

REGULAR MEETING  
ERLANGER COUNCIL  
January 5, 2021

Mayor Jessica Fette called the regular meeting of the Erlanger City Council to order in the City of Erlanger Council Chambers at 7:01 P.M., Tuesday, January 5, 2021.

Council Member Tyson Hermes gave the invocation.

Members of Council and citizens pledged allegiance to the flag.

The following Members of Council were present: Kathy Cahill, Tom Cahill, Ryan Elmore, Tyson Hermes, Jennifer Jasper, Stephen Knipper, Vickie Kyle, Gary Meyer, Diana Niceley, Rebecca Reckers, Don Skidmore, and Renee Skidmore.

Also present were: Mayor Jessica Fette, City Administrator Matt Kremer, Building and Zoning Administrator Mark Stewart, Chief of Police Kyle Rader, City Clerk Sherry Hoffman, Director of Economic Development Emi Randall, Director of Finance Kara Kramer, Director of Public Works Peter Glenn, Fire/EMS Chief Todd Whitaker, and City Attorney Jack Gatlin.

MEETING MINUTES – M/S, Meyer-T. Cahill, that the minutes of the regular council meeting held on December 1, 2020 and the special council meeting held on December 8, 2020 be approved as written. All ayes, no nays, motion carried.

APPROVAL OF AGENDA - M/S, Hermes-Elmore, to approve the agenda as presented. All ayes, no nays, motion carried.

SPECIAL PRESENTATIONS – Mr. John Chamberlin with Van Gorder, Walker, and Company, Inc. presented the Fiscal Year 2020 annual audit.

CITIZENS/PUBLIC COMMENTS - Mr. Meyer requested public access to Zoom meetings so that residents could address Mayor and City Council. Mayor Fette replied that her goal was to return to in-person meetings in February.

Mr. Kremer read emails from Lucy Riffle and Angie Ziegelmeyer, both in favor of a twelve member city council.

Mr. Hermes had received five emails regarding council reduction but did not have access to read them during the meeting. Discussion ensued to postpone the first reading of the council reduction ordinance until meetings were held in person so that residents could attend. Ms. Kyle requested a timeline before the first reading of the ordinance occurred. Mr. Gatlin advised that there was no such qualifier in the ordinance and recommended not to apply a timeline.

M/S, Jasper-Hermes, to table the first reading of the council reduction ordinance. Eleven ayes (Hermes, T. Cahill, R. Skidmore, Kyle, Jasper, Knipper, K. Cahill, Niceley, Reckers, Elmore, D. Skidmore), one nay (Meyer), motion carried.

Ms. Jasper requested copies of all correspondence from residents.

MAYOR'S REPORT - Mayor Fette reported on the following:

- > City revenues are up 7% (July-November, 2020) in comparison to this time last year
- > Net payroll and occupational license revenue increase of 12% (July-November, 2020) in comparison to this time last year
- > The City was awarded \$1,795,566.00 of CARES funding as part of the COVID Relief Fund
- > Introduced Ms. Randall to present the Erlanger Businesses COVID Relief Incentive Program

Ms. Randall's presentation included:

- > 1.2 million to be dispersed to qualifying small to medium Erlanger businesses
- > Program goals
- > Criteria for eligibility
- > Funds to be dispersed
- > Application process

Discussion ensued.

- > Mr. Meyer requested additional information be provided to city council before the second reading of the ordinance adopting the amended budget to include this funding.
- > Mr. Knipper requested Ms. Randall to research how many businesses in Erlanger closed during the pandemic.

CITY ADMINISTRATOR'S REPORT - Mr. Kremer discussed the following:

- > Surplus vehicle legislation: surplussed to be sold to another governmental agency
- > Foreclosure update: Three of six properties in 2020 became compliant and all fines were paid; one additional property was almost compliant
- > Operations: Departments continue to function despite COVID
- > Bids: Security Camera bid opening scheduled for January 8, 2021
- > Essential Employees: Erlanger Employees COVID Relief Incentive Program

Employees COVID Relief Incentive Program discussion:

- > Eligibility: For essential employees that are not eligible for the First Responders CARES Act; employees in the Fire/EMS, Police and Public Works departments, including the command staff
- > Amendment: Amend the proposed amended budget ordinance to reflect the amount dispersed to essential employees from \$1000.00 to \$2000.00; add the command staff in the above mentioned departments with the amount dispersed as \$1000.00; Additions change the proposed amended budget amount from \$185,847.84 to \$231,600.00

Special Meeting: Mayor Fette requested a special city council meeting on January 12, 2021 to have the second reading of the budget amendment ordinance; Mayor Fette will submit additional information to city council by Thursday, January 7, 2021

Legislative Request: Mr. Gatlin was requested to draft a municipal order regarding a business relief plan to be read at the January 12, 2021 special council meeting; Mr. Gatlin requested a copy of Ms. Randall's presentation for reference.

CITY ATTORNEY'S REPORT - Mr. Gatlin asked City Council to reach out to him if they had any questions.

REPORT ON CAPITAL PROJECTS - Mr. Glenn reported on the following:

- > Completed Street Projects - Delphi, Carriage Hill, Valleywood
- > Spring Street Projects - Mesa Drive
- > Possible Future Street Bid Projects - Hickory
- > Future Park Bid Projects - Silverlake Park
- > Road Slippage - Erlanger Road between Sycamore and Houston Road; working with City Engineer Jim Viox for a solution during the current budget
- > Houston Road and North Erlanger Road Tractor Trailer Issue - Improvements with lane dividers to be installed

REPORTS OF TASK FORCES - None.

CORRESPONDENCE – No additional correspondence.

BIDS - None.

UNFINISHED BUSINESS – None.

NEW BUSINESS - The road at the intersection of Hulbert and Commonwealth was rough. Assistant Public Works Director Ed Millican is working with the Northern Kentucky Water District to repair this area during better weather.

LEGISLATION - Mr. Gatlin read the first reading of an ordinance amending Erlanger Ordinance Numbers 2498 and 2512 and the budget adopted thereby for the City of Erlanger for the fiscal year beginning on July 1, 2020 and ending on June 30, 2021.

Mr. Gatlin read the first reading of an ordinance accepting the bid of and granting to Duke energy Kentucky, Inc. a non-exclusive franchise for the use of the public streets, alleys and other public grounds of the City for the transmission and distribution of both natural gas and electricity through and for consumption within the City for the period of January 1, 2021 through December, 2030.

Mr. Gatlin read the first reading of an ordinance accepting the bid and granting to Owen electric Cooperative, Inc. a non-exclusive franchise for the use of the public streets, alleys, and other public grounds of the City for the transmission and distribution of electricity through and for consumption within the City for the period of January 1, 2021 through December, 2030.

Mr. Gatlin read Municipal Order No. 01-05-21-02 approving the re-appointment of Council Member Gary Meyer as the representative of the City to the Northern Kentucky Planning and Development Services (PDS) and the re-appointment of Council Member Rebecca Reckers as the alternate effective January 1, 2021. M/S, Kyle-Knipper, to adopt the municipal order as read. All ayes, no nays, motion carried.

Mr. Gatlin read Municipal Order No. 01-05-21-01 approving the appointment of Mayor Jessica Fette as the representative of the City to the Ohio Kentucky Indiana (OKI) Regional Council of Governments effective January 1, 2021. M/S, Hermes-Reckers, to adopt the municipal order as read. All ayes, no nays, motion carried.

Mr. Gatlin read Municipal Order No. 01-05-21-03 making the written determinations required by KRS 82.083 for the sale or other disposition of property owned by the City.

Dept	Property Description	Serial Number	Intended Use	Reason for Disposal	Disposal Method
PD	2009 Ford Taurus	1FAHP24W39G119633	Police Travel Car	Age, Condition, Mileage	Sell to Another Governmental Agency
PD	2013 Dodge Charger	2C3CDXAT9DH642676	Police Patrol car	Age, Condition, Mileage	Sell to Another Governmental Agency
PD	2012 Dodge Charger	2C3CDXAT8CH305687	Police Patrol car	Age, Condition, Mileage	Sell to Another Governmental Agency
PD	2012 Dodge Charger	2C3CDXATXCH305688	Police Patrol car	Age, Condition, Mileage	Sell to Another Governmental Agency

M/S, Reckers-Knipper, to adopt the municipal order as read. All ayes, no nays, motion carried.

Mr. Gatlin read Municipal Order No. 01-05-21-04 accepting the re-appointment of Marcus Carey, Robert F. Greene, Darryl Cummins, Robert Sanders, Tom Quirk, and Bryce C. Rhoades and appointment of Jack Westwood as members of the Northern Kentucky Regional Ethics Authority Enforcement Committee for a two-year term, commencing February 1, 2021 and expiring on January 31, 2023. M/S, Kyle-Elmore, to adopt the municipal order as read. All ayes, no nays, motion carried.

Mr. Gatlin read Municipal Order No. 01-05-21-05 amending the City of Erlanger procedures for meetings of the City Council.

- > Mr. Hermes requested tabling the reading of the municipal order; discussion ensued on whether a motion could be made since the amended version of the municipal order was not received 24 hours in advance
- > Motion by Mr. Meyer to table the reading of the municipal order and proceed with dividing into council committees as directed by legislation, no second
- > Mayor Fette requested a synopsis of the changes that occurred before the meeting
  - ❖ Addition of Section 1(3)(a)(i) Ad Hoc Committees created by City Council
  - ❖ Addition of Section 1(3)(a)(ii) Ad Hoc Budget Committee created by City Council

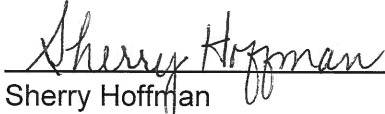
- > Discussion by Mr. Hermes to table the municipal order as read and amended prior to the start of the meeting because Section 1(3)(a)(ii), which allows city council to create an ad hoc budget committee, may violate the following:
  - ❖ KRS 83A.130(11), which states that city council shall not perform any executive or administrative functions
  - ❖ KRS 91A.030(5), which states that the duty of the Mayor is the preparation of the budget, it shall be the authority of the executive body
  - ❖ KRS 83A.130(2), which states that the City Council function is to adopt the budget
- Discussion by Mr. Meyer that the Ad Hoc Budget Committee would be the legislative body taking the budget that the Mayor presented and reviewing it within a smaller working group
- > M/S, Meyer-Reckers, to adopt the municipal order as read, including the amendment prior to the start of the meeting. Discussion: Mr. Hermes recommended changes to formatting issues and to remove Section 1(3)(a)(ii). Mr. Gatlin advised that he and Mr. Kremer would handle any formatting issues. Substantive issues would require a floor amendment.
- > M/S, Hermes-Knipper, to remove Section 1(3)(a)(ii). Discussion: Ms. Kyle in favor of standing committees. Four ayes (Hermes, Knipper, Niceley, Elmore), eight nays (T. Cahill, R. Skidmore, Kyle, Jasper, K. Cahill, Meyer, Reckers, D. Skidmore), motion failed.
- > M/S, Meyer-Reckers, to adopt the municipal order as read, including the amendment prior to the start of the meeting. Six ayes (T. Cahill, Kyle, Jasper, K. Cahill, Meyer, Reckers), six nays (Hermes, R. Skidmore, Knipper, Niceley, Elmore, D. Skidmore), motion tied. Mayor Fette voted aye making the motion carried.

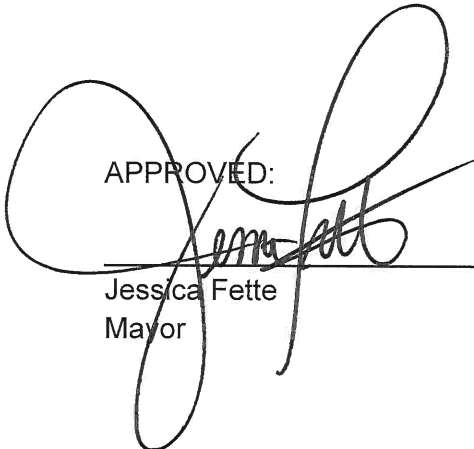
Mr. Gatlin read Resolution No. 01-05-21-01 awarding Skidz Enterprises, LLC a matching business grant for \$2,237.50. Ten ayes (Hermes, T. Cahill, Kyle, Jasper, Knipper, K. Cahill, Niceley, Meyer, Reckers, Elmore), no nays, motion carried. D. Skidmore and R. Skidmore did not participate in the vote.

ANNOUNCEMENTS - None.

ADJOURNMENT - M/S, Kyle-Elmore, to adjourn from the regular meeting at 9:55 p.m. All ayes, no nays, motion carried.

ATTEST:

  
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Sherry Hoffman  
City Clerk

APPROVED:  
  
\_\_\_\_\_  
Jessica Fette  
Mayor