



CITY OF INDEPENDENCE
COUNCIL MEETING AGENDA
March 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 February 3, 2025

OLD BUSINESS

- **ORDINANCE NO. 2025-O-02** – Renaming of Court Street – 2nd Reading

MAYOR'S REPORT – Christopher J. Reinersman

NEW BUSINESS

- **PROPOSED ORDINANCE** –Driveway Requirements and Shipping Container Definition – 1st Reading
- **RESOLUTION NO. 2025-R-05** – Authorization for Contract Extension for Trash and Recycling
- **RESOLUTION NO. 2025-R-06** – Opposition of HB85 Relating to Sanitation Districts
- **MUNICIPAL ORDER NO. 2025-MO-02** – Surplus Property – Police Vehicles
- **Possible Resolutions Opposing Pending Proposed State Legislation**

ATTORNEY'S REPORT – Jack Gatlin

CITY ADMINISTRATOR REPORT – Chris Moriconi

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

ADJOURNMENT

ORDINANCE NO. 2025-O-02

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 in honor of longtime Independence resident, business owner and Kenton County Deputy Sherrif Vic Ponzer.

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All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.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: March 3, 2025

Ayes: _____

Nays: _____

Publication Date: _____

ORDINANCE NO. 2025-O-

AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE ZONING CODE (1) ADDING SETBACK REQUIREMENTS FOR DRIVEWAYS AS A PERMITTED ENCROACHMENT, (2) ADDING STANDARDS FOR PORTABLE STORAGE UNITS AND SHIPPING CONTAINERS WITHIN RESIDENTIAL AND MIXED-USE DISTRICTS, AND (3) ADDING A DEFINITION FOR “SHIPPING CONTAINER”

WHEREAS, the City of Independence desires to add setback requirements for driveways a a permitted encroachment, add standards for portable storage units and shipping containers within residential and mixed-use districts, and define “shipping container”; and

WHEREAS, a request for a text amendment to the Independence Zoning Ordinance was submitted to the Kenton County Planning Commission by Chris Moriconi, City Administrator; and

WHEREAS, the PDS staff reviewed the application and recommended that the proposed text amendment be approved; and

WHEREAS, the Kenton County Planning Commission, upon reviewing the PDS staff recommendations and after holding a public hearing on February 6, 2025, voted to approve the text amendment, on the basis that the text amendment is allowed to be included within the text of the zoning ordinance, as authorized by Kentucky Revised Statute (KRS) 100.203(1); and

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

SECTION I

MODIFICATION TO TEXT

ARTICLE 5 DIMENSIONAL REQUIREMENTS

5.08 Permitted Encroachments

E. Other Permitted Setback Encroachments 1. Walls and perimeter fencing as regulated in Section 7.06, [Fences and Walls](#).

2. Sidewalks, multi-use paths and other pedestrian amenities.

3. Driveways and other vehicular access points which are addressed in [Article 10, Parking & Loading Standards](#)[], provided they are not closer than two feet to the property line to which they run approximately parallel.

4. Landscaping as regulated by Section 7.07, [Landscaping, Screening, and Buffers](#).

ARTICLE 10 PARKING & LOADING STANDARDS

10.14 Parking, Storage, and Use of Non-Recreational, Commercial, and Industrial Vehicles

- A. The following applies in all residential and mixed-use districts.
1. For this section, refer to the Federal Highway Administration's vehicle category classification for non-recreational, commercial, and industrial vehicles.
 2. Classes 1 through 3 vehicles (with or without signs) which are properly licensed, inspected, and used for commercial purposes may be parked anywhere on a residential lot designed, constructed and approved for vehicle parking.
 3. Class 4 through 13 vehicles (with or without signs) used for commercial, industrial, farm, or construction purposes are prohibited on residential lots, except within completely enclosed structures or when actively involved in pick-up or delivery to the residence.
 4. Moving trailers, vans, [or] POD, similar portable storage units, or Shipping Container storage units may be placed no closer than five feet from adjoining residential property lines on a residential lot for a period not to exceed 30 days while owners are moving in or out of a residence.
 5. Dumpsters used for debris during construction and renovation of a residence may be placed no closer than five feet from adjoining residential property lines on a residential lot for a period not to exceed the period of construction.

ARTICLE 14 DEFINITIONS

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Shipping Container – Any container, generally rectangular and made of metal, designed primarily for shipping or hauling materials that is usually stored outside a building or structure, and which can usually be stacked. This includes cargo containers, intermodal containers, freight containers, storage containers and shipping crates.

SECTION II

BASIS FOR TEXT AMENDMENT

1. The proposed text amendment is authorized to be included within the text of the zoning ordinance per KRS 100.203 (see Attachment A).
2. The proposed text amendments are appropriate and reasonable. The proposed amendments add clarification, refine regulations, and provide for consistency in the administration of the zoning ordinance.
3. Based on testimony provided during the public hearing held on February 6, 2025, including a letter submitted on the City's behalf to the Planning Commission.

SECTION III

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: March 3, 2025

Second Reading: _____

Ayes: _____

Nays: _____

Publication Date: _____

City of Independence, Ky.
RESOLUTION NO. 2025-R-05

A RESOLUTION OF THE CITY OF INDEPENDENCE, KENTUCKY, AUTHORIZING AND APPROVING THE MAYOR TO EXECUTE AN EXTENSION OF THE PREVIOUSLY BID FEES FOR TRASH AND RECYCLING SERVICES FOR RESIDENTIAL UNITS IN THE CITY.

WHEREAS, the City of Independence, Kentucky, Kenton County, Kentucky, previously issued a Request for Proposals for trash/recycling collection for residential units within the City.

WHEREAS, the City of Independence, Kentucky, Kenton County Kentucky, included in the bid that each vendor was to provide pricing for term extensions and said vendor did provide future pricing.

WHEREAS, The City's Administrative Staff has been advised that Rumpke is desirous of extending the term of its contract for trash/recycling collection, for the price set forth in its prior bid, as well as agreeing to some additional items not set forth in the bid.

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

That the Mayor is authorized to execute the Solid Waste Contract Modification with Rumpke for the previously bid amount of \$23.98 per month for a term beginning July 1, 2025 and concluding June 30, 2027.

Members present voting in favor: _____

Members present voting against: _____

BY: _____
Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

City of Independence, Ky.
RESOLUTION NO. 2025-R-06

**A RESOLUTION OF OPPOSITION TO KENTUCKY LEGISLATIVE HOUSE BILL 85
RELATING TO SANITATION DISTRICTS**

WHEREAS, the City of Independence recognizes that a regional approach to stormwater management by Sanitation District No. 1 (“SD1”) is more efficient and effective than individual municipalities in Northern Kentucky each managing their own storm water programs;

WHEREAS, if SD1’s ability to collect storm water fees is substantially impacted by legislation, SD1 may be forced to consider transferring the stormwater infrastructure back to the cities and counties, which would then be responsible for meeting state and federal stormwater regulations;

WHEREAS, the fees SD1 collects pay for maintenance of the storm sewers that keep roads navigable and safe during wet weather events and prevent flooding and erosion;

WHEREAS, House Bill 85 seeks to stop SD1 from charging a stormwater fee to residents who do not receive public sewer service and whose property does not “discharge” stormwater to SD1 infrastructure;

WHEREAS, there is no correlation between sanitary sewer services provided by SD1 and stormwater management—they are two entirely separate utilities with independent fees, budgets and services;

WHEREAS, House Bill 85 is based upon a faulty premise that to derive benefits from a comprehensive regional stormwater management program one must have a direct connection to SD1’s storm sewer system; and

WHEREAS, the Mayors and members of the City Council have determined that it is in the best interest of the City of Independence and its residents to support a resolution in opposition to the adoption of House Bill 85 by the Kentucky General Assembly.

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

1. That the City of Independence strongly opposes the adoption and passing of House Bill 85; and
2. That the City of Independence urges the General Assembly to vote against House Bill 85; and
3. That the City of Independence opposes any further legislative efforts to disrupt the existing funding mechanisms for sanitation districts organized pursuant to KRS chapter 220.

Members present voting in favor: _____

Members present voting against: _____

BY: _____
Christopher J. Reinersman, Mayor

ATTEST:

Gina Rawe, City Clerk

MUNICIPAL ORDER NO. 2025-MO-02

**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 would like to replace five older model vehicles for School Resource Officers with newer four-wheel-drive Ford Explorers from the existing fleet; 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:

- (1) 2010 Dodge Charger
- (2) 2013 Dodge Chargers
- (1) 2014 Dodge Charger
- (1) 2014 Ford Explorer

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

These vehicles have been police cruisers and most recently been used by School Resource Officers.

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

The Dodge Chargers are older and higher in mileage and will be replaced with newer Ford Explorer SUVs from the existing fleet. The Ford Explorer has significant mechanical issues and would require extensive transmission repairs to remain in service.

4. Method of disposition:

All five vehicles 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 March 3, 2024 by roll call vote:

AYES _____

NAYES _____

ATTEST:

Gina Rawe, City Clerk