



CITY OF INDEPENDENCE
COUNCIL MEETING AGENDA
February 3, 2025
Independence Municipal Center
Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL OF MEMBERS

APPROVAL OF COUNCIL MINUTES: Regular Meeting of December 2, 2024

INTRODUCTION OF POLICE SOCIAL WORKER

POLICE – Swearing in New Officer

OLD BUSINESS

- **ORDINANCE NO. 2025-O-01** – Stephenson Road Truck Restrictions – 2nd Reading

NEW BUSINESS

- **RESOLUTION NO. 2025-R-01** – Approval for Courthouse Crossing Signage
- **RESOLUTION NO. 2025-R-02** – Interlocal Agreement for Drone Program
- **RESOLUTION NO. 2025-R-03** - Approval of Final Development Plan – Bristow Rd Townhomes
- **RESOLUTION NO. 2025-R-04** – Opposition of Centralized Collection of Occupational Licenses
- **PROPOSED ORDINANCE** – Renaming of Court Street – 1st Reading
- **MUNICIPAL ORDER NO. 2025-MO-01** – Surplus Property - Treadmills

ATTORNEY’S REPORT – Jack Gatlin

CITY ADMINISTRATOR REPORT – Chris Moriconi

MAYOR’S REPORT – Christopher J. Reinersman

EXECUTIVE SESSION in accordance with K.R.S. 61.810(c)

ADJOURNMENT

City of Independence, Ky.
ORDINANCE NO. 2025-O-01

AN ORDINANCE OF THE CITY OF INDEPENDENCE, RESTRICTING CERTAIN TRAFFIC IN EXCESS OF 11,000 POUNDS ON STEPHENS ROAD AT A POINT FROM FOWLER CREEK (STATE RT. 1486) TO OLIVER ROAD, INDEPENDENCE, KENTUCKY

WHEREAS the City of Independence desires to reduce safety concerns on Stephens Rd; and

WHEREAS, it is in the public's interest to reduce the size of vehicles travelling on Stephens Rd, and;

WHEREAS, Stephens Rd. is a City Road, beginning at Fowler Creek Rd (State Rt. 1486) to Oliver Road and the City has the authority to impose restrictions for the health, safety and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

(Strikethrough portions are to be deleted, underlined portions are to be added as required by KRS 83A.060(3))

SECTION I

Restriction of Traffic on Stephens Road, Independence, Kentucky – beginning at Fowler Creek (State Route 1486) to Oliver Road

(A) Motor vehicles and trucks having a gross vehicle weight rating (as defined at KRS 81A.010) (“GVWR”) in excess of 11,000 pounds may not travel on Stephens Road.

(B) Truck-tractors, semi-trailers, trailers, tow trucks, dump trucks, equipment trailers and trucks having a box body appearance may not travel on Stephens Road. For purposes of this chapter, a truck has a “box body appearance” where its chassis is manufactured separately from the box that is attached to it, the box is either rectangular or square in size, and the box is covered or fully enclosed.

(C) Motor vehicles or trucks having a width greater than seven feet may not travel on Stephens Road.

(D) Residents that live within the restricted area may apply to the City for a permit for limited and special one time use of the restricted area.

(E) Any public safety vehicles, school buses and garbage trucks are exempt from this restriction.

(F) All violations of this section shall be a city citation in the amount of \$500 for a first offense and \$750 for a second and subsequent offense.

SECTION II

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect if they remain valid in the absence of those provisions determined to be invalid.

SECTION III

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV

Should any section or part of any section or any provision of this Ordinance be declared invalid by a Court of competent jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance. That this Ordinance shall take effect and be in full force when passed, published, and recorded according to the law.

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading: December 2, 2024

Second Reading: February 3, 2025

Ayes: _____

Nays: _____

Publication Date: _____

RESOLUTION NO. 2025-R-01

A RESOLUTION OF THE CITY OF INDEPENDENCE, KENTUCKY APPROVING THE FINAL DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A SIX-FOOT TALL, 24 SQUARE FOOT DETACHED SIGN

WHEREAS, , in 2011-2012, the City of Independence undertook an 18-month planning process to set a vision for the area including the site in question. The subsequent zoning ordinance including the GMU Zone was created after a Steering Committee comprised of community members met 19 times for an additional year and held two public meetings before they presented their recommendations to the Independence City Council in 2012. An extensive public engagement process was pursued before the GMU Zone was adopted by the City of Independence.

WHEREAS, in 2012, there was a proposed map amendment to the Independence Zoning Ordinance changing 42 acres north and south of McCullum Pike from R-1C and R-1D to GMU (Z-12-08-04/2093R). PDS staff and KCPC recommended favorably. The city adopted the amendment.

WHEREAS, by adopting the amendment and creating the GMU Zone, Stage II projects may be built as a matter of right, and a Stage I is not required. In 2017, a Stage II Development Plan was submitted for 133-B McCullum Pike (directly east of this site) to construct a 42-unit multi-family development with a community center and associated parking. PDS Staff recommended it unfavorably. The applicant withdrew the application prior to final action from the Independence City Council (PC2006-0001).

WHEREAS, in 2020, a Stage II Development Plan was submitted for 133-B McCullum Pike (directly east of this site) to construct a 47-unit age restricted multi-family development (PC2006-0001). PDS staff recommended unfavorably. The City of Independence passed a resolution to approve the Stage II Plan with the following conditions (Resolution No. 2020-R-10):

- a) Subject to compliance with Section 9.17, 9.22, 10.22 (J), 10.22 (J, 6), and 11.1 (F).
- b) Subject to any and all requirements under the Independence Zoning Ordinance; and
- c) Subject to a Land Disturbance Permit.

WHEREAS, in 2022, the City adopted a new zoning ordinance. The site was zoned to the new PUD Zone, with the former GMU regulations becoming the approved plan. Developments still require action from the City Council through the Final Development Plan review process.

WHEREAS, in June 2022 a Final Development Plan was submitted for the site in question (then known as 133-C McCullum Pike) to construct a 50-unit age restricted multi-family development (PC2206-0003). PDS staff recommended favorably with one condition. The City of Independence passed a resolution to approve the Final Development Plan with the condition that a pedestrian and vehicular access easement to the adjacent property to the west be provided (Resolution No. 2022-R-10).

WHEREAS, the PDS Staff Report dated December 20, 2024 (incorporated herein), provides a favorable recommendation on the Final Development Plan to construct a six-foot tall, 24 square foot detached sign, subject to the condition that no part of the sign be located closer than 10 feet from the nearest property line.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF INDEPENDENCE, COUNTY OF KENTON, COMMONWEALTH OF KENTUCKY, THAT:

The Final Development Plan to construct a six-foot tall, 24 square foot detached sign, is approved subject to the condition that no part of the sign be located closer than 10 feet from the nearest property line.

SUPPORTING INFORMATION/BASES

1. The proposed Final Development Plan is in substantial compliance with the Independence Zoning Ordinance, Resolution No. 2022-R-10, and the Kenton County Subdivision Regulations, except for the following:
 - a. Section 11.09 states that detached signs in the R-MF Zone must be set back at least five feet from a street and 10 feet from other property lines. Additional information will need to be provided at the permitting stage to determine compliance with this requirement.

Done this 3rd day of February 2025 on a Motion made by Council Member _____ and seconded by Council Member _____.

Members present voting in favor: _____

Members present voting against: _____

BY: _____
Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

RESOLUTION NO. 2025-R-02

A RESOLUTION OF THE CITY OF INDEPENDENCE, KENTUCKY APPROVING AN INTERLOCAL AGREEMENT FOR OPERATION OF A DRONE PROGRAM WITH THE KENTON COUNTY SHERIFF'S OFFICE AND MARC FIELDS, KENTON COUNTY JAILER

WHEREAS, the purpose of this Agreement is to operate a Drone Program utilized by the Kenton County Sheriff's Department, Marc Fields, Kenton County Jailer, and the City of Independence Police Department; and

WHEREAS, the parties to the Interlocal Agreement are authorized to exercise and enjoy the powers, privileges, responsibilities, and authority exercised or capable of exercise by local governments of the Commonwealth of Kentucky pursuant to KRS 65.210 to 65.300; and

WHEREAS, the parties to the Interlocal Agreement have determined joint cooperation is the best avenue to operate an effective and efficient drone program to assist local law enforcement efforts; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, IN KENTON COUNTY, KENTUCKY, THAT:

Mayor Christopher J. Reinersman has the legal authority to sign the Drone Interlocal Agreement with the Kentucky County Sheriff's Office and Marc Fields, Kenton County Jailer.

Done this 3rd day of February 2025 on a Motion made by Council Member _____ and seconded by Council Member _____.

Members present voting in favor: _____

Members present voting against: _____

BY: _____
Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

RESOLUTION NO. 2025-R-03

A RESOLUTION OF THE CITY OF INDEPENDENCE, KENTUCKY, AUTHORIZING AND APPROVING A FINAL DEVELOPMENT PLAN FOR CLEARING AND GRADING FOR FUTURE DEVELOPMENT OF THE BRISTOW ROAD TOWNHOME DEVELOPMENT WITHIN THE BEECHGROVE PLANNED UNIT DEVELOPMENT (PUD).

WHEREAS, in 1971, the original PUD (Planned Unit Development) was established. This development was known as Villages of Beechgrove and included 1,500 total units of housing. This was broken down to 180 single-family lots, 300 townhouses, 550 garden apartments, 400 three and four family dwellings, and 270 attached single-family dwellings. (132R) Page 1 of 4 Staff Report December 20, 2024.

WHEREAS, subsequent to the adoption of the PUD, there have been numerous amendments to the Stage I Development Plan and several Stage II Development Plan approvals.

WHEREAS, in April 2022, the City of Independence per Mayor Reinersman approved a minor change to the previously approved Stage I Development Plan. In making this determination, it was found that the changes will result:

- a. In a density well below the maximum permitted density of the entire PUD (1,500 units were approved, the proposed change will bring the total to 1,388 units);
- b. Largely follows the original Stage I Plan as it pertains to the impacted areas; and c. There will be a nominal reduction in greenspace from the original approved Stage I Plan (70 acres were approved, the proposed change will result in 68.9 acres).

WHEREAS, in July 2022, the applicant submitted another revised plan to the city for 35 dwelling units on this site where 32 were originally proposed. This was determined to be a minor change for the same reasons as the April 2022 change.

WHEREAS, in September 2022, the city approved a final development plan (PC2207-0002 & City Resolution 2022-R 13) for Phase 40 of the reserves subdivision for 35 units of attached residential including a new street, sidewalks, and parking.

WHEREAS, in April 2022, the applicant submitted an amended plan for Phase 40 of the Reserves which increases the number of units from 35 units to 52 units. The city determined this plan to be a minor change based on statements by the applicant that the increase in this phase will result in a decrease in units for future phases of the Beechgrove Subdivision.

WHEREAS, on August 7, 2023, the City Council approved a waiver to provide sidewalks along Beechgrove Drive.

WHEREAS, as it relates to this specific site, the approved Stage I Development Plan identified this site for townhomes.

NOW, THEREFORE, be it resolved this the 3rd day of February 2025, by the City of Independence, Kentucky, Kenton County, Kentucky.

The Independence City Council approves the proposed Final Development Plan within a PUD (Planned Unit Development) District of the Independence Zoning Ordinance for clearing and grading for the future development of the Bristow Road Townhome Development within the Beechgrove Planned Unit Development (PUD).

The approval is based on the recommendations and staff report dated January 23, 2025, and attached as "Exhibit A".

Done this 3rd day of February 2025 on a Motion made by Council Member _____ and seconded by Council Member _____.

Members present voting in favor: _____

Members present voting against: _____

BY: _____
Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

RESOLUTION NO. 2025-R-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, KENTUCKY OPPOSING ANY ACTION BY THE KENTUCKY GENERAL ASSEMBLY, IN FULL OR IN PART, THAT PROVIDES FOR THE CENTRALIZED COLLECTION OF LOCAL OCCUPATIONAL BUSINESS FEES/TAXES BY THE COMMONWEALTH OF KENTUCKY.

WHEREAS, most local municipalities and counties across the Commonwealth of Kentucky collect local Occupational Business License fees to help fund their operations; and

WHEREAS, the receipts affiliated with these funds are allocated towards ongoing day-to-day operational expenses of the local government, such as costs applicable to police services and local street repair and reconstruction; and

WHEREAS, the City of Independence collects over \$4.5 million dollars annually from Occupational Business Licensing Fees/Taxes, which is approximately 40% of the city's revenue and its largest revenue source; and

WHEREAS, the City of Independence, in conjunction with the Kenton County Fiscal Court, works hard to provide its taxpayers with easy and efficient payment/reporting services for occupational license fees/taxes, and believes this process is best accomplished at the local level by locally available staff who have knowledge of our unique community traits; and

WHEREAS, the City of Independence strongly believes that it would be detrimental to, and adversely affect, the fiscal health to all Kentucky local governments should a state government entity be instructed to centralize the collection of local business taxes and fees.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, KENTUCKY, AS FOLLOWS:

SECTION I

That the City Council of the City of Independence, Kentucky, strongly opposes any action by the Kentucky General Assembly that would provide for the centralized collection of local Occupational Business License Fees/Taxes in any way.

Done this 3rd day of February 2025 on a Motion made by Council Member _____ and seconded by Council Member _____.

Members present voting in favor: _____

Members present voting against: _____

BY: _____
Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

ORDINANCE NO. 2025-O-

AN ORDINANCE OF THE CITY OF INDEPENDENCE, RENAMING COURT STREET TO PONZER COURT

WHEREAS the City of Independence desires to rename Court Street Ponzer Court; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF INDEPENDENCE, IN KENTON COUNTY, KENTUCKY, AS FOLLOWS:

SECTION I

Renaming of Court Street to Ponzer Court - The City shall rename Court Street, which is approximately 168 feet long and is better show in the attached ("Exhibit A"), Ponzer Court.

SECTION II

The provisions of this ordinance are severable; and the invalidity of any provision of this ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect if they remain valid in the absence of those provisions determined to be invalid.

SECTION III

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV

This ordinance shall be in force when published.

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading: February 3, 2025

Second Reading: _____

Ayes: _____

Nays: _____

Publication Date: _____

MUNICIPAL ORDER NO. 2025-MO-01

**A MUNICIPAL ORDER OF THE CITY OF INDEPENDENCE IN KENTON COUNTY, KENTUCKY
MAKING THE WRITTEN DETERMINATIONS REQUIRED BY KRS 82.083 FOR THE SALE OR
OTHER DISPOSITION OF PROPERTY OWNED BY THE CITY**

WHEREAS, the City of Independence has replaced two treadmills with newer models to better serve the fitness needs of the police department and staff; and

WHEREAS, KRS 82.083 establishes certain requirements for the disposition of such property;

NOW, THEREFORE, it is hereby ORDERED and DETERMINED by the City of Independence as follows

SECTION I - Written Descriptions Required by KRS 82.083

1. Property subject to disposition:

- 2 Landice L8 Treadmills

2. Intended use of the property at the time of acquisition:

City purchased these treadmills to assist the police department and city staff to use for their fitness and health needs.

3. Reasons why it is in the public interest to dispose of the property:

The treadmills are several years old and have been replaced with newer models to better serve the fitness needs of the police department and city staff.

4. Method of disposition:

The two treadmills will be listed for sale on www.govdeals.com.

SECTION II – Provisions Severable

The provisions of this municipal order are severable; and the invalidity of any provision hereof shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION III – Conflicting Municipal Orders Repealed

All municipal orders or parts of municipal orders in conflict with the provisions of this municipal order are hereby repealed to the extent of such conflict.

SECTION IV – Effective Date

This Municipal Order shall take effect and be in full force when passed and recorded according to law.

Christopher J. Reinersman, Mayor

Approved and ratified by Council on February 3, 2024 by roll call vote:

AYES _____

NAYES _____

ATTEST:

Gina Rawe, City Clerk