Planning and Development Services Management Board  
Meeting Minutes: August 23, 2018

Chairman Tom Litzler called the monthly business meeting of the Planning and Development Services Management Board to order at 5:17 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 2020</td>
<td>X</td>
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<td>Vice Chairman Paul Meier</td>
<td>May 2016 through April 2020</td>
<td>X</td>
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<td>Sherry Carran</td>
<td>May 2017 through April 2019</td>
<td>X</td>
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<td>Jessica Fette</td>
<td>May 2018 through April 2020</td>
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<td>Matt Mattone</td>
<td>May 2016 through April 2020</td>
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<td>Beth Sewell</td>
<td>May 2017 through April 2019</td>
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<td>Bernie Wessels</td>
<td>May 2017 through April 2019</td>
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Also present were: Garry Edmondson, Legal Counsel; Trisha Brush, GISP, Director of GIS Administration; Nicole Cullum, CB, Accountant; Ryan Hermann, Associate GIS Specialist; Emi Randall, AICP, RLA, Director of Planning and Zoning; Dennis Andrew Gordon, FAICP, Executive Director; and Lori Remley, Executive Assistant.

Chairman Litzler asked Ms. Remley to call the roll. Following the roll call, he asked that the record reflect that a quorum was present.

**ACCEPTANCE OF AGENDA**

Chairman Litzler asked if there were any necessary changes to the agenda. Ms. Carran noted that the board may want to move item 11 up on the agenda since Mayor Meyer needed to leave at 6:00 PM. Chairman Litzler asked if there were any other changes, with none, Ms. Carran made a motion to accept the agenda as amended; Commissioner Sewell 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 June 28, 2018 meeting were acceptable or if anyone had any additions/corrections. Mayor Meier noted that there were two minor corrections, one on page 6 and the other on page 7 and that he had given them to Ms. Remley.

With no other changes or corrections, Chairman Litzler asked if there was a motion regarding the minutes. Ms. Carran made a motion to accept the minutes of the June 28, 2018 meeting as amended; Commissioner Sewell seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Carran, Sewell, and Chairman Litzler in favor of the motion with Mayor Mattone and Mayor Meier present but not voting. The motion passed unanimously.

Chairman Litzler asked for a review of the June and July financial reports. Ms. Cullum reviewed the June financial statement (a copy of which is attached to the original minutes). She indicated that, at 100% of the way through the year, revenue is above projections at 105.3% and fees for services at 109%. She noted that expenses were below projections at 96% of budget and that One Stop Shop revenues are over projections at 107.7% while expenses were below projections at 89.1%.

Ms. Cullum also provided members with a summary of tax revenue collected during the fourth quarter for each year since FY12. She noted the fluctuation in the amounts collected and stated that this fluctuation is the reason why it’s nearly impossible to predict the carryover amount accurately from one year to the next. Discussion followed.

Chairman Litzler asked for a motion regarding the June financial report. Mayor Meier made a motion to accept the June 2018 financial report 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, Mattone, Sewell, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Ms. Cullum then reviewed the July financial statement (a copy of which is attached to the original minutes). She indicated that, at 8.3% of the way through the year, revenue is below projections at 3.2% with fees for services at 7.5%. She noted that expenses were below projections at 7.9% of budget.

Chairman Litzler asked for a motion regarding the July financial report. Commissioner Sewell made a motion to accept the July 2018 financial report subject to audit; Mayor Meier seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Sewell, Meier, Carran, Mattone, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler asked for the report from legal counsel. Mr. Edmondson stated he had nothing to report.
Chairman Litzler opened discussion on proposed Resolution 845-2018 setting the 2018 PDS tax rate. He updated members regarding the public hearing that was held Tuesday evening and stated that even though the PDS Council had approved the compensating rate plus four percent, staff is only asking for comp plus two percent.

Mr. Gordon stated that, once the assessment numbers were received from Frankfort, staff found that the full four percent wouldn’t be needed to fund the budget as approved. He noted that even though the PDS Council voted to approve the budget as presented, members had expressed concerns about maintaining the level of service, staffing levels, and keeping wages competitive to retain quality staff. He indicated that the question was whether to take the amount necessary to fund the approved budget or to take the approved four percent. Staff made the difficult decision to take only what was necessary to fund the approved budget.

Mr. Gordon advised the Board that staff was recommending Resolution 845-2018 setting PDS’ tax rate at 2.96₵ per $100 assessed valuation.

Ms. Carran indicated that she believes the decision was based on sound reasoning and would hopefully raise the public’s level of trust and respect. Commissioner Sewell acknowledged the competing goals represented by Councilman Wessels’ concerns for increasing the tax rate and the PDS Council’s concerns about keeping good staff. Chairman Litzler indicated that he agreed with Ms. Carran’s comments. He stated that Mr. Gordon’s decision showed integrity, that staff is being a good watchdog of taxpayer dollars, and that there is justification for what is being done. Mayor Mattone stated that by only taking two percent shows that we are trying to do the right thing for the citizens of Kenton County and PDS.

Following additional discussion, Chairman Litzler asked if there was a motion regarding the proposed resolution. Mayor Meier made a motion to approve Resolution 845-2018 setting the 2018 PDS tax levy at $0.0296 per $100 assessed valuation on both real and personal property to fund the budget approved by the PDS Council at its June meeting; Ms. Carran seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Meier, Carran, Mattone, Sewell, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Mayor Meier excused himself from the meeting at 6:00 PM.

Chairman Litzler then asked for the report from the executive director. Mr. Gordon reminded members that he had told them during the June meeting that PDS was advertising for two building inspectors—one to fill a current opening and one to fill the re-instated position funded through the FY19 budget. He stated that he was happy to report that two highly-qualified individuals have been hired and that, unfortunately for the Kentucky Department of Housing and Building Codes, both were previously state employees - Amy Eveler had been the state’s chief plans reviewer and Steve Shively had been one of the few HVAC inspectors left on staff with the state.
Mr. Gordon noted that the new Kentucky Building Code and Kentucky Residential Code are now in effect on a voluntary basis and that both will become mandatory on January 1st.

Mr. Gordon announced that Louis Hill, a senior GIS staff member, had been appointed to the Kentucky Geographic Information Systems Advisory Council (GIAC) by Governor Bevin. GIAC provides an arena in which GIS issues and goals can be discussed and policy recommendations crafted for the General Assembly and state government.

Mr. Gordon also announced that PDS was notified on August 2nd that its use of drone technology to aid and support planning and other programs was selected by URISA’s Exemplary Systems in Government Review Committee to receive recognition as a Distinguished System. The award will be presented during the Awards Breakfast on October 11th at the URISA conference in Palm Springs. Both Trisha Brush and Emi Randall will be presenting at the conference.

Mr. Gordon noted that members had been provided with copies of two letters of appreciation received for PDS’ drone program. He then reported that PDS is about to start on the first focused study of the new fiscal year – a traffic study for the Madison and Greenup corridors in Covington. He stated that Adam Kirk, PDS’ part-time traffic engineer, will pursue this project and craft the recommendations the Covington City Commission seeks regarding changing both Scott and Greenup to two-way streets.

Mr. Gordon then asked Ms. Randall to update members on the progress staff is making on the Z21 Initiative.

Ms. Randall advised members that our consultants had been in town this week and had provided the second “bucket” which included zoning districts, use tables, and use-specific standards. She stated that there had been two meetings, both of which had been well attended. She noted that the consultants would be back at the end of October with the third bucket that includes character standards and development standards.

Finally, Mr. Gordon asked members to mark their calendars for the annual staff appreciation breakfast that will be held on Tuesday, October 30th, at 8:00 AM.

Ms. Carran reminded members that Mayor Meier had noted a conflict with the Board’s September 20th meeting and suggested starting the meeting earlier to allow those attending the Chamber dinner to attend the board meeting.

Following a brief discussion, Ms. Carran made a motion to move the September 20th meeting time from 5:15 PM to 4:00 PM; Commissioner Sewell seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Carran, Sewell, Mattone, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Several members took the opportunity to thank Mr. Gordon for how he handled the public hearing on Tuesday. Mr. Gordon stated that he appreciated their comments and feedback.
Chairman Litzler opened discussion with staff about PDS’ legacy files, discussions with Judge-Executive Knochelmann and a representative of the Kentucky Department of Libraries and Archives, and the upcoming move to the new Kenton County Administration Building. Mr. Gordon provided background regarding the dense file storage, going digital, and the need to beef up the floors in the new building if the files are going to be moved. He stated that there is approximately 725 linear feet of dense storage or 70,991 files.

Mr. Gordon noted that, following discussion with the Judge-Executive, staff had met with a representative from Kentucky Department of Libraries and Archives to discuss the possibility of grant money to help pay part of the cost of scanning these legacy files. He stated that the Judge-Executive is willing to cover part of the scanning costs not covered by the grant since not taking these files would save the county over $100,000 to beef up the floors. Discussion followed.

Chairman Litzler asked for reports from staff on a draft policy statement for the PDS drone.

Mr. Hermann took the opportunity to announce that in addition to Distinguished in URISA’s Single Process System, the drone program has won KAPA’s Outstanding Use of Innovative Technology Award. He also advised members that he received a call last month that he has been granted an FAA waiver to fly our drone in Lunken airspace. Discussion followed.

Mr. Hermann then summarized the draft Procedure for Use of Drones at PDS and noted that some language had been pulled directly from FAA guidelines while other restrictions were being self-imposed by PDS. Discussion regarding the procedure followed. Mr. Gordon stated that the final draft procedure would be reviewed by Mr. Edmondson and it would be sent to members for their review. Chairman Litzler asked if the drone should be added to PDS’ liability coverage and Mr. Gordon stated that it is already covered.

Mr. Hermann then reviewed the UAS Disaster/Emergency Protocol and advised members that the drone has already been used in two emergency situations – a fire on Richardson Road and an accident reconstruction. He noted that PDS has been asked to assist Beechwood School with an active shooter drill in October with responders from three counties. Additional discussion followed.

Mr. Gordon told members that staff would provide this information to Mr. Wessels for whatever input he might want to make.

Chairman Litzler asked for reports from members. With no reports from other members, Chairman Litzler took the opportunity to ask how conditions set by a board of adjustment are tracked to ensure they are met. Ms. Randall stated that the conditions are filed in the TRAKIT database and staff will check the plans to make sure the conditions are met. Following a brief discussion, Chairman Litzler stated that Andy Videkovich and Patrick Denbow had recently provided staff support to a BoA meeting in Fort Wright and had done a good job.
NEW BUSINESS

Chairman Litzler opened discussion on a staff recommendation to adopt amendments to Direction 2030: Your Voice Your Choice, the area-wide comprehensive plan. Ms. Randall stated that, in addition to the Bike/Pedestrian Plan presented to members at the June meeting, staff is recommending updates to:

- The Land Use Map
- Text changes – i.e. mixed use definition and community service areas in Independence
- Proposed Road Amendments – removing two (16 in Taylor Mill and Ky 177) which have been determined unfeasible.
- Technical update to D2030

Following discussion regarding the various updates, Chairman Litzler asked for a motion regarding the proposed amendments. Commissioner Sewell made a motion to accept and recommend the adoption of the amendments to the area-wide comprehensive plan, Direction 2030: Your Voice Your Choice; Mayor Mattone seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Sewell, Mattone, Carran, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler opened discussion on a staff recommendation to authorize the executive director to sign a professional services agreement with Larry Perry and Associates, Inc., of Knoxville, Tennessee, to provide radio frequency technical consulting to include analysis, evaluation, and review of telecommunication facilities, noting that costs will be completely covered by applicant fees.

Mr. Gordon provided historical background and stated that staff has received recent inquiries which resulted in the need for renewal of Mr. Perry’s contract. He indicated that this is a revenue neutral issue with the fees paying all the costs. He also noted that Mr. Edmondson had reviewed the original contract.

Following additional discussion, Chairman Litzler asked for a motion regarding the contract. Ms. Carran made a motion to authorize the executive director to sign a professional services agreement with Larry Perry and Associates, Inc., of Knoxville, Tennessee, to provide radio frequency technical consulting to include analysis, evaluation, and review of telecommunication facilities, with costs to be covered by applicant fees; Commissioner Sewell seconded the motion. Chairman Litzler asked for a roll call vote on the motion which found Board Members Carran, Sewell, Mattone, and Chairman Litzler in favor of the motion. The motion passed unanimously.

Chairman Litzler opened discussion regarding a suggestion made during the August 21, 2018 public hearing regarding PDS’ 2018 tax rate.

Mr. Gordon noted that a suggestion was made that all PDS staff be required to live in Kenton County so that they can contribute to the tax revenue paying their salaries and wages. He
noted that of the 48 staff members, 36 live in Kentucky and 12 live in Ohio. Of the 36 who live in Kentucky, 22 live in counties other than Kenton.

Ms. Carran stated that putting a restriction on where staff lived would limit the number of qualified people who would apply to PDS openings. Chairman Litzler agreed.

Ms. Carran also stated that she believes there is a KRS that prohibits PDS from placing this restriction on staff. Mr. Edmondson stated that he believed Ms. Carran was correct.

Following additional discussion, Chairman Litzler stated that it was the consensus of the Board that PDS continue as it has in the past and not restrict where its employees can live.

Chairman Litzler asked if there was any new business to come before the Board. There was none. Commissioner Sewell made a motion to adjourn the meeting and Ms. Carran seconded it. With all in favor, the meeting adjourned at 7:18 p.m.

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Tom Litzler, Chairman

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Dennis Andrew Gordon, FAICP
Executive Director/Secretary