

**City Of Taylor Mill
SPECIAL COMMISSION MEETING
November 25, 2014**

The meeting was called to order at 7:01 pm by Mayor Bell. Commissioner Kreimborg gave the invocation, followed by the Pledge of Allegiance led by Mayor Bell. The City Clerk called the roll.

Mayor Bell	Here
Commissioner Kreimborg	Here
Commissioner Kuehne	Here
Commissioner Murray	Here
Commissioner Reis	Here

The Mayor noted that a quorum was present for the meeting.

Commissioner Kuehne made a motion to accept the minutes from the Commission Meeting on October 15, 2014 as submitted. Commissioner Murray made a second. All Commissioners present were in favor.

MOTION CARRIED

Commissioner Reis made a motion to accept the minutes from the Special Commission Meeting on October 28, 2014 as submitted. Commissioner Kreimborg made a second. All Commissioners present were in favor.

MOTION CARRIED

GUESTS:

Mayor Bell introduced the City's new Fire Chief, John Stager. Mayor Bell stated that the City had done an extensive search for a new Chief. Chief Stager stated that he had been in fire service since 1988 and was very excited to be the City's new Chief. Chief Stager's father then placed Chief Stager's pins on his uniform. Mayor Bell thanked Chief Stager and congratulated him on his new position. Mayor Bell pointed out that all of our Fire staff are also paramedics.

Scott Smith of 6185 Maple Ridge Drive, addressed the Commission and asked for specific information on the overall plan for the Districts of Taylor Mill. Mr. Smith also asked about why the new Holland Rosen building did not fit the vision of current zoning of providing a street wall.

Ms. Bailey stated that she was going to be making a presentation that would help answer Mr. Smith's questions.

Mayor Bell stated that presentations had been made in previous Commission Meetings laying out the vision of the City's gateway plans. Mayor Bell stated that the City was hoping to obtain grant money for this project and that our zoning codes and brochures for the Districts are available to the public.

Ms. Bailey stated that the Districts and the plans for KY-16 have been in the works since early 2000 and she would be doing a presentation that would explain the whole process for residents that are new to the area or were not engaged in the early planning stages of these projects. She stated that in the beginning phases, there were public hearings and meetings held in 2006, but since that time there are new residents in the area.

Dave Menick, a partner in the Holland Rosen Group, addressed the Commission. Mr. Menick stated that he would like to pledge his support for the original vision the City has for the Districts of Taylor Mill. Mr. Menick stated that the money the Holland Rosen Group invested was in part because of the standards presented in the zoning for the Districts. Mr. Menick stated that extra time and money was spent by his organization to create something special for the Districts. Mr. Menick stated that he believes in the City's plan for the Districts and does not want to see too much deviation from that plan.

Ms. Bailey read an e-mail from Adrian and Mona Vickery of 3190 Taylor Creek Drive. The e-mail stated that the Vickery's support the City's original vision for the Districts of Taylor Mill and that they hope the City rejects any proposals from UDF that do not conform to the current zoning restrictions.

Sarah Frisch of 737 Lakewood Drive addressed the Commission. Ms. Frisch stated that she was concerned about the previous Commission Meeting not allowing the UDF to be put in. Ms. Frisch stated that she wanted to remind the Commission of her previous appearances in which she presented bullet points and resident petitions that were not considered. She stated that there are many residents in favor of the UDF development.

Judy Reis of 836 Robertson Road addressed the Commission and stated that she regretted not speaking at previous meetings and that she would like to pledge her support for the City's requirement that the UDF conform with the current zoning guidelines. Ms. Reis stated that she is not against a UDF, she just thinks they should conform to the guidelines. Ms. Reis stated that she had seen other UDF locations that do not look like a gas station and would conform with the vision of the guidelines. Ms. Reis said she feared changes to the zoning would lead to other businesses seeking similar changes.

Allison Ballinger of 782 Morning Glory addressed the Commission and stated she supported the City's vision and did not think it should be changed for one person. Ms. Ballinger stated that she thought the Commission was doing a great job and that she liked the plan for the Districts.

Cheryl Niehues of 740 Carol Drive addressed the Commission and stated that she would like to commend the Commission on all of their hard work on the Districts and that the new Holland Rosen building was beautiful. Ms. Niehues encouraged the Commission to stay with their original plan and not deviate from their plan. She stated that we have one chance to develop this area the

right way. She stated that she is not opposed to UDF, but she doesn't want it to look like a truck stop in the heart of our City.

Todd Fuller of 763 Jefferson Place addressed the Commission. Mr. Fuller stated that he feels the Commission should stick with their vision and plan for the Districts and that UDF should conform to the current zoning.

Tom Koehler of 664 Manor Drive addressed the Commission and stated that having one gas station in the City was problematic. He felt gas prices were very high and that he has to drive to other communities to get economical gas prices and he would like to see another gas station in Taylor Mill.

Mayor Bell stated that gas stations are permitted to be built in the Districts but the issues revolved around zoning guidelines.

LEGISLATION:

Frank Wichmann gave a 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, 2014 and ending on June 30, 2015 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.

Ms. Bailey stated that in order to cover the City's expense for waste collection it would be necessary to increase the waste fee from \$125.00 to \$130.00. She stated that the City would be going out to bid on a new waste contract in the spring.

Mr. Wichmann gave a first reading of an Ordinance of the City of Taylor Mill, in Kenton County, Kentucky, amending Taylor Mill Ordinance No. 285 (10-26-12) by increasing the rate of the annual waste collection assessment levied thereby to one hundred thirty dollars (\$130.00) dollars per year.

Frank Wichmann gave a first reading of an Ordinance of the City of Taylor Mill, in Kenton County, Kentucky, establishing a non-exclusive franchise for the use of public streets, alleys and other public grounds of the City for the transmission and distribution on either of those natural gas or electricity for consumption within the City providing for a franchise fee of three percent.

NEW BUSINESS:

Ms. Bailey stated that currently Commissioner Kuehne is the City's representative to the Ohio Kentucky Indiana Regional Council of Government. She stated that appointment was set to expire at the end of December and was for a one year term. Ms. Bailey stated that Commissioner Kuehne could continue to serve on that Board or another member of the Commission could be appointed to serve.

Commissioner Murray made a motion to appoint Commissioner Kuehne to serve as the City's representative for the Ohio Kentucky Indian Regional Council of Government. Commissioner Reis made a second. All Commissioners present were in favor.

MOTION CARRIED

Ms. Bailey stated that she would like to table the Complete Streets Initiative until the next Commission Meeting.

Ms. Bailey stated that we have had a structural failure with the Maintenance garage. Ms. Bailey stated that the maintenance garage is used for maintenance of our vehicle fleet. Ms. Bailey stated that the maintenance garage is adjacent to our salt barns where we store salt for the winter. She stated that the salt has mixed with rain over the years and that chemical has run up against the foundation of the garage and has caused the foundation to fail and caused gaps in the concrete foundation of the structure. Ms. Bailey stated that the City had CDS and Associates come out and assess the buildings. CDS found that the building was structurally unsafe and the Maintenance department had to vacate that facility. Ms. Bailey stated that we turned this claim into the insurance company but the claim was denied to have the structure repaired. Ms. Bailey stated that Orth concrete quoted a repair of \$85,000. Ms. Bailey stated the City also had a quote from Ford Development proposing to fix the foundation by doing a drainage grate for \$17,850.00. Ms. Bailey stated that the City had been in contact with the building inspector. Ms. Bailey stated that the proposal from Ford Development Company would allow the Maintenance department to get back into their building with a life of about eight years.

Commissioner Kuehne made a motion to accept the bid from Ford Development Company. Commissioner Kreimborg made a second. The Clerk called role. Commissioner Kuehne--yes, Commissioner Kreimborg--yes, Mayor Bell--yes, Commissioner Murray--yes, Commissioner Reis--yes.

MOTION CARRIED.

Ms. Bailey stated that she wanted to make a presentation that would lay out the plan for the Districts of Taylor Mill and fill in the gaps for any new residents or residents who are not engaged when the plan was originally proposed. Ms. Bailey stated that in 2005 plans for Kentucky 16 underway. She stated that the project was broken into three phases. Ms. Bailey stated that the Commission was very concerned about Kentucky 16 turning into another Dixie Highway and the Commission wanted to have a plan in place to handle the development that was sure to come.

Ms. Bailey stated that the City went through an extensive process to select architectural and engineering firm to conduct a land use study related to development in the area and in 2006 selected Wolfert Incorporated. Ms. Bailey stated that developers, residents, both inside and outside the study area, and the City Commissioners were all involved in the land use study.

Ms. Bailey stated that the City hired a group called Property Advisors to do a feasibility study to evaluate the market demands for potential developers.

Ms. Bailey stated that Wolfert Incorporated proposed design charrettes and that the public was given an opportunity to comment on the designs at a public hearing. As a result of the extensive land use study and the public hearings, the Commission ultimately adopted a twenty five year vision to create a downtown Taylor Mill.

Ms. Bailey stated that the City hired McKenna & Associates in 2007 to draft revisions to the zoning code and that the City wanted to market development nationally. Ms. Bailey stated that the City provided opportunity for public comment and went to great lengths for input from various sources in the Northern Kentucky area. Ms. Bailey stated that the City Commission adopted these zoning codes in 2007.

Ms. Bailey stated the next step was for the City to market their plan to developers. She stated that the City participated in open house forums for developers and that marketing materials were printed at that time.

Ms. Bailey stated that the results of the zoning produced four unique zones and this is how the DTM zones were created and comprised. Ms. Bailey then discussed the differences in the zoning and uses for each of the four areas.

Ms. Bailey stated that in December of 2007, the City reached out to developers on a national level. Ms. Bailey stated at this time sidewalks to make development accessible and underground utilities were taken into consideration. Ms. Bailey stated that the banking crisis and recession that began in 2007, and ran through 2009, affected commercial development in Taylor Mill and, in effect, brought development to a standstill in Taylor Mill. Ms. Bailey stated that once the economy got better, the City hired a firm called Millimeter Creative to help the City re-brand the project and attract developers. Ms. Bailey discussed the changes made to the new brochure and marketing materials developed by Millimeter Creative.

Mayor Bell called for a recess at 8:15 p.m. to allow Ms. Bailey time to arrange for a way to finish her presentation after experiencing technical difficulties with her PowerPoint presentation.

Mayor Bell called the meeting back to order at 8:20 p.m.

Ms. Bailey continued her presentation and stated that the zoning codes for the four different areas were created by professionals who are able to put into words what developers need to do in terms of building appearance. Ms. Bailey stated that the City wants buildings close to the streets, and that businesses need to have pedestrian lighting, benches, trash cans and bike racks. Ms. Bailey stated that the City wanted to promote green spaces and public areas. Ms. Bailey stated that the City also wanted off street parking and shared parking lots for businesses. Ms. Bailey stated that the City wanted buildings that were not brand specific. Ms. Bailey stated that City wanted building height variations and for buildings to be adjacent when was possible.

Ms. Bailey stated that the Holland Rosen group first approached the City in October of 2012 and provided a site plan for the development. Ms. Bailey explained how the Holland Rosen development plan changed and evolved as a result of conversations with the City about current

zoning guidelines over time. She also discussed the concept and development of the current Holland Drive.

Ms. Bailey then discussed the concept and development of the different gateways designed for Taylor mill. She discussed an electronic reader board that would be controlled by the City and the possibility of commercial advertisement on this board.

Ms. Bailey then discussed the site development plan provided by Phil Peace for UDF. Ms. Bailey discussed the fact that the State still owns part of the property that Mr. Peace needs for his development project. Ms. Bailey stated that Mr. Peace has asked for the City's help in acquiring the property needed from the State. Ms. Bailey also stated that Mr. Peace cannot proceed with his project without obtaining this property from the State because the site is not large enough without this property. Ms. Bailey stated that acquiring the necessary State right of way has been a challenging process and it could be years before that process is complete. Ms. Bailey stated that the site plan provided by Mr. Peace provides controversy over the number and placement of gas pump as well as a lack information needed for the total project plan. Ms. Bailey discussed other items of contention between the City Commission and the site plan provided.

Ms. Bailey presented drawings and options prepared by the City engineer that showed how UDF could develop in accordance with the current zoning guidelines in an attempt to reach out to UDF and allow discussions for development to progress.

UNFINISHED BUSINESS:

Mr. Peace addressed the Commission and stated his engineer is currently working with the State on curb cut issues. Mr. Peace acknowledged that obtaining the right-of-way from the State is necessary and an ongoing process. Mr. Peace discussed zoning regarding pump placement and attendant station. Mr. Peace stated that the primary issue with the current zoning is the zero setback for UDF. Ms. Bailey stated that she thinks the heart of the issue is whether the pumps are placed to the rear or the front of the building.

Mr. Peace indicated that he had a meeting with Martin Scribner with PDS where he discussed uninterrupted sidewalks. Mr. Peace stated that Mr. Scribner told him that his current site plan did not present a problem in terms of uninterrupted pedestrian walkways. Mr. Peace discussed several points of contention between his site plan and current zoning, but stated the real problem lies with building placement and setbacks.

Mayor Bell called a recess at 8:55 p.m. to allow Mr. Peace to set up a DVD player for his presentation.

Mayor Bell called the meeting back to order at 9:10 p.m. Mr. Peace stated that bringing a UDF to Taylor Mill would help lower tax rates.

Mr. Peace stated that on May 21, 2014 the Commission voted unanimously to amend the text of the DTM-2 zone to fix the setback which would allow UDF to build in Taylor Mill.

Commissioner Murray stated that he wants another gas station in Taylor mill and that UDF is a great company. He stated that he is willing to do whatever it takes to get another gas station in Taylor Mill.

Mr. Peace played video clips from the Commission meeting held on May 21st 2014 which he stated showed that the Commission voted unanimously to amend the text for the DTM - 2 zone and to submit the amendment to Northern Kentucky area planning approval.

Mr. Peace indicated that his attorney, Marty Butler, had met with Frank Wichmann to draft the amended text as directed at the May 21st Commission meeting. Mr. Peace indicated that he had incurred a large legal bill from his attorney for this project.

Mr. Peace stated that on September 17th his attorney gave a presentation outlining the proposed changes for the text amendment for the DTM-2 zone to the Commission at a Special Commission Meeting. Mr. Peace stated that at this meeting the Commission changed they're thinking and wanted UDF to conform to the current zoning guidelines instead of pursuing a text amendment. Mr. Peace asked the Commission what events transpired between the May 21st Commission meeting and the present time that made them change their mind about proceeding with a text amendment. Mr. Peace then discussed the items he saw as problematic with UDF building to the current zoning guidelines.

Ms. Peace addressed the Commission and stated that her family has incurred large expenses involved with pursuing the text amendment for DTM-2. Ms. Peace stated that her family incurred these expenses because they felt they were following the direction of the Commission and the vote that occurred on May 21st.

There was discussion between Mr. Peace and Mayor Bell about changes to the zone and how it would affect other properties in that area as well as an existing water line on another parcel of property owned by Mr. Peace.

Mr. Kling of UDF addressed the Commission. Mr. Kling stated that putting the gas pump behind UDF was a mistake because of the effect it would have on the residents that would have the pumps and lights facing their homes.

Mr. Peace asked the Commission if they would carry out the vote on May 21st to proceed with a text amendment. There was discussion between Mr. Peace and the Commission about what was proposed at the Commission meeting on October 15, 2014, regarding a new DTM-5 zone and a text amendment to DTM-2 zone. There was also discussion about how much of Mr. Peace's property would be included in a new DTM-5 zone.

Commissioner Murray asked Mr. Kling if any of the drawings presented by Ms. Bailey were viable options for UDF to consider. Mr. Kling said that none of the options presented would work for them. Mr. Kling went on to state that UDF has looked at positioning their building in a different direction and that it simply does not fit with their business model and the nature of their business.

Mr. Kling stated that UDF is willing to compromise in terms of architecture in the style of their building, but they are not willing to risk a 3.5 million dollar investment and put pumps in the back of their buildings and change the functionality of their business model that has worked well for them for many years.

There was discussion on whether the Commission would proceed with the text amendment voted on in the May 21, 2014 meeting, rescind that decision or create a new DTM-5 zone.

Frank Wichmann explained the process for a text amendment to be approved through the Planning Commission and then be approved by the Commission. He clarified that the vote on May 21, 2014 was to draft the amendment but not to adopt the changes proposed.

Mr. Peace stated that he understood the process and was asking that the May 21st vote be carried out and that the text amendment be sent to Area Planning. There was discussion on how to proceed and the process in general with Area Planning.

Commissioner Murray made a motion to submit an application to the Planning Commission to review and make recommendations on the text revisions to the DTM-2 zone that were drafted by Mr. Butler and presented to the Commission on September 17, 2014. Mayor Bell made a second. The Clerk called role. Commissioner Murray--yes, Mayor Bell--yes, Commissioner Kreimborg--yes, Commissioner Kuehne--no, Commissioner Reis--no.

MOTION CARRIED

Mayor Bell made a motion to create a map and text amendment for the creation of a new DTM-5 zone with text consistent with what was prepared by Mr. Butler and presented to the Commission on September 17, 2014. Commissioner Murray made a second. The Clerk called role. Mayor Bell--yes, Commissioner Murray--yes, Commissioner Kreimborg--no, Commissioner Kuehne--no, Commissioner Reis--no.

MOTION NOT CARRIED

REPORTS:

Engineering, Building and Zoning

Ms. Bailey stated that the Wayman Branch stabilization project would be going to bid in January, awarding it in early February and then construction starting sometime between February and May.

City Administration

Ms. Bailey stated that she had submitted a conditional offer of employment to Gena Forystha for the position of Asst. City Clerk/Special Events Coordinator with a salary of \$39,805.00 annually.

Commissioner Murray made a motion to hire Ms. Forystha. Commissioner Kreimborg made a second. The Clerk called role. Commissioner Murray--yes, Commissioner Kreimborg--yes, Mayor Bell--yes, Commissioner Kuehne--yes, Commissioner Reis--yes.

MOTION CARRIED.

Ms. Bailey announced that the Golf Exchange would soon be opening in the Holland Rosen building. Ms. Bailey announced that the City would be participating in a project assessing work site wellness with the Northern Kentucky Health Department.

Fire

Commissioner Murray reported that there were 29 fire runs and EMS runs of 47, with 17 ALS runs. He reported 5 calls for mutual aide. The last dance had 50 students and the next dance would be December 19, 2014.

Maintenance

Commissioner Kuehne thanked the Maintenance Department for their great work with the last snow fall. He stated that paving was complete on our fall project of paving five City streets.

Parks & Recreation

Commissioner Kreimborg stated that the City would be holding the annual Christmas Tree Lighting on Saturday, December 6th. She stated that Santa would be visiting the neighborhoods on December 20th. She stated that the City was currently collecting canned food items for our annual meal bag project.

Police

Commissioner Reis stated that Chief Knauf submitted a request to replace a police vehicle because of costly repairs. Commissioner Reis made a motion to authorize replacement of the police vehicle with transmission problems. Commissioner Murray made a second. The Clerk called role. Commissioner Reis--yes, Commissioner Murray--yes, Mayor Bell--yes, Commissioner Kreimborg--yes, Commissioner Kuehne--yes.

Commissioner Kuehne made a motion to go into Executive Session. Commissioner Reis made a second. All Commissioner present were in favor.

MOTION CARRIED.

The Commission went into Executive Session at 10:49 p.m.

The Meeting opened to the public at 11:08 p.m. The Commission discussed their availability to meet to have a second reading of the ordinances pertaining to waste collection fees and the tax rate. It was the consensus of the group to hold the meeting on Friday, November 28, 2014 at 8:00 a.m. for the aforementioned purpose.

There being no further business, Commissioner Kuehne made a motion to adjourn. Commissioner Murray made a second. All Commissioners present were in favor.

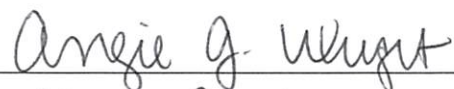
MOTION CARRIED

The meeting adjourned at 11:10 pm.

Next Commission meeting will be Wednesday, December 10, 2014.



Mayor Daniel L. Bell

ATTEST: 

DATE: 12-1-2014