Northern Kentucky Area Planning Commission  
Meeting Minutes: April 18, 2011  

Vice Chairman Tom Kriege called the monthly business meeting of the Northern Kentucky Area Planning Commission to order at 5:15 PM in the Commission Chambers of the NKAPC Building in Fort Mitchell. Attendance of members was as follows.

<table>
<thead>
<tr>
<th>Term</th>
<th>Present</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Chairman Bill Goetz</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<td>Vice Chairman Tom Kriege</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<td>Treasurer Tom Litzler</td>
<td>May 2010 through April 2012</td>
<td>X</td>
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<td>Commissioner Sherry Carran</td>
<td>May 2009 through April 2011</td>
<td>X</td>
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<td>Commissioner Paul Meier</td>
<td>May 2010 through April 2012</td>
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<td>Commissioner Dick Spoor</td>
<td>May 2009 through April 2011</td>
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<td>Commissioner Gene Weaver</td>
<td>May 2009 through April 2011</td>
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Also present were: Stacy Tapke, Legal Counsel; Jan Crabb, Finance/HR Administrator; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant.

Vice Chairman Kriege asked for a moment of silent prayer and led the Pledge of Allegiance.

ACCEPTANCE OF AGENDA

Vice Chairman Kriege asked for review of the agenda. Commissioner Weaver made a motion to accept the agenda as recommended; Commissioner Litzler seconded the motion. Vice Chairman Kriege asked for a voice vote on the motion which found unanimous approval. The motion passed.

ONGOING BUSINESS

Vice Chairman Kriege called for comments from the public and noted that there were no members of the public present.

Vice Chairman Kriege asked if the Minutes of the March 21 business meeting were acceptable or if anyone had any additions/corrections. Commissioner Weaver made a motion to accept the March 21 minutes as presented; Commissioner Litzler seconded the motion. Vice Chairman Kriege asked for a roll call vote on the motion which found Commissioners Weaver, Litzler, Carran, Meier, Spoor, and Vice Chairman Kriege in favor of the motion. The motion passed unanimously.
Ms. Crabb gave an overview of the March financial report and Mr. Gordon reviewed the most recent fee-based revenue report. After a brief discussion, Vice Chairman Kriege asked for a motion. Commissioner Meier made a motion to accept the March reports as presented subject to audit; Commissioner Spoor seconded the motion. Vice Chairman Kriege asked for a roll call vote on the motion which found Commissioners Meier, Spoor, Carran, Litzler, Weaver, and Vice Chairman Kriege in favor of the motion. The motion passed unanimously.

At this time, Ms. Crabb left the meeting.

Vice Chairman Kriege asked for a report from legal counsel. Ms. Tapke stated that NKAPC had been dismissed from a board of adjustment appeal and that she had nothing else to report.

Vice Chairman Kriege asked the executive director for his report. Mr. Gordon updated members on the draft subdivision regulations review. He stated that the Mayors’ Group Committee has made ten recommendations over and above staff’s recommendations. He indicated that the draft regulations have also been reviewed by the Homebuilders Association, the Water District, SD1, the Kentucky Association of Professional Surveyors, the Kentucky Society of Professional Engineers, the Kentucky Transportation Cabinet, and that staff is waiting on a response from the Conservation District. Mr. Gordon stated that the HBA submitted over 400 comments, some of which dealt with requirements that have been on the books for over 30 years. A comparison of these comments and staff’s comments will be presented at the next Mayors’ Group’s committee meeting. He estimated that the committee will make its final recommendation to the Mayors’ Group in July. Mr. Gordon’s comments were followed by a brief discussion.

Mr. Gordon provided background regarding a recent agreement with Fort Mitchell regarding administration of its chronic nuisance ordinance. He indicated that Mayor Wiest had expressed interest in increasing the level of service NKAPC provides to the City of Fort Mitchell under the One Stop Shop program. Mr. Gordon stated that the city had passed a chronic nuisance ordinance a year or so ago and the city wants NKAPC to assist its Police Department in enforcing it. After reviewing the ordinance, staff determined that only a handful of issues (barking dog, odors) didn’t fall within the existing code enforcement agreement already in place with the city and that there wouldn’t be a significant increase in staff’s workload.

Mr. Gordon indicated that the only difference between a regular violation and a chronic nuisance would be the paperwork staff would complete. He stated that, at this time, he has agreed to assist the City of Fort Mitchell at no additional cost and that a Memorandum of Understanding or Memorandum of Agreement will be drawn up between NKAPC and the City of Fort Mitchell stating that this matter will be reviewed in 60 to 90 days and, if the workload increases significantly, a contract for this work will be negotiated. Mr. Gordon indicated that the proposed MOU or MOA will be brought before members prior to its signing.

Mr. Gordon then advised members of recent conversations regarding the NKAPC high-rise sign. He indicated that several individuals have questioned the necessity of a government agency “advertising”. His response to these comments was that the non-conforming sign was in place when the building was purchased and that it adds approximately $100,000 to the value of the property. He stated that the sign has to be maintained in order to keep its non-conforming status.
As a result of these comments, Mr. Gordon indicated that he has been investigating possible alternative uses for the sign which would eliminate the “advertising” issue and benefit the community. He outlined several alternatives and, after some discussion, the general consensus was that these alternatives should not be pursued. Members were of the opinion that the sign should be maintained as is and that every effort should be made to protect the value the sign adds to the property.

Vice Chairman Kriege then opened discussion regarding KRS chapters 100 and 147 and the agreements that established and enlarged the Kenton County Planning Commission, all relating to the City of Walton. Mr. Gordon indicated that the City of Walton has had land in Kenton County since the late 1980s but hasn’t participated in or been represented on the Northern Kentucky Area Planning Council/Commission or the Kenton County Planning Commission. The members discussed what steps should be taken to ensure the Kenton County residents of Walton were adequately represented. Mr. Gordon stated that he would continue investigating how best to proceed.

Vice Chairman Kriege asked for reports from committees or members. Commissioner Carran stated that she had just returned from the APA National Planning Conference in Boston and that the workshops she attended were very worthwhile. She thanked the other members for giving her the opportunity to attend.

At 6:25 PM on the recommendation of Ms. Tapke, Commissioner Spoor made a motion that members go into executive session to discuss proposed litigation pursuant to KRS 61.810(1)(c); Commissioner Weaver seconded the motion. Vice Chairman Kriege asked for a voice vote which found unanimous approval. The motion passed unanimously.

At this time, Ms. Remley left the meeting.

At 6:48 PM Commissioner Spoor made a motion to come out of executive session and noted that no action had been taken during the executive session; Commissioner Carran seconded the motion. Vice Chairman Kriege asked for a voice vote which found unanimous approval. The motion passed unanimously.

**NEW BUSINESS**

Vice Chairman Kriege asked for review of the initial draft FY12 budget. Mr. Gordon advised members that the initial draft before them did not balance revenues and expenditures because he wanted to make certain that Commissioners’ ideas had been taken into account before the final allocations were made. Mr. Gordon also described several judgments he had made in putting together this initial draft. Discussion among members and Mr. Gordon ensued. Mr. Gordon asked members to please review the document over the coming week and to let him know if they had any comments or questions. He told them he would be prepared with a final balanced draft of the document—along with an initial draft work program—to discuss at the next meeting of the Commission.

Vice Chairman Kriege asked if there were any other comments or business to come before the Commission.
With no comments, Vice Chairman Kriege adjourned the meeting 7:00 PM.

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Bill Goetz, Chairman

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Dennis Andrew Gordon, FAICP
Executive Director/Secretary