

REGULAR MEETING
ERLANGER COUNCIL
March 3, 2015

Mayor Tyson Hermes called the regular meeting of the Erlanger City Council to order in the City of Erlanger Council Chambers at 7:00 P.M., Tuesday, March 3, 2015.

Members of Council and citizens pledged allegiance to the flag.

The following Members of Council were present: Randy Blankenship, Kevin Burke, Kathy Cahill, Tom Cahill, John Dunhoft, Bill Howard, Vicki Kyle, Gary Meyer, Corine Pitts, Don Skidmore, Renee Skidmore, and Patty Suedkamp.

Also present were: Mayor Tyson Hermes, City Administrator Marc Fields, City Clerk/Director of Administration Missy Andress, Chief Financial Officer Greg Engelman, Director of Economic Development Dave Hahn, Chief of Police Bob Arens, Fire/EMS Chief Todd Whitaker, Community Liaison Becky Hopkins, Assistant Director of Technology Matt Allen, Public Works Building Maintenance Technician Rodney Snow, Assistant City Clerk Sherry Hoffman, and Attorneys Frank Wichmann and Todd McMurtry.

MEETING MINUTES – M/S, Kyle-Burke, that the minutes of the regular meeting held on February 3, 2015 be approved as read. All ayes, no nays, motion carried.

APPROVAL OF AGENDA - Mr. Blankenship requested that the following ordinances be added to the agenda for their first readings:

- City Council Attorney Employee Ordinance
- City Attorney Non-Elected Official Ordinance
- City Funding Expenditures for Attorneys Ordinance

Discussion -

- Mr. Howard spoke in opposition of these ordinances.
- Ms. Kyle spoke in favor of these ordinances.
- Mr. Meyer asked questions regarding these ordinances. Mr. Blankenship responded.
- Mayor Hermes introduced attorney Todd McMurtry and advised he was present to assist him in answering questions.

M/S, Blankenship-Pitts, to suspend the normal order of business to the following; Public Address, Mr. Wichmann Address, Council Address, 1st Reading of these ordinances. All ayes, no nays, motion carried.

M/S, Dunhoft/ R. Skidmore, to approve the agenda as amended. All ayes, no nays, motion carried.

SPECIAL PRESENTATION – None.

MAYOR'S REPORT – Mayor Hermes reported on the following:

- Many were in attendance to address the city attorney concern. He asked everyone to please keep in mind that it was a business meeting.
- The termination of Mr. Wichmann as city attorney was not something he wanted to do, but according to Kentucky law, it remained his choice as Mayor to appoint an attorney of his choosing.

MR. WICHMANN CITIZENS/PUBLIC COMMENTS– The following people addressed Mayor and Council in support of Mr. Wichmann:

- Joan Miles Dunhoff
- Kevin Schwab
- Angie Ziegelmeyer
- Kew Taybi
- Kim Romer
- Rhonda Ranshaw
- Darrell Sallee
- Alene Louis
- Bill Scheyer
- Pat Sullivan
- Bill Steimer
- Garry Edmondson
- Juanita Ray
- Larry Ray
- Phil Taliaferro
- Larry Klein
- Diane Brown
- Ruth Brown
- Linda Schaffer
- Hubert Miller
- Bob Carran
- Sherry Carran
- Jim Gronefeld
- Bill Martin
- Tonya Ritchie
- Greg Sandel
- Shane Longshore

Daniel Murray, Commissioner with the City of Taylor Mill, advised that Mr. Wichmann was also their City Attorney. He asked the Mayor to notify them on why Mr. Wichmann was fired.

The following people who could not attend the meeting, sent correspondence in support of Mr. Wichmann that was read by Ms. Suedkamp:

- Wilma LaBare
- Kenneth Yaden
- Kandice Engle-Gray
- Frank Warnock

GENERAL CITIZENS/PUBLIC COMMENTS – The following people addressed Mayor and Council:

- Diane Brown - She stated that Comments is a time reserved for public comments, for people to express their concerns and opinions.
- Corine Pitts - She spoke in favor of Mr. Wichmann and discussed Mayor/Council relationship.
- Randy Blankenship - He spoke in favor of Mr. Wichmann and discussed Mayor/Council relationship.

COMMONWEALTH STATION CITIZENS/PUBLIC COMMENTS - The following people addressed Mayor and Council in opposition of Commonwealth Station:

- Martha Bowman
- Vincent Bowman
- Jeanine Schilling
- Bob Schilling

The following people addressed Mayor and Council in favor of Commonwealth Station:

- Lucy Riffle
- Diane Brown

Mr. G.W. Wells had signed up to speak, but was not present to address Mayor and Council.

MR. WICHMANN'S COMMENTS - Mr. Wichmann spoke on his behalf and thanked those supporting him.

COUNCIL MEMBERS' COMMENTS - The following Council Members spoke in support of Mr. Wichmann:

- Renee Skidmore
- Vicki Kyle
- Patty Suedkamp

Mr. Blankenship requested a Special Council meeting on Saturday, March 7, 2015 at 12:00 p.m. for the second reading of the following ordinances:

- City Council Attorney Employee Ordinance
- City Attorney Non-Elected Official Ordinance
- City Funding Expenditures for Attorneys Ordinance

Mr. Wichmann advised that he would need to submit a written request to the Mayor. A written request was signed and submitted by the following Council Members: Blankenship, Burke, T. Cahill, Dunhoft, Kyle, Pitts, D. Skidmore, R. Skidmore, and Suedkamp.

ATTORNEY LEGISLATION - Mr. Wichmann provided the description of an ordinance for city council attorney employee.

Mr. Meyer made a motion to place into committee for clarification. There was no second.

M/S, Blankenship-Burke, to have the first reading of this ordinance. Eleven ayes (Burke, Dunhoft, R. Skidmore, Suedkamp, Pitts, Kyle, K. Cahill, T. Cahill, D. Skidmore, Blankenship, Howard), one nay (Meyer), motion carried.

Mr. Wichmann read the first reading of an ordinance establishing a part time position of employment for an attorney selected, appointed and hired by the Erlanger City Council as an employee thereof; and amending the personnel pay and classification plan to include provisions for the City Council Attorney.

Mr. Wichmann provided the description of an ordinance for city attorney as a non-elected public official.

Mr. Meyer had questions regarding this ordinance that Mr. Blankenship responded to.

M/S, Blankenship-Dunhoff, to have the first reading of this ordinance. All ayes, no nays, motion carried.

Mr. Wichmann read the first reading of an ordinance creating and establishing the non-elected office of city attorney and amending the personnel pay and classification plan to include provisions for the non-elected office of city attorney.

Mr. Wichmann provided the description of an ordinance for the city funding expenditures for attorneys.

M/S, Blankenship-Suedkamp, to have the first reading of this ordinance. All ayes, no nays, motion carried.

Mr. Wichmann read the first reading of an ordinance restricting the disbursement of the funds of the city to attorneys during the fiscal year of the city ending on June 30, 2015.

REPORTS OF COMMITTEES

Police – Reports were e-mailed.

Ms. Suedkamp and Ms. Kyle had nothing further to report.

Fire/EMS – Reports were e-mailed.

Ms. Skidmore and Mr. Meyer had nothing further to report.

Chief Whitaker had nothing further to report.

Public Works – Reports were e-mailed.

Mr. Cahill requested a committee meeting on March 17, 2015 to discuss the Donaldson Road project.

Mr. Skidmore had nothing further to report.

Administration – Reports were e-mailed.

Mr. Howard reported on the following:

- Waste Collection bids went out.
- Scholarship applications are due on March 6, 2015.
- The monthly report was e-mailed to everyone.

Ms. Cahill and Director Andress had nothing further to report.

Economic Development & Finance – Reports were e-mailed.

Ms. Pitts reported on the following:

- Staff had conducted meetings with each of the departments regarding their budget requests for fiscal year 2016.
- Staff will be preparing a preliminary budget draft for review by the Mayor and Council on Saturday, March 7, 2015.

Mr. Blankenship reported on the following:

- Erlanger businesses will be attending future council meetings to speak about their companies.
- The owner of Money Mailer will be attending the April 7, 2015 Council Meeting.

Directors Engelman and Hahn had nothing further to report.

Codes/Building & Zoning - Reports were e-mailed.

Mr. Dunhoft reported on the following:

- He requested a committee meeting on March 17, 2015 to discuss a zone change at the request of the owner of the property at the corner of Turkeyfoot and Stevenson.
- The Kenton County Planning Commission will be meeting on April 2, 2015 and will review a text amendment request to add variety store as a permitted use in the neighborhood commercial zone.

Mr. Burke requested two committee meetings to be held on March 17, 2015:

- Recreational Vehicles Ordinance
- Trash Can Ordinance

Director Hahn had nothing further to report.

Progress & Revitalization - Mr. Cahill stated that a report was submitted to everyone.

Ms. Pitts and Ms. Hopkins had nothing further to report.

M/S, Dunhoft-Kyle, that the reports of the committees be adopted as presented. All ayes, no nays, motion carried.

REPORTS OF REPRESENTATIVES -

OKI - Mr. Cahill reported that he would be attending a special OKI meeting in April.

REPORTS OF CITY OPERATIONS –

City Administrator – Administrator Fields had nothing further to report.

M/S, Suedkamp-Howard, that the reports of the city operations be adopted as presented. All ayes, no nays, motion carried.

CORRESPONDENCE – None.

BIDS – None.

WORK IN PROGRESS – Mr. Blankenship advised that a written request for the Special Council Meeting to have the second reading of the three ordinances regarding the city attorney was being circulated for signatures.

BUSINESS FOR THE GOOD AND WELFARE OF THE CITY – None.

LEGISLATION – Mr. Wichmann read the second reading of an ordinance scheduling the regular meetings of the Erlanger City Council.

M/S, Kyle-Suedkamp, to adopt the ordinance as read. All ayes, no nays, motion carried.

Mr. Wichmann read the second reading of an ordinance amending the text of the Table of Contents and Sections 8.0 and 13.5 of the Erlanger Zoning Ordinance Numbered 1850 and adding a new section 10.26 to that ordinance to establish a new zone identified as the CS (Commonwealth Station) Zone along with necessary cross-references to other sections of the zoning ordinance.

M/S, Dunhoft-Kyle, to adopt the ordinance as read. Eleven ayes (K. Cahill, Suedkamp, Blankenship, Howard, Pitts, T. Cahill, Kyle, Burke, Dunhoft, D. Skidmore, R. Skidmore), one nay (Meyer), motion carried.

Mr. Wichmann read the second reading of an ordinance to change the zoning map thereof to re-classify thereon an approximate 42 acre area that is located on the northwest, northeast, and southwest side of the intersection of Commonwealth Avenue and Baker Street, with the reclassification being from the R-1G, R3, PO and SC Zones to the CS (Commonwealth Station) Zone.

M/S, Howard-Blankenship, to adopt the ordinance as read. Eleven ayes (Dunhoft, Burke, Kyle, T. Cahill, Pitts, Howard, Blankenship, Suedkamp, K. Cahill, R. Skidmore, D. Skidmore), one nay (Meyer), motion carried.

Mr. Meyer voiced concerns with Commonwealth Station ordinances. Discussion took place and answers were provided.

Mayor Hermes questioned whether proper notification was given for the Kenton County Planning Commission's hearings. He asked Mr. Wichmann if he agreed that proper notification was given. Mr. Wichmann advised that he would not.

Mr. Wichmann read Municipal Order No. 03-03-15-01 approving the Fire/EMS Department to apply for the 2015 Safer Grant.

M/S, Meyer-R. Skidmore, to adopt the municipal order as read. All ayes, no nays, motion carried.

Mr. Wichmann read Municipal Order No. 03-03-15-02 making the written determination required by KRS 82.083 for the sale or other disposition of property owned by the city.

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

ADJOURNMENT – M/S, Meyer-Howard, to adjourn from the regular meeting at 10:21 p.m. All ayes, no nays, motion carried.

APPROVED:

Tyson Hermes
Mayor

Respectfully Submitted:

Sherry Hoffman
Assistant City Clerk

ATTEST:

Melissa Andress

City Clerk/Director of Administration