. He knows there is a need for equipment, but felt that there is fluff in the budget that could be trimmed out. He said to leave it the way it is. The city has \$8 million in additions to the real property assessments and that doesn't raise anybody's taxes and that will help. At this point, before we can go and ask a resident to pay more taxes, we had better show a couple of years of good-faith effort in cutting the budget. He wanted to leave it alone.

Mayor Bell agrees with Commissioner Peace, but would like to know where he would like to cut. Commissioner Peace said that we have a new CAO who would like to sit and start going through the budget. Commissioner Peace expressed his opinion that the city needs to identify areas that we need to cut and it's going to have to be across the board. He said that we need to find out what our shortfall is, identify it, and need to cut.

Mayor Bell has been keeping track of the increased payroll taxes with all of the construction that has been going on at Scott High School and was also tracking the Farm Apartments construction cost. These are providing additional revenue in that regard. That's why Mayor Bell said that he could go either way. The cuts in the budget...all of the department heads in my tenure here have done a great job of coming under budget. For them to come two percent under budget is probably not going to be a problem and it would be something that CAO Brian Haney could track. Mayor Bell said that if Commissioner Peace was talking about a significant cut, then that would get into the level of laying off Police and Fire personnel. Commissioner Peace said that he is trying to avoid that. Mayor Bell feels that a ten-percent budget cut that Commissioner Peace wanted a couple of meetings ago would absolutely affect the Police and Fire. Mayor Bell said that the city is already having a tough time in maintaining our Police and Fire employees, particularly the Paramedics. Paramedics will come and go due to the salary. The two-percent pay increase that was approved was simply to maintain our employees and to maintain the service level. Mayor Bell feels that as we get into the coming months, the experience that COA Brian Haney has will be able help him to track and determine where the two-percent cuts can be made. Mayor Bell reiterated that he can go either way. He asked for Commissioner Kreimborg to give his opinion.

Commissioner Kreimborg said that Commissioner Peace already stated the \$8 million more in property values in the city now and if you go with last year's rate it might be higher than what it is this year. If you have \$8 million dollars more at a compensating rate that might bring everyone's rate down rather than going up because you have \$8 million dollars you're giving to the bottom line. So the compensating rate may very well give us a lower rate this year than what we paid last year. We talked about the \$100,000. The \$100,000 is not a deficit, but was figuring the budget with a compensating rate plus I believe two last year. We did away with that and went with previous year's rate which didn't give us the extra \$100,000. We didn't take in \$100,000.00 more than what was budgeted. As far as the \$100,000, that Commissioner Peace wants to cut back, we just paid almost \$100,000 for a backhoe for Maintenance. We could've gotten a used one for \$45,000. You want to cut back in some areas, but increase in other areas. I think that the compensating rate this year may very well lower our rate rather than stay the same as it was last year. Commissioner Peace stated that he wasn't willing to take that crap shoot. Commissioner Kreimborg said that he was willing because we need to be able to pay our bills like everyone else. The city needs to be able to pay our bills just like you do at your home. You can't live on the same amount of money that you made ten years ago with the family that you have now. Commissioner Peace stated that he remembers that tax rates are based on property values and, if property values go up, your taxes go up. So if your property value goes up and your tax rates go up, you are getting hit twice. Commissioner Murray said that we wouldn't be raising the rate with compensating rate; we would be keeping the same rate as the previous year. Commissioner Kreimborg and Commissioner Murray are trying to bring in the same as they brought in last year. Commissioner Murray restated that as he said from the very beginning that the rates could go up or they could go down. If we brought in \$8 million or more property value then more than likely it will go down for individual homeowners. Commissioner Kreimborg stated that it could be cheaper this year than it was last year. Commissioner Peace was concerned that there would then be a windfall and would be jamming and wasn't willing to take that gamble. Commissioner Frietch felt that residents have enough taxes already. Taylor Mill has one of the highest taxes in all of Kenton County and is in the top five, if not the top three. Mayor Bell stated that Taylor Mill is sixth. Commissioner Frietch didn't have the most up-to-date numbers. Commissioner Kreimborg said that there are more factors than just property tax rates. There are other cities that have school districts and fire districts that add into theirs. So you have to look at the actual bottom line of your tax bill. Our fire department comes out of our general fund budget. When you do a comparison of how other cities have their taxes come out of their districts, then we are right there with them. When you compare apples to apples and when you look at the big picture, we are right there with everyone else. Commissioner Frietch disagrees and says that residents have already been hit with more taxes for the 911 transition. Residents are now paying \$75 instead of \$60 for the Kenton County. As far as comparing Taylor Mill to the other cities, some cities do not charge any municipal tax on car insurances, house insurances, and life insurances. Taylor Mill does charge a higher end at eight percent and as the insurances increase for those residents, then that municipal tax collected at eight percent is increased. Commissioner Frietch gave examples of a resident having premium increases, etc. Mr. Ray Mauer, resident at 3193 High Ridge spoke up and said that some of the other cities have even higher rates than Taylor Mill. Taylor Mill isn't the highest. He also added the Kenton County passed a rule a few years ago that if the city didn't charge a tax, that the county would charge a tax. Residents would get a tax rate no matter what. The rate wasn't 8%, but 9.2%. Then the 1.2% goes to Kenton County for the paperwork.

Mayor Bell said he could go either way with the compensation rate or stay the same. He wanted residents to understand that from his perspective, Taylor Mill is in a transition period. Taylor Mill is trying to create a business district. We are trying to grow the business side of the tax rate so that we can lower the property tax rates. The issue then becomes how we can get businesses in here and I have talked to Commissioner Peace about this. We have net profits tax at 2%. Taylor Mill, Covington and Elsmere have the highest in the county. Can we cut that? We can't cut that if we don't have another way to replace the revenue. The other thing is we have a payroll tax of 2%. Covington's is 2.5%. So my point by telling you this is that, if I want a dentist's office or a doctor's office, or an accounting office to locate in Taylor Mill, they will look at our tax rate. Many cities cap their taxes and Taylor Mill doesn't. We can't expect business to come in here and pay 2% net profit taxes and it not be capped. They are not going to come to Taylor Mill if you have a 2% payroll tax and it not be capped. We are competing against other cities that have lower net profit and payroll taxes. Property taxes have to be able to maintain the budget to Commissioner Peace's point. But at the same time, if you want to have businesses come into the city, we have to look at the net profit and payroll taxes. Whatever we have to do on a property tax wise, sometimes the property taxes have to be a little high until we can get the business taxes in there. This is what the whole plan was for the Districts of Taylor Mill. Mayor Bell agrees with both Commissioner Peace and Commissioner Frietch about the taxes being high. The Districts of Taylor Mill were created to help lower the taxes. More business revenue will help to lower the property tax. Mayor Bell is okay with keeping the same tax rate or can go with Commissioner Murray on the compensation rate. Mayor Bell asked what the pleasure was of the Commission on this matter. Commissioner Murray wondered if a decision had to be made tonight or if it could wait until the next meeting to allow CAO Brian Haney to study it. CAO Brian Haney requested that, due to the fact of being down a Treasurer and with Gena leaving in a couple of weeks, that it would be helpful to go ahead have a decision be made so that we can get the tax bills processed.

Commissioner Frietch and Commissioner Peace both want the budget to be looked at and appropriate and realistic cuts to be made. Commissioner Frietch made a motion to keep the tax rate the same and it was seconded by Commissioner Peace. All Commissioners present were in favor.

MOTION CARRIED

Mayor Bell asked CAO Brian Haney to speak on the matter concerning the waste fee. Mr. Haney explained that the city is currently under a renewable three-year contract with Rumpke, so if we do nothing, the rate increases from \$175 annually to approximately \$178. Haney recommends that we let the contract renew and allow the next rate kick in. It is just for this year and if we decide to renew next year for the third year, then it also has an additional fee. This is just for year two.

LEGISLATION:

City Attorney Frank Wichmann gave the first reading of an ordinance of the City of Taylor Mill, in Kenton County, Kentucky, providing for the annual assessment of all real estate and personal property, within the corporate limits of the City of Taylor Mill, and the Ad Valorem Taxation

thereof, for the fiscal year beginning on July 1, 2018 and ending on June 30, 2019 and providing for the payment and collection of such taxes, and the penalties and interest thereon; and describing the purpose for which the taxes so collected shall be appropriated and used.

By summary, the ordinance provides for the adoption of the valuation of property of Taylor Mill by using the Property Valuation Administrator (PVA) valuation. It imposes taxes on the property in Taylor Mill. It provides an ad valorem tax on real property, at the rate of \$0.439 dollars for each One Hundred (\$100.00) Dollars of the value thereof, and an ad valorem tax on all personal property at the rate of \$0.75 Dollars for each One Hundred (\$100.00) Dollars of the valuation thereof. It provides that the taxes will be due and payable by December 31, 2018. They will be delinquent on January 1, 2019. There will be a penalty of 15% added and interest at the rate of 15% per annum. It provides that the city has a lien on the property to secure the payment of those taxes. It provides that the taxes levied and collected shall be deposited in the General Fund of the city for the general operations of the city.

This was the first reading. And will require two readings to be enacted.

City Attorney Frank Wichmann gave the first reading on an ordinance of the City of Taylor Mill, in Kenton County, Kentucky, amending Taylor Mill Ordinance No. 328 (11-08-17) by increasing the rate of the annual waste collection assessment levied thereby to One Hundred Seventy-Eight Dollars (\$178.00) Dollars per year.

This was a first reading. And will require two readings to be enacted.

NEW BUSINESS:

Mayor Bell stated that in the past the city has provided the employees with a \$15 gift certificate for turkey/ham at Rempke's. Last year the redemption was \$395, but it has the potential to be around \$600 if everyone redeems the certificate. Last year, the Commission was eliminated from being a recipient of it. It was such an issue last year that Mayor Bell wants to know the thoughts of Commission.

Commissioner Peace is absolutely against using taxpayer funds to buy turkey and ham gift certificates. But he does think that it is important that we talk about a gift. A gift is always easy to give when it is taxpayers' money. He thinks that if you want to give a gift, then it should come from you the individual. Commissioner Peace is willing to vote for the gift certificates if the Commission agrees to pay for those certificates out of their own pockets. We should not ask the employees of the city. If we want to buy them a gift, then we should buy them a gift. Then, we will not be asking the residents to flip the bill.

Commissioner Kreimborg said that last year a resident was upset about what happened at the meeting last year. Some residents were so upset that about it on last year that they purchased additional gift cards to make up for the ridiculousness that it on last year. He doesn't have a

problem with the city out of an almost \$5 million dollar budget spending \$385 to show appreciation to our employees, and he thinks that residents would want to show them the appreciation, too. Commissioner Kreimborg supports the city paying for the gift certificates to employees and not to the Commissioners or the Mayor.

Commissioner Frietch stated that near the fiscal year end of 2017 employee rewards, there was a budget amount of \$2,750. In looking at the end of May 2017 budget report, \$2,750 was budgeted and \$3,721 was expensed. More went against that budget line item than what should have been. When the budget was prepared the following fiscal year 2018, \$5,000 was budgeted, so additional was put in for that line item. As of June 30, 2018, \$2,146 was spent out of that. So that was better that year. But as many residents know, there was a lot of discussion of pulling back from having taxpayer dollars put out continually toward city staff. There are a lot of hard-working residents who are working to provide for the basic needs of their families and children. Commissioner Frietch chose to remain consistent from last year. She values all of the staff and lets the employees know that she values and appreciates them. There have been other incidents in which there have been catered lunches. She is not in favor of using hard-working peoples' taxes and dollars to fund this and will go along with Commissioner Peace. She will not have a problem as long as the entire Commission wants to join in and pay for something like that for the staff, but not from tax dollars.

Commissioner Murray will go along with what Mr. Peace has proposed and will put up \$100. If every Commissioner and the Mayor agrees to put up \$100 each, then that will be \$500 to buy gift certificates for employees. The certificates would be for \$10 instead of \$15, and that would allow for each employee to receive a gift. If nobody wants to do that, then he has no problem going with the \$15 either, because in all honesty we have cut back and cut back and to me, you have to show some form of appreciation.

Mayor Bell asked Commissioner Murray for clarification. Commissioner Murray said that he supported giving \$100 out of his own pocket to go for gift certificates.

Commissioner Kreimborg felt that they should let the residents of Taylor Mill show appreciation for the employees. And if the Commissioners want to give a gift on top of that then we should do that. Commissioner Kreimborg thinks we should let the city pay the \$385 out of a \$5 million budget to show employees their appreciation. If other Commissioners want to give an added \$100 to the employees, then feel free to do so.

Mayor Bell agrees with Commissioner Kreimborg that it is ludicrous that we don't do a lot of employee appreciation stuff. We have a luncheon every once in a while on a certain day for the employees and they come in and they eat. Not all of them eat because not all of them are on shift at the time. \$385 is a very minimal amount of money, but I am certainly not going to fight the fact that I have no problem giving up \$100. That is not a problem for me. Again, that is my view. Commissioner Kreimborg said that the \$100 is not the issue. Over the years, people are going to come in and that is going to dwindle. The next Commission that comes in here might not be willing to put up \$100. Mayor Bell thinks that the overall feedback from the public on this last year was terrible. It was his opinion that it was terrible that there was even discussion over a \$385 or \$400 gift.

Commissioners and citizens weighed in as to the merits of honoring City employees with this gift, versus other discussions as to using tax-payer dollars for this purchase.

Commissioner Kreimborg made a motion that the city purchases \$15 certificates for turkeys to present to City employees for Thanksgiving. The motion was seconded by Mayor Bell. Mayor Bell called for a roll call vote. The Clerk called the role.

Commissioner Kreimborg – Yes

Mayor Bell – Yes

Commissioner Frietch – No (requested that minutes reflect her appreciation for all of the staff, but objected to using taxpayer dollars for the purchase of them)

Commissioner Murray – Yes

Commissioner Murray – Yes

Commissioner Peace – No

MOTION CARRIED

BUILDING AND ZONING: No Building and Zoning Report.

DEPARTMENT REPORTS:

- **CITY ADMINISTRATOR:** Since he had only been employed for a few days, CAO Brian Haney stated that he appreciated his fellow employees and that would be giving a report next month.

- **ENGINEERING:** The roadway project is going on at Ace Asphalt and on Primrose, Valley View and the west side of Sunset. This week, the contractor is working on putting down the final surface on those three sections. After that, they will move on to doing the middle and overlay on Church Street from Sunset, all the way down to Faye and also on Doris. This may be delayed to the following week, depending on the weather from the hurricane. The City Engineer, Robert Seitzinger explained that the contractor had a prior commitment to another job. He said that upon its completion, they will return to Taylor Mill to work on the eastern half of Sunset, with the anticipated date being the second week in October, depending upon the weather.

Mark Reinersman, of 103 Sunset Place, questioned if it would be more efficient to delay paving the west side of Sunset until the contractor could pave both east and west at the same time. Mr. Seitzinger explained that the western section of Sunset and the other streets such as Church and Primrose would be receiving a final coat. With that and traffic entering, the contractor will be doing it separately but assured both sides will look the same.

Bambi Lewis, a 49-year resident of 107 Sunset Place, noted that this project has been going on for a very long time and asked for an estimated time of completion, especially given the coming

winter. She noted that the contractor has been unimpressive, leaving equipment in dangerous places and agitating residents by being rude and disrespectful. She also informed them, that with all the activity on streets around them, drivers were using her street on which to park, creating a hazard. She noted that the other section of Sunset was still not complete and that it had already taken 7 weeks.

City Engineer, Robert Seitzinger noted that the other section of Sunset had water main leak and a few other issues that created problems and created delays. The estimated time is mid-October, weather permitting. It should take about 3 weeks to complete if weather permits. Ms. Lewis stated that residents had to raise a ruckus to get this far, for which she now knows is \$31,000, the last time for this resurfacing being 25 years ago.

Mayor Bell apologized for the delay but explained that the reason for the delay was that SD1 had a \$5 million project for stormwater, where they were to do the work and the City would come in and do what is being done now. But SD1 didn't fund all of the entire project, only funding \$1.5 million. Mayor Bell said that he went there and complained that the residents needed the streets repaired and that they needed to fund what they had started five years previously. When they passed the \$5 million May a year ago, it allowed the city to proceed on what is now being done.

City Engineer, Robert Seitzinger reported on a big issue, a slip that occurred after heavy rains out on Reidlin Road near the intersection of Grand Avenue. On Monday, he, Mark Roden and Brian Haney went out to the site to see what had actually occurred, documented it, and took pictures of it. He said that he planned to go with one of his structural engineers the next morning to evaluate potential options as to what can be fixed and can send that to the city so that it can be determined how best to address the situation. He noted that he and the structural engineer would take a closer look at the embankment and evaluate what could be done and move effectively determine repair costs or possibly closing that portion of the road. He explained that road closure was not a total solution because the slide could keep expanding. He said he would submit options and evaluation to the Commission following his next on-site visit.

Mayor Bell and the Commissioners discussed pros and cons of a road closure, including difficulties posed for the residents' houses/driveways, the possible cost of repairs with the limit of \$50-\$60,000 from emergency road funds if they were involved, the amount of money already invested by the City in piers.

Mr. Seitzinger stated that he would send a report to the Commissioners via email after his onsite visit with the structural engineer.

Other projects, Mr. Seitzinger noted that he was asked at the last Commission Meeting to get in touch with the State regarding the Allocation Funding for Taylor Mill Sidewalk, Phase 2. He explained that he had talked with an individual in FHWA and that the funding would still be available and she is working on getting this in writing. He said that he would apply to have funding re-obligated in December, with the bidding for a job taking place in January or February, with

construction in the spring. The difference in this bid would be that the contractors would advise how far the amount of money would extend the sidewalks.

For Phase 3, Mayor Bell has applied for OKI Grant. Mr. Seitzinger explained that a total of \$15,707,000 had been allocated to S&K, but that OKI was receiving only \$7.5 million of that amount. As an update, Mr. Seitzinger stated that the S&K funding application is under review and that their Prioritization Subcommittee looked at the each of the applications and prioritized which would be the best investment of their money. Mayor Bell noted that, because this was Phase 3 and a continuation of a project that had already begun, Taylor Mill stood a very good chance of receiving the grant. Mr. Seitzinger said that the OKI Board will meet in October to vote on the grants and then notify the recipients following that. He explained that a total of \$15,707,000 had been allocated to S&K, but that OKI was receiving only \$7.5 million of that amount.

- **FIRE:** Commissioner Murray reported that during the month of August, there were 82 calls received and, of those, there were 24 Fire Department calls, 58 EMS calls. Of the calls, the following were received:

2 – Covington	1 – Central Campbell	3 – Fort Wright	1 – Fort Mitchell
1- Wilder	2 – Ryland Heights	1 - Kenton	

Commissioner Murray called upon Chad Huth to continue the report. Mr. Huth reported that EMS conducted 10 treatments and 48 transports, with 3 paramedics ride-alongs, whom Commissioner Murray later explained are required to accumulate training hours by riding in ambulances. There were 18 inspections, including construction sites, Sharon Drive Apartments, and Scott High School. Training was held for paramedics by Air Care and the Fire Chief was currently at the Fire Academy in Maryland.

Mr. Huth brought to the attention of Commissioners a rebid on the needed roof on the firehouse. He explained that, during the bidding time frame from August 20th to September 6th, only two out of the seven contractors had actually placed bids. After reviewing both contractor bids, W.M. Commercial Roofing, and Ace Exteriors Roofing, it was decided to eliminate W.M. because they had failed to complete required paperwork for the job. Of those two submitting bids, only Ace Exteriors Roofing provided a 20-year warranty, along with excellent references. He reported on the material specifications to be used in this project and the timeline of about 30 days for completion, depending upon the weather. This preferred bid for the contract exceeds the funds approved by the Commission by \$6,241 (total \$7,231.)

Commissioner Murray reviewed the condition of the firehouse roof and its extensive leaks, noting the necessity of a tarp in the restroom and the leaks into heaters and beside the generator box. He stated that the Commission had approved \$65,000 for repair of the roof and bids on its repair had

been received. It was requested that Brian Haney look over the budget for additional funds to add to the previously allocated amount.

Mayor Bell made a motion that the additional \$6,241 be approved to complete the new roof on the firehouse. Commissioner Peace seconded the motion.

The City Clerk conducted roll call:

Mayor Bell – Yes
Commissioner Murray - Yes
Commissioner Frietch - Yes
Commissioner Kreimborg – Yes
Commissioner Peace - Yes

MOTION CARRIED

- LEGAL REPORT: – None

- MAINTENANCE: Commissioner Peace reported that Mark has completed work on Saddlebrook Drive and that grass is being mowed and culverts are being dug. He called on Mark to share more of work being done. Mark explained that he will probably need to dig more in culverts with recent rain that could have created slips. He noted attention needs to be given to Cleveland and that Leland needs culverts and pipes in the future and that he hopes to have blacktop before winter. He and others discussed the solar light which had been installed at the intersection of a very dark road, with a second one hopefully to be installed at future date on Mafred and later on Robertson, both dangerous because of their dark locations. The cost of the entire project for the first solar light was under \$1,000 (\$50 for pole, \$900 for solar light and then the concrete.) It was noted that money was saved because Duke Energy wanted \$2,300 to install a light, plus its monthly electric charge.

- PARKS AND RECREATION: Commissioner Frietch reported that Tasty Tuesdays were over and that Gena Forsyth had decided upon spring for the campout. She called on Gena to report further on activities. Gena said that the City-wide Yard Sale was well received, with 64 permits being sold. Her last activity, Friday Night Flicks, was rained out. Upcoming activities include the Homecoming Parade on September 21; Tree Lighting with Taylor Mill Elementary Choir on November 25; and Santa’s Neighborhood Visit on December 8.

On behalf of himself and the Senior Citizen community, Commissioner Murray expressed sincere appreciation to Gena for her involvement with the senior citizens.

- POLICE: Commissioner Kreimborg reported that the Police Department was down two cruisers, resulting in Chief Steve Knauf using his own car and gasoline for department business. He called

on Chief Knauf, who informed the Commission that two cruisers had been ordered and were expected to arrive in October and be online in November.

Chief Knauf also advised that they were in the final hiring phase for a candidate of their choice as a School Resource Officer for Woodland Middle School. Hopefully, this individual can be extended an offer of employment by October 15th, pending Commission approval at the next October Meeting.

He also reported that he will be advertising to hire a Police Clerk to replace Kristy Webb and also a Police Officer to replace Karen Spaniard, a 20-year veteran who announced her retirement for October 31st. He also extended his gratitude to Gena Forsyth for her outstanding service to Taylor Mill and expressed that she would be missed by all.

Mayor Bell opened the floor to any questions that Commissioners might have.

Commissioner Kreimborg requested to know the status of the Exit Interviews of the three people who had left, whether they had been sent and if they were independent of City officials as in industry. Mayor Bell replied that he had prepared the Exit Interviews with generic questions from the Internet, but that they had not yet been returned. He said that he would notify members upon the return of the Interviews.

Commissioner Murray requested that a piece is placed in each Monthly Newsletter regarding the Taylor Mill Senior Citizens, who meet every Wednesday afternoon. He explained that there needs to be an advertising effort to attract a more robust crowd because many have gotten older. He said that there is always a good time when they meet.


City Attorney Wichmann stated that the zoning change from 10 percent to 25 percent voted in by the Commission will be officially changed upon its second reading.

ADJOURNMENT:

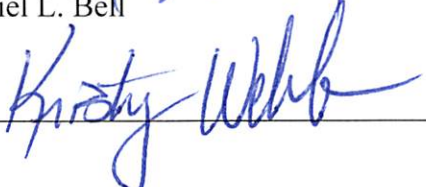
A motion was made by Commissioner Kreimborg and was seconded by Commissioner Frietch to adjourn the meeting. All Commissioners were in favor.

The meeting adjourned at 9:43 p.m.

The next Commission Meeting will be Wednesday, October 10, 2018 at 7:00 p.m.



Mayor Daniel L. Bell

ATTEST: 

DATE: 10/10/2018