



CITY OF INDEPENDENCE
SPECIAL COUNCIL MEETING AGENDA
January 9, 2023
Kenton County Courthouse
Independence, KY

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL OF MEMBERS

KEY TO THE CITY – JIM BREWER

CHILDRENS HOME PRESENTATION

APPROVAL OF COUNCIL MINUTES: Regular Meeting – December 5, 2022

OLD BUSINESS

- **ORDINANCE NO. 2022-O-01 – GOLF CARTS – 2nd Reading**

NEW BUSINESS

- **PROPOSED ORDINANCE – Amended 2022-2023 Budget – 1st Reading (New First Reading)**
- **PROPOSED ORDINANCE – Pay Classification – 1st Reading**
- **PROPOSED ORDINANCE – Park Closing – 1st Reading**
- **MUNICIPAL ORDER NO. 2023-MO-01 – Board of Adjustments Appointment**
- **EXECUTIVE ORDER NO. 2023-EO-02 – Re-Appointment to OKI Board**

ATTORNEY’S REPORT – Jack Gatlin

CITY ADMINISTRATOR REPORT – Chris Moriconi

- **Trailer, Boat/RV Storage Discussion**

MAYOR’S REPORT – Christopher J. Reinersman

ADJOURNMENT

ORDINANCE NO. 2023-O-01

AN ORDINANCE OF THE CITY OF INDEPENDENCE, KENTON COUNTY KENTUCKY REGULATING THE USE OF GOLF CARTS ON CERTAIN ROADS WITHIN THE CITY

WHEREAS, The City of Independence has seen a rise in Golf Cart users travelling on the road; and

WHEREAS, the City of Independence wishes to regulate the use of Golf Carts and provide limited circumstances for their allowance; 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

For the purpose of this Ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY STREET. Shall include all public streets and throughfares located within the city limits of the City of Independence but shall not include any state routes or state thoroughfares.

GOLF CART. Any self-propelled vehicle that:

- (1) Is designed for the transportation of players or maintaining equipment on a golf course, while engaged in the playing of golf, supervising the play of golf, or maintaining the condition of the grounds on a golf course;
- (2) Has a minimum of four wheels;
- (3) Is designed to operate at a speed of not more than 35 miles per hour;
- (4) Is designed to carry not more than six persons, including the driver.
- (5) Has a maximum gross vehicle weight of 2,500 pounds.
- (6) Has a maximum payload capacity of 1,200 pounds; and
- (7) Meets the federal motor vehicle safety standards for low-speed vehicles.

PERMIT. A permit authorized to be issued under this section, issued by the Permitting Authority upon receipt of an application developed by the City Administrative Officer and receipt of payment of the permitting fee, for a period not to exceed one year.

PERMITTING AUTHORITY. Kenton County Sheriff or his Delegate.

PERMITTING FEE/INSPECTION FEE. All Golf Carts shall be inspected by a certified inspector designated by the Kenton County Sheriff and certified through the Department of Vehicle Regulation to ensure that the golf cart complies with KRS 189.286. The inspection fee shall not exceed five dollars (\$5) with an additional fee not to exceed ten dollars (\$10) per trip charged if it becomes necessary for the certified Inspector to travel to the site of the golf cart rather than having the golf cart brought to the sheriff's inspection area.

SECTION II

The City of Independence hereby establishes the following requirements and regulations concerning the operation of golf carts on city streets.

(A) No person shall operate a golf cart on any city street, except in strict compliance with the requirements of this subchapter.

(B) No person shall operate a golf cart on any city street without having obtained a permit and paid the permitting fee as required by this subchapter.

(C) Any person operating a golf cart on any city street must display a sticker or permit issued by the city of, which identifies that the golf cart is allowed to be operated on specific roadways within the city.

(D) All golf carts that are to be operated on city streets must be inspected by the Kenton County Sheriffs' Department to ensure that the golf cart complies with the requirements of KRS 189.286. The inspection results shall be submitted by the applicant for a permit at the time of application for the Permit under this subchapter.

(E) Golf carts may only be operated on city streets that have a posted speed limit of 20 miles per hour or less. No operator of a golf cart may cross a roadway at an intersection where the roadway being crossed has a posted speed limit of more than 35 miles per hour.

(F) All persons operating a golf cart on city streets under this subchapter must have a valid operator's license in his or her possession.

(G) Golf carts may only be operated on city streets between 8:00 AM and 9:00 PM Eastern Standard Time.

(H) All golf carts to be operated on city streets must display a slow-moving vehicle emblem in compliance with KRS 189.820.

(I) All golf carts to be operated on city streets shall be insured in compliance with KRS 304.39-080 by the owner or operator, and the proof of insurance shall be inside the golf cart at all times of operation on a public roadway.

(J) Any person operating a golf cart on city streets shall be subject to the traffic regulations of KRS Chapter 189 and any other applicable provisions of this code of ordinances pertaining to the operation of vehicles upon city streets.

(K) All golf carts operating on city streets shall be equipped with rear view mirrors, properly functioning lights (including brake lights, head lights, and turn signals) and properly functioning brakes.

SECTION III

(A) A golf cart operating on a public roadway under this subchapter is not considered a motor vehicle and is exempt from:

- (1) Title requirements of KRS 186.020.
- (2) Vehicle registration requirements of KRS 186.050; and
- (3) Emissions compliance certificates pursuant to KRS 224.20-720.

(B) The provisions of this subchapter shall not apply to a golf cart that is not used on a public roadway except to cross a roadway while following a golf cart path on a golf course.

SECTION IV

PENALTY.

(A) Whoever violates any provision of this traffic code where no other penalty is provided shall be fined not less than \$25, nor more than \$500.

(B) A late payment penalty of \$25 shall be charged for any ticket violation not paid within five days.

(C) Any person violating the provisions of §§ 70.65 through 70.67, except 70.66(B) shall, upon conviction of a first offense, be fined not less than \$100 nor more than \$250. Any person convicted of a subsequent violation of §§ 70.65 through 70.67 within two years of a prior conviction under §§ 70.65 through 70.67 other than a violation of § 70.66(B), or a first violation of § 70.66(B) shall, upon conviction, be fined not less than \$250 nor more than \$500. Any person convicted of a subsequent violation of § 70.66(B) within two years of a prior conviction under §§ 70.65 through 70.67 shall be fined not less than \$300 nor more than \$500 and/or imprisoned not more than 30 days.

SECTION V

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 VI

This Ordinance shall take effect and be in full force when passed, published, and recorded according to law.

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading: December 5, 2022

Second Reading: January 9, 2023

Ayes: _____

Nays: _____

Publication Date: _____

ORDINANCE NO. 2023-O-

AN ORDINANCE OF THE CITY OF INDEPENDENCE, KENTUCKY AMENDING ORDINANCE NO. 2022-O-06 AND THE ANNUAL BUDGET ADOPTED THEREBY FOR THE FISCAL YEAR BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2023 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATIONS FOR THE OPERATION OF CITY GOVERNMENT, INCORPORATING LINE ITEMS, AND PROVIDING FOR MODIFICATIONS AND AMENDMENTS THERETO.

WHEREAS, an amending budget proposal and message have been prepared and delivered to the City Council; and

WHEREAS, the City Council has reviewed such amended budget and made necessary modifications.

BE IT ORDAINED BY THE CITY OF INDEPENDENCE AS FOLLOWS:

SECTION I

That the amended annual budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023 is hereby adopted as follows:

SEE ATTACHED "EXHIBIT A"

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 as long as 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 full force and effect from and after its passage, approval, and publication as required by law.

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading: _____ January 9, 2023

Second Reading: _____

Ayes: _____

Nays: _____

PUBLICATION DATE: _____

ORDINANCE NO. 2023- O

AN ORDINANCE OF THE CITY OF INDEPENDENCE IN KENTON COUNTY, KENTUCKY, AMENDING ORDINANCE NO. 2022-O-08 WHICH ENACTS A PERSONNEL AND PAY CLASSIFICATION PLAN PURSUANT TO KRS 83A.070(3).

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

WHEREAS, the City of Independence maintains job descriptions and a pay scale for its employees in accordance with its annual budget, and

WHEREAS, KRS 83A.070 requires the legislative body of each city to adopt by ordinance personnel and pay classification plan, it is hereby ordained as follows:

SECTION I

That the amended Personnel and Pay Classification Plan attached hereto and marked as Exhibit "A", sets forth the job title and pay scale for each employment position of the City of Independence, which have been developed and authorized in accordance with the City's annual budget previously adopted by ordinance.

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 as long as 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 effective as soon as possible according to law.

SECTION V

This ordinance shall be published in summary pursuant to KRS 83A.060(9)

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading _____ January 9, 2023

Second Reading: _____

Ayes: _____

Nays: _____

PUBLICATION DATE: _____

ORDINANCE NO. 2023- O

AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE’S CODE OF ORDINANCES RELATED TO SECTION 94.02 AND ALLOWING CERTAIN CITY PARKS WITH LIGHTING TO BE PARTIALLY OPEN AFTER DARK

WHEREAS, The City of Independence has made significant improvements to Memorial Park by adding lighted pickleball and basketball courts; and

WHEREAS, this Ordinance is being adopted to Amend Chapter 94.02 of the Code of Ordinances to allow the use of the lighted facilities after dark; 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

§ 94.02 CLOSING TIME FOR PARKS.

All city parks, recreational areas, and ballfields in the city shall be closed at dark except areas lighted specifically for basketball, pickleball and city sponsored events.

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.

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

First Reading _____ January 9, 2023

Second Reading: _____

Ayes: _____

Nays: _____

PUBLICATION DATE: _____

City of Independence, Ky.
MUNICIPAL ORDER NO. 2023-MO-01

A MUNICIPAL ORDER APPROVING THE MAYOR'S APPOINTMENT OF STEVEN SORG AS A MEMBER OF THE KENTON COUNTY JOINT BOARD OF FOR A TERM ENDING DECEMBER 31, 2026.

Be it Ordered by the Mayor and Legislative Body of the City of Independence, Kentucky as follows:

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

The Mayor, on behalf of Council, by his signature hereto, does hereby prospectively appoint Steven Sorg to serve as the Kenton County Joint Board of Adjustments for a term ending on December 31, 2026.

By: _____
Christopher J. Reinersman, Mayor

Approved and ratified by Council on January 9th, 2023 by roll call vote.

AYES: _____
NAYES: _____

Attest:

Gina Rawe, City Clerk

City of Independence, Kentucky

EXECUTIVE ORDER NO. 2023-EO-01

**AN EXECUTIVE ORDER OF THE MAYOR OF THE CITY OF INDEPENDENCE RE-APPOINTING
CHRISTOPHER J. REINERSMAN TO THE
OKI BOARD OF DIRECTORS**

By the authority vested in me as Mayor of the City of Independence, I do hereby re-appoint Christopher J. Reinersman to the OKI Board of Directors.

Date Presented to Council: January 9, 2023.

Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk