Planning and Development Services Management Board
Meeting Minutes: March 23, 2017

Chairman Tom Litzler called the monthly business meeting of the Planning and Development Services Management Board to order at 5:15 PM in the Commission Chambers of the PDS 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 Tom Litzler</td>
<td>May 2016 through April 2018</td>
<td>X</td>
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<td>Vice Chairman Paul Meier</td>
<td>May 2016 through April 2018</td>
<td>X</td>
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<td>Treasurer Chris Moriconi</td>
<td>May 2016 through April 2018</td>
<td>X</td>
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<td>Sherry Carran</td>
<td>May 2015 through April 2017</td>
<td>X</td>
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<td>Mark Kreimborg</td>
<td>May 2015 through April 2017</td>
<td>X</td>
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<td>Matt Mattone</td>
<td>May 2016 through April 2018</td>
<td>X</td>
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<tr>
<td>Beth Sewell</td>
<td>May 2015 through April 2017</td>
<td>5:35</td>
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Also present were: Bernie Wessels, Councilman Fort Wright and incoming Board Member; Garry Edmondson, Legal Counsel; Jan Crabb, PHR, Finance/HR Administrator; Emi Randall, AICP, RLA, Director of Planning and Zoning; Brian Sims, CBO, Chief Building Official; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Administrative Assistant.

Chairman Litzler asked Ms. Remley to call the roll. Following roll call, he asked that the record reflect that a quorum was present. Chairman Litzler then welcomed Councilman Wessels who will be joining the Board in May. He stated that Councilman Wessels was welcome to participate in discussions but was not eligible to vote.

**ACCEPTANCE OF AGENDA**

Chairman Litzler asked if there were any necessary changes to the agenda. With none, Mr. Moriconi made a motion to accept the agenda as presented; Ms. Carran seconded the motion. A voice vote found unanimous approval.

Chairman Litzler asked if there were any comments from the public and noted that there were none.

**ONGOING BUSINESS**

Chairman Litzler asked if the minutes of the February 23, 2017 meeting were acceptable or if anyone had any additions/corrections.
With no changes, Chairman Litzler asked if there was a motion regarding the minutes. Ms. Carran made a motion to accept the minutes of the February 23, 2017 meeting as presented; Mayor Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Carran, Meier, Moriconi, and Mattone in favor of the motion with Kreimborg, and Chairman Litzler present but not voting. The motion passed unanimously.

Ms. Crabb provided the February month-end financial and fee-based revenue reports. She outlined revenues/expenses to date and stated that there was one budget exception – LINK-GIS. Ms. Crabb indicated that One Stop Shop revenue is 22% above projection and 13% over last year. Members asked for additional information regarding the long-term debt and OSS revenue in order to discuss items 15 and 16. Mr. Gordon indicated that he would provide members with background information regarding the proposed OSS fee increase later in the meeting and Ms. Cullum was asked to join the meeting to answer questions regarding the long-term debt payments. Ms. Cullum advised members that PDS pays $10,000 plus interest (at a variable rate) and fees (approximately $60,000) on a quarterly basis for the building bond and $30,000 annually on the renovation bond.

Following additional discussion, Chairman Litzler asked for a motion regarding the financial reports. Mayor Meier made a motion to accept the February 2017 financial reports subject to audit; Ms. Carran seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Meier, Carran, Kreimborg, Moriconi, Mattone, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for a report from legal counsel. Mr. Edmondson stated that he had nothing new to report.

Chairman Litzler asked for reports/comments from members of the Board. He stated that he had attended the morning session of the recent sign regulation meeting and that it had been well attended with few questions. Mr. Edmondson noted that there were fewer people at the evening meeting but there had been more questions. Discussion followed.

Commissioner Sewell joined the meeting at approximately 5:35 PM.

Chairman Litzler noted that a copy of a letter from the Sisters of St. Walburg had been provided to members complimenting staff. He then asked about the nine items on the upcoming KCPC agenda and asked if the commission would be able to hear all nine items in one meeting. Mr. Gordon provided background information regarding the commission’s bylaws which provide for an overflow date – the following Tuesday – and stated that staff will be recommending at the start of the meeting that the agenda be split so members of the public don’t have to wait if their matter won’t be heard until the following Tuesday.

Mr. Kreimborg apologized for missing several meetings due to his work schedule and stated that he had decided not to seek re-election for this reason.
Chairman Litzler asked for a report from the executive director. Mr. Gordon advised members that, due to the change in format, the budget wouldn’t be ready and that he is recommending that the April 10th meeting be cancelled. Discussion followed and Mr. Gordon indicated that he would meet with members individually or in small groups to go over the budget. Chairman Litzler asked if the budget would be available in both formats for the coming year and Mr. Gordon confirmed that they would. Discussion regarding the new format and OpenGov followed.

Chairman Litzler asked for review of a recommendation from staff regarding the reimbursement rate PDS pays its building and engineering inspectors for use of private vehicles for construction inspection travel. Mr. Gordon provided background regarding how the reimbursement rate is set and stated that staff had contacted the IRS to see if a different rate could be set for inspectors. IRS staff stated that PDS can set its own rate with justification. Mr. Gordon indicated that the justification of the higher rate was due to the building and infrastructure engineering inspectors being on construction sites and sustaining damage to their vehicles – i.e. Mr. Sims picking up a spike in the tire of his brand-new truck. The slightly higher rate would help cover the cost of repairs.

Ms. Crabb stated that the IRS had reduced its rate from $0.54 to $0.535 in January and provided information regarding AAA’s mileage calculations for “construction” vehicle. She indicated that this calculation included maintenance and averaged out to be $0.54 per mile. She advised the Board that, while the ten inspectors would be reimbursed at the higher rate, non-construction mileage for other staff would be paid at $0.535 per mile.

With no further discussion, Chairman Litzler asked for a motion regarding the reimbursement rate. Mr. Kreimborg made a motion to increase PDS’s mileage reimbursement rate for its building and engineering inspectors for use of private vehicles for construction inspection travel to $0.54 per mile from the IRS rate of $0.535 and that this higher rate be retro-active to January 1, 2017; Mr. Moriconi seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Kreimborg, Moriconi, Mattone, Sewell, Carran, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for review of a requested amendment to the Local Participation Agreement for Buttermilk Pike/Royal Drive Development Area by and among the City of Fort Mitchell, Kentucky, and the County of Kenton, Kentucky, and Planning and Development Services of Kenton County, and Fort Mitchel Economic Development Authority, Inc. Mr. Gordon advised members that the proposed changes are a result of the issues Christ Hospital has encountered and that the main change would be the start date for the TIF. He indicated that Mr. Edmondson has reviewed the changes and doesn’t have any issues with it. Staff is recommending approval of the amended agreement. Following discussion regarding the changes, the tax revenue and assessed values, Mayor Meier indicated that he was comfortable using the 2013 figures.
With no further discussion, Chairman Litzler asked for a motion regarding the proposed amendment to the Local Participation Agreement. Mayor Meier made a motion to approve the amendments to the Local Participation Agreement for Buttermilk Pike/Royal Drive Development Area by and among the City of Fort Mitchell, Kentucky, and the County of Kenton, Kentucky, and Planning and Development Services of Kenton County, and Fort Mitchell Economic Development Authority, Inc. as presented; Mr. Moriconi seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Meier, Moriconi, Mattone, Sewell, Carran, Kreimborg, and Chairman Litzler in favor of the motion. The motion passed unanimously.

There was a brief discussion regarding HB330 and its proposed limits to the length of TIF districts.

Chairman Litzler asked for review of staff-recommended changes to PDS’ One Stop Shop program endorsed by the PDS Council; to be effective July 1, 2017. Ms. Randall advised members that the OSS program started out ten years ago, with seven jurisdictions and that there are now 17 jurisdictions participating in the program. She indicated that, after presenting the issue to the Council, a review committee was formed and the committee developed what they believe is a fair and equitable service plan. She then reviewed the recommended changes and compared the current jurisdictional costs with the proposed costs. Ms. Randall stated that some jurisdictions’ costs will go down while heavier users’ costs will go up but that the costs of the program will be spread more fairly and each jurisdiction will be paying the same rate for the same service.

Mr. Moriconi indicated that he had served on the committee and that the proposal is more equitable. Discussion regarding the current service levels and the proposal followed. Ms. Randall reviewed the figures provided to the Council in February and Chairman Litzler asked that she provide them with a copy by email. Mr. Gordon reminded members that these changes would not be effective until July 1, 2017 allowing the jurisdictions time to incorporate the changes in their budgets.

Following some additional discussion, Chairman Litzler asked for a motion regarding the recommended changes. Ms. Carran made a motion to approved the proposed changes to PDS’ One Stop Shop program which were endorsed by the PDS Council with an effective date of July 1, 2017; Mr. Moriconi seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Carran, Moriconi, Mattone, Sewell, Kreimborg, Meier, and Chairman Litzler in favor of the motion. The motion passed unanimously.

NEW BUSINESS

Chairman Litzler asked for review of a recommendation from the PDS Council to relocate operations to the County’s new administration building in Covington per an invitation from the Fiscal Court, and, to authorize the executive director and legal counsel to negotiate the necessary agreement(s) for Board consideration and action.
Chairman Litzler noted that concerns regarding the letter of intent were raised at the Council meeting. Mr. Gordon stated that the letter didn’t cover everything and that he has been meeting with Joe Shriver to discuss the details.

Mayor Meier stated that a 15-year term was also a concern as well as the amount of rent proposed. Mr. Gordon provided background as to how the $240,000 annual rent payment was calculated.

Councilman Wessels stated that we all represent Kenton County taxpayers and that the space should be rent free except for utilities, that the proceeds from the sale of the building should be put against the new building, and that PDS could reduce its tax rate allowing the County to increase its rate if needed. Discussion followed.

Mr. Gordon stated that they haven’t worked out all the numbers yet but that they would negotiate the best deal possible.

Mr. Kreimborg questioned giving up the control PDS has here as well as giving up the building which is an asset. He asked what would happen after 15 years when there is a new judge-executive in office. He indicated that he believes PDS should stay where it is which is more centrally located. There was discussion regarding possible renovations to the Independence Courthouse as well as a review of the heat map that was presented to the Council.

Mr. Moriconi indicated that this is a nice building and that it needs some work but that he will support the Council’s resolution/decision. Both he and Ms. Carran indicated that they were glad this issue had been presented to Council first and that the Board has the benefit of knowing the Council’s wishes.

With no further discussion, Chairman Litzler asked for a motion regarding the Council’s recommendation. Mayor Meier made a motion expressing the PDS Management Board’s desire to relocate PDS operations to Kenton County’s new administration building in Covington, to authorize legal counsel and the executive director to negotiate an agreement(s) with Kenton County Fiscal Court to facilitate this move, and direct that the proposed agreement be brought back to the Board for review and approval; Ms. Carran seconded the motion.

Chairman Litzler asked if there were questions or additional discussion regarding the motion. Mr. Moriconi stated that they needed to get as much detail as possible in writing. Mayor Meier stated that he understood the space was to include fixtures/furnishings and Mr. Edmondson confirmed that it was to be furnished. Chairman Litzler asked that members be kept informed throughout the negotiation process. Mr. Gordon indicated that he could provide email updates each Friday and stated that there is an Admin Advisory Committee that meets once a month with the next meeting being on Monday. There was a brief discussion regarding the transfer of the building to the Fiscal Court and how the money aspect will work.
With no additional discussion, Chairman Litzler asked for a roll call vote on the motion which found Board Members Meier, Carran, Kreimborg, Moriconi, Mattone, Sewell, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for review of a recommendation from staff to increase all One Stop Shop and infrastructure inspection fees by 1.4 percent – based on the 2016 Cincinnati metro CPI-U – effective July 1, 2017. Mr. Gordon indicated that, when the OSS program was established in 2006, the interlocal agreements included a provision for fee increases so the jurisdictions wouldn’t have to address them. He stated that there hasn’t been an increase based on the CPI since 2013 and that we need to get back on schedule.

Mr. Gordon stated that, if approved, a sign would be posted in the permit office and that there has never been more than a passing comment. He also reminded the Board that an annual increase was originally requested by the Home Builders because a small yearly increase is easier for builders/developers to budget than a larger increase every few years.

Councilman Wessels asked if this increase is needed or just wanted. Mr. Gordon explained the Council’s directive that staff maintain a cost recovery goal of 90% and stated that the proposed increase is needed to try to meet that goal.

Following additional discussion, Chairman Litzler asked for a motion regarding increasing all OSS and infrastructure inspection fees. Ms. Carran made a motion to increase all One Stop Shop and infrastructure inspection fees by 1.4 percent – based on the 2016 Cincinnati metro CPI-U with this increase to become effective July 1, 2017; Commissioner Sewell seconded the motion.

Chairman Litzler asked if there were any questions or discussion regarding the motion. Mr. Moriconi recommended keeping the tax rate the same if possible. Mayor Meier suggested noting the last time the fees were increased on the sign.

Chairman Litzler asked for a roll call vote on the motion which found Board Members Carran, Sewell, Kreimborg, Meier, Moriconi, Mattone, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked if there was any new business to come before the Board. There was none.

With no other business to come before the Board, Mr. Kreimborg made a motion to adjourn the meeting and Mr. Moriconi seconded the motion. With all in favor, the meeting adjourned at 7:27 PM.
Tom Litzler, Chairman

Dennis Andrew Gordon, FAICP
Executive Director/Secretary