



KC&MP&ZC MINUTES

KENTON COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION REGULAR MEETING

March 4, 2004
6:15 P.M.

NKAPC Meeting Room
2332 Royal Drive
Fort Mitchell, Kentucky

MINUTES

COMMISSION MEMBERS PRESENT:

Mr. James Bertram - Taylor Mill
Mr. Barry Coates - Covington
Mr. James Cook - Kenton County
Mr. Chuck Eilerman - Covington
Mr. Tom France - Ludlow
Mr. Al Hadley - Elsmere
Mr. David Hilgeford - Villa Hills
Mr. Mark Hushabeck - Lakeside Park
Mr. Phil Ryan - Park Hills
Ms. Maura Snyder - Independence
Ms. Alex Weldon - Covington
Mr. Bernie Wessels - Ft. Wright
Mr. Paul Swanson, Secretary/Treasurer - Erlanger
Mr. Joseph Price, Vice Chairman - Crestview Hills
Mr. Tim Theissen - Chairman - Edgewood

COMMISSION MEMBERS NOT PRESENT:

Ms. Barbara Carlin - Kenton County
Mr. Mike Denham - Bromley
Mr. Greg Scheper - Crescent Springs
Mr. John Wells - Ft. Mitchell

LEGAL COUNSEL PRESENT:

Mr. David Schneider, Esq.

Mr. Theissen called the meeting to order at 6:15 p.m. Mr. Theissen opened the meeting with the Pledge of Allegiance and a prayer by Mr. Joe Price.

Mr. Theissen remembered former Commission Mr. Gene Meyer with many kind words of his commitment to the Planning Commission over the years. Other Commission members offered kind words in his memory and noted his knowledge of the area and commitment to his position. Mr. Theissen then presented Mrs. Meyer, who was present with their children, a flower and thanked them for coming to the meeting. Mr. Theissen additionally noted in honor of Gene and in his remembrance a tree would be planted when the new landscaping takes place around the building this year.

Mr. Theissen then noted that issue PP-635 would be tabled. He indicated a letter had been received requesting the tabling from a Mr. James P. Brossart. He stated the request to table was for a period not to exceed six months. The letter was then marked as an exhibit to be made a part of the record. Mr. Hadley made the motion to approve. Ms. Weldon seconded the motion. A roll call vote on the matter found Mr. Hadley, Ms. Weldon, Mr. Bertram, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. France, Mr. Hilgefard, Mr. Hushebeck, Mr. Ryan, Ms. Snyder, Mr. Wessels, Mr. Swanson, Mr. Price and Mr. Theissen in favor. The motion carried unanimously.

APPROVAL OF THE MINUTES:

Mr. Theissen noted there were two sets of minutes to be approved. Mr. Price noted on page two (2) of the morning minutes the words "necessity of" should be added to the paragraph beginning with Mr. Bayer where the right turn is indicated. Mr. Price further noted on page four beginning with Mr. Meyer the words "as few" should be noted concerning the trees. Mr. Price then motioned to approve the minutes as modified. Mr. Ryan seconded. A roll call vote on the matter found Mr. Price, Mr. Ryan, Mr. Bertram, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. France, Mr. Hushebeck, Ms. Snyder, Mr. Swanson and Mr. Theissen in favor. Mr. Hadley, Mr. Hilgefard and Ms. Weldon abstained. The motion carried.

FINANCIAL REPORT:

Mr. Swanson noted he spoke with the bookkeeper and stated there was nothing unusual or out of the

ordinary to note as to the financial report. Mr. Wessels asked about the spending on insurance and asked Mr. Swanson if they were taking any proposals. Mr. Swanson stated they were not taking any proposals and that basically the Commission is being forced to spend the amount noted on insurance premiums, even though the amount was objected to since the beginning.

SUBDIVISION ITEMS:

a. CONSIDERATION OF PRELIMINARY PLATS AND OTHER PLATS AND ISSUES REQUIRING COMMISSION ACTION AT A REGULAR MEETING.

b. CONSIDERATION OF ACTIONS TAKEN ON GRADING PLANS, IMPROVEMENT DRAWINGS AND SPECIFICATIONS, (STAGE II PLANS), FINAL PLATS, AND IDENTIFICATION PLATS BY THE COMMISSION'S DULY AUTHORIZED REPRESENTATIVE SINCE THE COMMISSION'S LAST REGULAR MEETING. See handout.

Mr. Theissen noted that Scott Hiles was requesting that the report of subdivision construction items over the past month that he prepares be done away with due to the fact that it is a time consuming effort that basically gets disregarded. It was noted that the information was available to anyone requesting the specifics of a particular issue or item.

With regard to the current month's issues, Mr. Bertram noted his withdrawal from item I-4000 due to a conflict of interest with his employer. Mr. Hushebeck noted his withdrawal on issues FP-5000, FP-590 and CPR-590 due to a conflict of interest with his employer. A motion was made by Ms. Snyder to ratify and approve. Mr. France seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. France, Mr. Bertram, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. Hadley, Mr. Hilgefurd, Mr. Hushebeck, Mr. Ryan, Ms. Weldon, Mr. Wessels, Mr. Swanson, Mr. Price and Mr. Theissen in favor. The motion carried.

c. CONSIDERATION OF THE REPORT OF ACTIONS TAKEN BY THE SUBDIVISION/PUBLIC FACILITY REVIEW COMMITTEE AT A MEETING PRIOR TO, BUT ON THE SAME DAY, AS THE REGULAR MEETING. See handout.

d. CONSIDERATION OF CONSTRUCTION REVIEW PROGRAM - See listing of subdivision for construction inspections in progress on separate handout.

PUBLIC FACILITIES: None.

PUBLIC HEARINGS ON SCHEDULED ITEMS: None.

OLD BUSINESS:

CORRESPONDENCE: None.

PLANNING, STAFF AND LEGAL COUNSEL ITEMS:

A motion was made by Ms. Weldon and seconded by Ms. Snyder to go into executive session to discuss pending litigation (specifically the Jump v. Kenton County). All in favor.

Following the discussion a motion was made by Mr. Hadley and seconded by Ms. Snyder to come out of executive session. All in favor. Mr. Hushebeck withdrew due to a conflict of interest with his employer. Mr. Hadley made the motion to authorize approval of the plat, as discussed in executive session. Mr. Wessels seconded the motion. A roll call vote on the matter found Mr. Hadley, Mr. Wessels, Mr. Bertram, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. Hilgefurd, Mr. Ryan, Ms. Snyder, Ms. Weldon, Mr. Swanson, Mr. Price and Mr. Theissen in favor. Mr. Hushebeck withdrew. The motion carried.

COMMISSION ITEMS:

Standing Committee Reports:

Standing Committee Reports:

Subdivision Regulations Review Committee: No report.

By-Laws: Nothing to report.

Model Zoning Ordinance: No report.

Reports from Staff:

Mr. Schwartz noted that a letter had been received regarding item 1657R requesting a tabling of the issue. He noted that an application had been received regarding the issue last month but that two days after submitting the application a request to table was received at that time. Mr. Schwartz stated that since the matter had not been advertised and no action had been taken on behalf of Staff it was not placed on the agenda. Since a letter was now received formally requesting a tabling of the matter he was asking for a motion. Mr. Eilerman then made a motion to table the matter for a period of up to six months. Mr. Wessels seconded the motion. A roll call vote on the matter found Mr. Eilerman, Mr. Wessels, Mr. Bertram, Mr. Coates, Mr. Cook, Mr. France, Mr. Hadley, Mr. Hilgefurd, Mr. Hushebeck, Mr. Ryan, Ms. Snyder, Ms. Weldon, Mr. Swanson, Mr. Price and Mr. Theissen in favor. The motion carried unanimously.

Mr. Schwartz additionally gave a brief update of all current legislative bills and their status relative to the Planning Commission.

Mr. Theissen noted that Mr. Scott Hiles was to speak on the combining of regulations for Boone, Kenton and Campbell counties but that he became ill earlier in the day. He did note he spoke to Mr. Hiles and

relayed that he had gotten together with Dennis Gordon and Peter Klear. He stated it was determined that there is no substantive difference between the three counties as far as the regulations and that basically it is an administrative difference. He noted that Mr. Hiles would be meeting again to discuss the issues.

COMMENTS/REQUESTS TO THE COMMISSION:

Mr. Swanson noted that Ms. Carlin's mother had passed away and that was why she was not present at the meeting. Mr. Schwartz then stated that flowers were being sent on the Commission's behalf in sympathy.

There being no further business to come before the Commission, the meeting was adjourned at 7:20 p.m. None opposed.