



CITY OF INDEPENDENCE

COUNCIL MEETING AGENDA

September 12, 2022

Independence Municipal Center
Council Chambers

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL OF MEMBERS

APPROVAL OF COUNCIL MINUTES: Regular Meeting- August 1, 2022 and Special Meeting-August 22, 2022

POLICE RECOGNITION – Potts and Hager

OLD BUSINESS

- **ORDINANCE NO. 2022-O-09**– Updating Hogrefe Road Speed Limit – 2nd Reading
- **ORDINANCE NO. 2022-O-10** – Adopting 2022-2023 Tax Rates – 2nd Reading

NEW BUSINESS

- **RESOLUTION NO. 2022-R-13** – Final Development Plan for Beechgrove
- **AWARD** – Williamswoods Bid

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

ORDINANCE NO. 2022-O-09

AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE’S CODE OF ORDINANCES REDUCING THE SPEED LIMIT BEGINNING AT 732 HOGREFE ROAD WESTWARD TO THE END OF HOGREFE ROAD FROM 35 MPH TO 20 MPH

WHEREAS, the City of Independence is a growing community concerned with the safety of individuals traveling on its roads; and

WHEREAS, this Ordinance is being adopted to Amend Chapter 74 of the Code of Ordinances to provide a safer street for all users; and

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

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

SECTION I

The City of Independence approves an amendment to the Code of Ordinances, Title VII, Chapter 74:

§ 74: TRAFFIC SCHEDULES.

<i>Street</i>	<i>Speed Limit</i>
Hogrefe Road <u>(from Bristow Road to 732 Hogrefe Road)</u>	35
Hogrefe Road <u>(from 732 Hogrefe Road to Freemont Drive)</u>	<u>20</u>

SECTION II

That any section, or part of any section, or any provision of this Ordinance which is declared invalid by a Court of appropriate jurisdiction, for any reason, such declaration shall not invalidate, or adversely affect, the remainder of this Ordinance.

SECTION III

This Ordinance shall take effect and be in full force when passed, published, and recorded according to law. This ordinance shall be published in summary pursuant to KRS 83A.060(9)

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading August 1, 2022

Second Reading: September 12, 2022

Ayes: _____

Nays: _____

PUBLICATION DATE: _____

ORDINANCE NO. 2022-O-10

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, 2022, AND ENDING ON JUNE 30, 2023, 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, 2022 and ends June 30, 2023 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, 2022 and ending on June 30, 2023 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 **\$0.22 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 **\$0.534 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, 2022 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, 2022. If said taxes due hereunder are not paid by midnight on the evening of December 31, 2022 **a penalty of 15 % thereof, plus interest thereon at the rate of 6% per annum** will be attached effective January 1, 2023 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 Rawe, City Clerk

First Reading: August 22, 2022

Second Reading: September 12, 2022

Ayes: _____

Nays: _____

Publication Date: _____

RESOLUTION NO. 2022-R-13

A RESOLUTION OF THE CITY OF INDEPENDENCE, KENTUCKY, AUTHORIZING AND APPROVING A FINAL DEVELOPMENT PLAN FOR PHASE 40 OF THE RESERVES SUBDIVISION TO CONSTRUCT 35 UNITS OF ATTACHED RESIDENTIAL INCLUDING A NEW STREET, SIDEWALKS, AND PARKING.

WHEREAS, In 1971, the original PUD (Panned 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) 2.

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 for the site in question. 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, As it relates to this specific site, the approved Stage I Development Plan identified this site for townhomes and open space, with access off Wildwood Drive. The revised development plan showed an access off Wildwood Drive and 32 attached single-family residential units.

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.

NOW, THEREFORE, be it resolved this the 12th day of September 2022, 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 to construct 35 units of attached residential including a new street, sidewalks, and parking.

Done this 12th day of September 2022 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