

**THE CITY COUNCIL MEETING AGENDA
AND DOCUMENTS ARE ALL DRAFTS AT
THE TIME OF POSTING.**

**ALL ITEMS ARE SUBJECT TO CHANGE OR
REMOVAL UP TO MEETING TIME.**



COUNCIL MEETING AGENDA

September 9, 2019
Independence Municipal Center
Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL OF MEMBERS

APPROVAL OF COUNCIL MINUTES: Regular Meeting of August 5, 2019

NEW BUSINESS

- **RESOLUTION / PROPOSED ORDINANCE** – Taylor Mill Road Map Amendment
- **RESOLUTION NO. 2019-R-08** – Re-appointment of NKREA Committee Members
- **PROPOSED ORDINANCE** - Adopting 2019 Tax Rates – 1st Reading

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

RESOLUTION NO. 2019-R-09

A RESOLUTION OF THE CITY OF INDEPENDENCE, KENTUCKY, DENYING CHANGING AN AREA OF APPROXIMATELY 2.38 ACRES LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF TAYLOR MILL ROAD; AN AREA OF APPROXIMATEY 450 FEET SOUTH OF COX ROAD FROM PO (A PROFESSIONAL OFFICE ZONE) TO NC (A NEIGHBORHOOD COMMERCIAL ZONE)

WHEREAS, a request for a map amendment was submitted to the Kenton County Planning Commission by Pinebelt Inc. per Mike Rozier on behalf of Tom and Judy Necamp and Gailen and Debra Bridges changing an area of approximately 2.38 acres located on the Northeast corner of the intersection of Taylor Mill Rd; and area of approximately 450 feet south of Cox Road from PO (A Professional Office Zone) to NC (A Neighborhood Commercial Zone); and

WHEREAS, the Kenton County Planning Commission Staff reviewed the application and recommended that the proposed map amendment be approved; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the staff recommendations and after holding a public hearing, voted to approve the map amendment, with the condition that that access point is located on Taylor Mill Road, on the basis that map amendment consistent with the Recommended Land Use Map of Direction 2030: Your Voice. Your Choice.

WHEREAS, the City of Independence Council has reviewed the minutes from the Kenton County Planning Commission and is SOLELY basing this denial on evidence from said meeting.

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

That the Independence City Council hereby DENIES approving said Zoning Map Amendment, changing an area of approximately 2.38 acres located on the Northeast corner of the intersection of Taylor Mill Rd; and area of approximately 450 feet south of Cox Road from PO (A Professional Office Zone) to NC (A Neighborhood Commercial Zone)the for the following reasons:

- 1.
- 2.

Done this 9th day of September, 2019 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 Gabbard, City Clerk

ORDINANCE NO. 2019-O-

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF INDEPENDENCE, COUNTY OF KENTON, KENTUCKY CHANGING AN AREA OF APPROXIMATELY 2.38 ACRES LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF TAYLOR MILL ROAD; AN AREA OF APPROXIMATELY 450 FEET SOUTH OF COX ROAD FROM PO (A PROFESSIONAL OFFICE ZONE) TO NC (A NEIGHBORHOOD COMMERCIAL ZONE).

WHEREAS, a request for a map amendment was submitted to the Kenton County Planning Commission by Pinebelt Inc. per Mike Rozier on behalf of Tom and Judy Necamp and Gailen and Debra Bridges changing an area of approximately 2.38 acres located on the Northeast corner of the intersection of Taylor Mill Rd; and area of approximately 450 feet south of Cox Road from PO (A Professional Office Zone) to NC (A Neighborhood Commercial Zone); and

WHEREAS, the Kenton County Planning Commission Staff reviewed the application and recommended that the proposed map amendment be approved; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the staff recommendations and after holding a public hearing, voted to approve the map amendment, with the condition that that access point is located on Taylor Mill Road, on the basis that map amendment consistent with the Recommended Land Use Map of Direction 2030: Your Voice. Your Choice.

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

SECTION I

That the Independence City Council hereby approves said Zoning Map Amendment, changing the zoning for an area of approximately 2.38 acres located on the Northeast corner of the intersection of Taylor Mill Rd; and area of approximately 450 feet south of Cox Road from PO (A Professional Office Zone) to NC (A Neighborhood Commercial Zone);

The aforementioned map amendment, as recommended by the Kenton County Planning Commission, is adopted and amended upon the following conditions and bases:

Bases:

1. The proposed map amendment is consistent with the Recommended Land Use Map of *Direction 2030: Your Voice. Your Choice.* which recommends the site in question for commercial uses.
2. The proposed map amendment is consistent with the goals and objectives and recommendations of *Direction 2030 Your Voice. Your Choice:* including providing revitalization and redevelopment of the older commercial area.
3. The proposed development enhances suburban living by providing an additional commercial amenity in closer proximity to existing residential neighborhoods and transit routes.

SECTION II

That 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.

SECTION III

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 Gabbard, City Clerk

First Reading: _____

Second Reading: _____

Ayes: _____

Nays: _____

Publication Date: _____

City of Independence, Ky.
RESOLUTION NO. 2019-R-08

A RESOLUTION ACCEPTING THE RE-APPOINTMENT OF MARCUS CAREY, ROBERT F. GREENE, DARRYL CUMMINS, ROBERT SANDERS, TOM QUIRK, AND WESLEY WILLIAMS AND APPOINTMENT OF BRYCE C. RHOADES AS MEMBERS OF THE NORTHERN KENTUCKY REGIONAL ETHICS AUTHORITY ENFORCMENT COMMITTEE FOR A TWO-YEAR TERM, COMMENCING FEBRUARY 1, 2019 AND EXPIRING ON JANUARY 31, 2021.

WHEREAS, Ordinance No. 1994–O-30 (as amended) established a code of ethical conduct applicable to the officers and employees of Independence and its agencies; and

WHEREAS, Independence entered into an inter-local agreement to join the Northern Kentucky Regional Ethics Authority (NKREA) to implement said CODE OF ETHICS; and

WHEREAS, Article III (A) of the Inter-local gives the NKREA Authority Board the authorization to select members of the NKREA Enforcement Committee subject to the approval of each member jurisdiction's relevant legislative body;

WHEREAS, at the NKREA's Annual Meeting held December 7, 2018 the Authority Board re-nominated Marcus Carey, Robert F. Greene, Darryl Cummins, Carolyn Lainhart, Robert Sanders, and Tom Quirk to each serve a two-year term on the NKREA Enforcement Committee;

WHEREAS, NKREA Enforcement Committee Member Carolyn Lainhart resigned and Bryce Rhoades was appointed by the NKREA Authority Board to fill Carolyn Lainhart's term; and

NOW, THEREFORE, be it resolved this 9th day of September 2019, by the City of Independence, Kenton County, Kentucky.

SECTION I

That the appointment of Marcus Carey, Robert F. Greene, Darryl Cummins, Robert Sanders, Tom Quirk, Wesley Williams, and Bryce Rhoades as members of the NKREA Enforcement Committee for a two-year term commencing on February 1, 2019 and expiring on January 31, 2021 is hereby approved.

SECTION II

That this resolution shall take effect and be in full force when passed and recorded according to law.

Passed and approved on the 9th day of September 2019.

BY: _____

Christopher J. Reinersman, Mayor

ATTEST: _____

Gina Gabbard, City Clerk

ORDINANCE NO. 2019-O-

AN ORDINANCE OF THE CITY OF INDEPENDENCE, IN KENTON COUNTY, KENTUCKY, PROVIDING FOR THE ANNUAL ASSESSMENT OF ALL REAL ESTATE AND PERSONAL PROPERTY WITHIN THE CITY OF INDEPENDENCE, WHICH IS SUBJECT TO TAXATION THEREBY, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2019, AND ENDING ON JUNE 30, 2020, 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.

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

SECTION I

The City of Independence hereby provides for the assessment of all real and personal property within the City of Independence, which is subject to taxation thereby, for the fiscal year which begins on July 1, 2019 and ends June 30, 2020 by the use of the last annual assessment thereof, by the Property Valuation Administrator of Kenton County, Kentucky.

SECTION II

The following ad valorem taxes for the fiscal year beginning on July 1, 2019 and ending on June 30, 2020 are hereby levied, assessed and imposed by and for the City of Independence, upon the following described property which is subject to taxation within the City of Independence, and the owners thereof, jointly and severally:

- A. An ad valorem tax on **real property**, at the rate of **\$0.271 Dollars for each One Hundred Dollars (\$100.00)** of the value thereof, as assessed pursuant to the provisions hereof; and
- B. An ad valorem tax on all **personal property** other than motor vehicles at the rate of **\$0.642 Dollars for each One Hundred Dollars (\$100.00)** of the value thereof, as assessed pursuant to the terms and provisions hereof; and

SECTION III

The taxes levied pursuant to the terms hereof shall be due and payable on or before December 31, 2019 at the Office of the City Clerk, and shall be subject to a discount of 2% if paid before the end of the business day on November 1, 2019. If said taxes due hereunder are not paid by midnight on the evening of December 31, 2019 a **penalty of 15 % thereof, plus interest thereon at the rate of 6% per annum** will be attached effective January 1, 2020 until paid, plus the cost of collection, including without limitation, court costs and attorney's fees.

SECTION IV

In order to secure the payment of the ad valorem taxes hereby levied and assessed, and all penalties, interest, fees, commissions, charges and other expenses, including court costs and attorney's fees, incurred by reason of any delinquency in the payment thereof or the process of collection, the City of Independence has a lien therefore upon the property upon which such taxes are hereby levied and assessed; and such lien has priority over all other obligations or liabilities for which the property is liable, except state and county taxes, with which it has equal priority.

SECTION V

The provisions of this ordinance are severable, and the invalidity of a 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 as long as they remain valid in the absence of those provisions determined to be invalid.

SECTION VI

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

Christopher J. Reinersman, Mayor

ATTEST:

Gina Gabbard, City Clerk

First Reading: _____

Second Reading: _____

Ayes: _____

Nays: _____

Publication Date: _____