

City of Crescent Springs
COUNCIL MEETING MINUTES
October 12, 2020 - 7:00 pm

Mayor Lou Hartfiel called the meeting to order at 7:00pm. The meeting began with a prayer led by Mayor Hartfiel followed by the pledge of allegiance.

Roll call showed the following council members present – Patrick Hackett, Bob Mueller, Chad Longbons, Joel McMonigle, Vince Albanese and Christie Arlinghaus. Also present were City Clerk April Robinson, Mayor Lou Hartfiel, City Administrator Mike Daly and City Attorney Mike Baker.

Mayor Hartfiel stated there were questions regarding open meetings and what needs to transpire and what needs to take place. Mayor Hartfiel read the following:

61.820 Schedule of regular meetings to be made available. (1) All meetings of all public agencies of this state, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public. In considering locations for public meetings, the agency shall evaluate space requirements, seating capacity, and acoustics. (2) All public agencies shall provide for a schedule of regular meetings by ordinance, order, resolution, bylaws, or by whatever other means may be required for the conduct of business of that public agency. The schedule of regular meetings shall be made available to the public. Effective: June 25, 2013 History: Amended 2013 Ky. Acts ch. 124, sec. 10, effective June 25, 2013. -- Amended 1992 Ky. Acts ch. 162, sec. 5, effective July 14, 1992. -- Created 1974 Ky. Acts ch. 377, sec. 4.

Attorney Governor's interpretation: Time and place of meetings. All meetings of public agencies, and committees or subcommittees thereof, must be held at specified times and places which are convenient to the public. Public agencies must evaluate space requirements, seating capacity, and acoustics in considering locations for public meetings so as to ensure, insofar as feasible, meeting room conditions that allow effective public observation. Public agencies should provide for a schedule of regular meetings by ordinance, order, resolution, bylaws, or by other means. This schedule of regular meetings must be made available to the public.

The schedule of public meetings is available on the website's calendar. All meetings are posted on the city's LED sign although not required.

61.840 Conditions for attendance. No condition other than those required for the maintenance of order shall apply to the attendance of any member of the public at any meeting of a public agency. No person may be required to identify himself in order to attend any such meeting. All agencies shall provide meeting room conditions, including adequate space, seating, and acoustics, which insofar as is feasible allow effective public observation of the public meetings. All agencies shall permit news media coverage, including but not limited to recording and broadcasting. Effective: June 25, 2013 History: Amended 2013 Ky. Acts ch. 124, sec. 11, effective June 25, 2013. -- Created 1974 Ky. Acts ch. 377, sec. 8.

Attorney Governor's interpretation: The right of the public to attend a public meeting under the Open Meetings Act does not include the right to participate in the meeting and address the members of the agency; it is a statutory right "to observe with their eyes and ears what transpires at those meetings."

The city does not have to allow anyone to speak at meetings, only observe.

61.823 Special meetings -- Emergency meetings.

*Attorney Governor's interpretation: The public agency is not obligated to provide notice to "interested" individuals who have requested notice of **special meetings**, only to the parties identified in the statute.*

The city does not have to provide notice of a special meeting to anyone other than the governing body and media.

Agendas are only required for special meetings. An agenda is not required for regular meetings and does not have to be posted although the city does place all agendas on the city building doors.

Mayor Hartfiel stated that going forward these were the rules we would be going by.

APPROVAL OF MINUTES

Vince Albanese made a motion to approve the minutes of the **September 14, 2020 Council Meeting**. Bob Mueller seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	Yes
Christie Arlinghaus	Abstain
Patrick Hackett	Yes

Motion passed 5-0 with one abstention.

Christie Arlinghaus made a motion to approve the minutes of the **September 23, 2020 Special Council Meeting**. Vince Albanese seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	Yes
Christie Arlinghaus	Yes
Patrick Hackett	Yes

Motion passed 6-0.

Vince Albanese made a motion to approve the minutes of the **September 28, 2020 Public Hearing**. Christie Arlinghaus seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	Yes
Christie Arlinghaus	Yes
Patrick Hackett	Yes

Motion passed 6-0.

Vince Albanese made a motion to approve the minutes of the **September 28, 2020 Special Council Meeting**. Joel McMonigle seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	Yes
Christie Arlinghaus	Yes
Patrick Hackett	Yes

Motion passed 6-0.

FIRE AUTHORITY REPORT

The September report was distributed to council prior to the meeting. Chief Wendt discussed the need for two new heart monitors. He said the two the department has are eight years old and will no longer be serviceable. A new heart monitor is \$40,000 but the company will sell two new heart monitors for \$40,000 if purchased soon. He also stated the company can finance the purchase for five years.

POLICE REPORT

The September report was distributed to council prior to the meeting. There were no questions.

CITY ADMINISTRATOR

The City Administrator's report was distributed. See included report.

MAYOR'S REPORT

No report

OLD BUSINESS

None

NEW BUSINESS

MUNICIPAL ORDER 2020-11

Attorney Mike Baker conducted the reading of **MUNICIPAL ORDER 2020-11** AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT REGARDING ECONOMIC DEVELOPMENT INCENTIVES

Patrick Hackett made a motion to approve **MUNICIPAL ORDER 2020-11**. Joel McMonigle seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	Yes
Christie Arlinghaus	No
Patrick Hackett	Yes

Motion passed 5-1

MUNICIPAL ORDER 2020-12

Attorney Mike Baker conducted the reading of **MUNICIPAL ORDER 2020-12** AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT WITH JNT EXCAVATING LLC, REGARDING THE CITY BUILDING STORM SEWER PROJECT

Chad Longbons asked if JNT Excavating was the lowest bidder. The answer was yes. He then asked if any other cities have used their services. Mike Daly stated the City Engineer was familiar with the company and did recommend them.

Vince Albanese made a motion to approve **MUNICIPAL ORDER 2020-12**. Patrick Hackett seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	Yes
Christie Arlinghaus	Yes
Patrick Hackett	Yes

Motion passed 6-0

MUNICIPAL ORDER 2020-12

Attorney Mike Baker conducted the reading of **MUNICIPAL ORDER 2020-10** ACTIVATING LOCAL DEVELOPMENT AREA NO. 1 TIF ZONE

Christie Arlinghaus asked if the 2020 real estate taxes collected from the Reserves would be used to fund the Eubanks road. The answer is no.

Christie Arlinghaus said Mr. Wessels stated that construction of the project would not take place for another three or four years. Ms. Arlinghaus wanted to know if this information was correct. Vince Albanese said yes, but that is up to Mr. Wessels. Ms. Arlinghaus stated that if the road isn't going to be built for another three or four years are we just putting the money aside now that the city can use it if there are expenses? She asked if this was the rationale behind this (activating the Development District). The Mayor stated that the rationale was that the money will start building in a separate fund. We are not committing to any project.

Patrick Hackett said he contacted PDS and the County. Mr. Hackett believes the agreed percentages are going to drop because the cost of the project is lower than originally planned. Mr. Hackett asked that instead of activating the TIF the city should renegotiate with the county and PDS so the percentages are known and we will know what is going to come in. Bob Mueller stated the cost has gone down but the agreed percentages will not change.

Chad Longbons stated by putting the road in there that it could hurt the value of the properties in that area.

Vince Albanese mentioned that the fire department is in favor of the proposed Eubank Road project. They would really like to see another access to the area. He also said that the city needed to get as many homes at the start in order to get the money in the TIF fund. If it doesn't work out the city's share goes

back into the general fund and everybody gets paid back. He said there are upfront costs that will come out of the general fund instead of the TIF if the TIF isn't activated.

Christie Arlinghaus asked for clarification on what would occur if the TIF were to be activated now. She wanted to know if the money would be collected immediately and whether or not it would be put in the general fund. Mike Baker stated that when the TIF is activated a process begins with the collection and accounting of those funds. The collection of the funds will not take place this year but the steps needed in order to do so must start this year.

Ms. Arlinghaus stated she has walked Eubank Road and does not believe they have city water or fire hydrants. She asked if city water and hydrants would be a part of the road improvement project.

Ms. Arlinghaus asked if any core samples have been done. Mike Daly answered that they have.

Ms. Arlinghaus asked if a cap has been placed on the amount of money to be spent for the Eubank Road Project. Patrick Hackett said the city could afford up to 6.1 million. Vince Albanese stated that the road project will not affect the City's budget.

Bob Mueller made a motion to approve **MUNICIPAL ORDER 2020-10**. Vince Albanese seconded the motion. Roll call vote was taken.

Vince Albanese	Yes
Joel McMonigle	Yes
Bob Mueller	Yes
Chad Longbons	No
Christie Arlinghaus	No
Patrick Hackett	No

Motion passed 3-3 with Mayor Hartfiel voting "yes" and breaking the tie.

Guest Mike Daugherty of 847 Crossings addressed council. He asked if the economic incentives being addressed for an incentive for tax rates or cash. He also stated that in viewing the map of the Local Area Development District that the new connector road was not included.

Mike Daly stated that the business will be receiving money not a tax credit.

ADJOURNMENT

Vince Albanese made a motion to adjourn. Patrick Hackett seconded the motion. All were in favor.

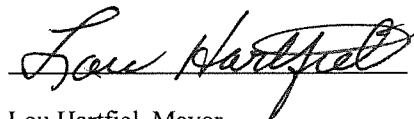
Motion passed. The meeting was adjourned at 8:08pm.

ATTESTED BY:



April C. Robinson, Clerk/Treasurer

Approved: November 9, 2020



Lou Hartfiel, Mayor