

**NORTHERN KENTUCKY AREA PLANNING COMMISSION
MEETING MINUTES
AUGUST 28, 2002**

Mr. Kordenbrock, Chair of the Northern Kentucky Area Planning Commission called the meeting to order at 5:45 pm, with all members present.

MEMBERS PRESENT

Mr. Afton H. Kordenbrock, Chair
Mr. Paul Hahn, Vice Chair
Mr. Bill Goetz, Treasurer
Mr. Billy Bradford
Mr. Tom Kriege
Mr. Tom Litzler
Mr. Lou Noll

LEGAL COUNSEL PRESENT

Mr. Garry Edmondson

NKAPC STAFF PRESENT

Mr. William W. Bowdy, FAICP, Executive Director
Mr. Marshall Slagle, FAICP, Technical Services Coordinator
Mr. Michael Schwartz, AICP, Planning Services Manager
Ms. Gail H. Deatherage, Executive Secretary

ACCEPTANCE OF AGENDA

Mr. Kordenbrock asked if the agenda was acceptable or if anyone had any additions/corrections. Mr. Kriege made a motion to accept the agenda as presented; Mr. Goetz seconded the motion. Mr. Kordenbrock asked for a voice vote on the motion, which found unanimous approval; motion passed.

ACCEPTANCE OF MINUTES

Mr. Kordenbrock asked if there were any corrections or changes to the Minutes of August 14, 2002. Mr. Goetz made a motion to accept the Minutes of August 14, 2002; Mr. Kriege seconded the motion. Mr. Kordenbrock asked for a voice vote on the motion, which found

unanimous approval; motion passed. Mr. Kordenbrock did not vote.

LEGAL COUNSEL'S REPORT

Mr. Edmondson noted that in the Jump litigation that there will be a trial in mid-September to determine whether NKAPC will be in the suit.

Mr. Edmondson noted that a deed restriction had been found in the deed search on the parcel, limiting the property for office use or residential use only. He explained how the process of clearing up the deed could be handled and after some discussion noted he could put language in the contract that this deed should be "cleaned up as soon as possible" by the present owners.

Mr. Edmondson noted that members had received copies of the Lease Agreement and the Real Estate Purchase Agreement. Mr. Goetz questioned the language pertaining to the small ground sign. Some discussion ensued with regard to assuring that the language includes that the smaller ground sign will advertise who is occupying the building and will recognize that NKAPC is in the building. Mr. Edmondson noted that the agreement could contain language that Huff will have exclusive use of the ground sign for ten months; and that the NKAPC will have exclusive use after that time; or that after ten months, the ground sign would be changed and shared with Huff Realty and NKAPC, as occupants of the building. Mr. Goetz noted that he has a problem that after we own the building that the NKAPC name will not be on the ground sign, and feels it should be on there. Mr. Litzler noted he felt that this was not an important issue and should not deter or interfere with the sale.

After some further discussion, Mr. Goetz made a motion for Mr. Edmondson to assure that language was in the contract that NKAPC has control of the smaller ground sign and that NKAPC will be on the sign after the purchase is made; Mr. Hahn seconded the motion. Mr. Kordenbrock asked if there were any questions; there were none. He then asked for a roll call vote, which found Mr. Hahn, Mr. Goetz, Mr. Bradford, Mr. Kriege, Mr. Noll and Mr. Kordenbrock in favor; Mr. Litzler voted against. The motion passed by 6-1.

Mr. Edmondson noted that the closing on the building was scheduled to take place on Friday, August 30, 2002, but at this time wasn't sure that it would take place on Friday. He noted that the commission had already approved for the executive director to proceed with the agreement.

Mr. Bowdy noted that he has provided Mr. Huff a copy of the all the building inspection evaluations prepared by Mr. Cloyd. Mr. Kordenbrock expressed concern about some "mold" which had been found in the ceiling of the building. Mr. Bowdy noted that an

environmental company had already been called to do an inspection and it was their initial reaction that it was not "mold", but would provide a more detailed evaluation. Mr. Edmondson noted that Mr. Huff would be responsible for cleaning up or repairing anything that was determined to need repair or replaced, according to the agreement.

Mr. Edmondson noted that he would need a motion to approve a Resolution to approve a lease for the financing of the Executive 75 Building that will create a sinking fund therein.

Mr. Goetz asked if there is a prepayment penalty and Mr. Edmondson noted there was not prepayment penalty.

Mr. Hahn made a motion to approve a Resolution to approve a lease for financing of Executive 75 Building that will create a sinking fund; Mr. Noll seconded the motion. Mr. Kordenbrock asked if there were any questions; there were none. He then asked for a roll call vote, which found Mr. Hahn, Mr. Goetz, Mr. Bradford, Mr. Kriege, Mr. Litzler, Mr. Noll and Mr. Kordenbrock in favor. The motion passed unanimously.

EXECUTIVE DIRECTOR'S REPORT

Mr. Bowdy noted that the GIS Guidance Committee would be meeting on Monday, September 30 at 7:30 am and that Dr. Votruba of NKU and some of his staff will be meeting with the partners and staff for a GIS update.

Mr. Bowdy noted that regarding the Sexually Oriented Business study, that Mr. Kelly, a consultant on the project, will submit an addendum with a revised amount of \$42,000-50,000 to cover the cost of the study which would potentially including all cities in Campbell and Kenton County. He noted that Mr. Schwartz has calculated the population that each city would share in the cost of this study.

Mr. Bowdy noted that Ms. Jort, a new planner, will begin on September 3 and that the planning staff is looking forward to having her on board.

Mr. Bowdy noted that the Kenton County Police Chief's meeting has been changed to September 4, from September 11, at 9:00 am for a GIS presentation.

Mr. Bowdy noted that the South Kenton County Working Group and the KY 536 Task Force would have a joint meeting on September 9 at 12:00 pm. at NKAPC offices.

Mr. Schwartz noted that he had an application which would need to be signed by the Chairman requesting a proposed language change in the Comprehensive Plan Update for the Bus Rapid Transit (BRT) to the Kenton County Planning Commission (KCPC) at their meeting on October 3, 2002. Mr. Schwartz noted that the commission had directed him to

make application to the KCPC for a proposed language change in CPU to include the BRT, after a presentation had been made by Mr. Montazemi of OKIRCOG. Mr. Goetz made a motion to authorize the Chairman to sign the application to the KCPC for a proposed language change in the CPU to include BRT; Mr. Noll seconded the motion. Mr. Kordenbrock asked if there were any questions; there were none. He then asked for a roll call vote, which found Mr. Hahn, Mr. Goetz, Mr. Bradford, Mr. Kriege, Mr. Litzler, Mr. Noll and Mr. Kordenbrock in favor. The motion passed unanimously.

Mr. Bowdy noted that the item, Future Retreat Date with Executive Director, had been added to the agenda item and would appear on the agenda at Mr. Noll's request.

Mr. Kordenbrock asked if there were any questions for Mr. Bowdy. Mr. Litzler asked if it was a common practice for staff to issue temporary certificate of occupancy (c/o) and why they would do this.

Mr. Schwartz explained that in non life-threatening issues, that temporary c/o's are issued. Some further general discussion ensued.

CHAIRMAN'S REPORT:

Mr. Kordenbrock noted that the APA Midwest Regional Planning Conference on September 11-13, will be held at the Northern Kentucky Convention Center, and that a luncheon presenting Mr. Bowdy with the William Bowdy Award is on Friday, September 13. He noted he would like for as many commission members attend as possible.

Mr. Kordenbrock noted that the NK Chamber Annual Dinner will be on Saturday, September 26 at the NK Convention Center and those who wished to attend should advise staff as soon as possible.

Mr. Kordenbrock noted that the Kentucky League of Cities Annual Convention would be held in Northern Kentucky from October 2-5 at the NK Convention Center and to advise staff if you wish to attend.

Mr. Kordenbrock noted that the Area Planning Council dinner meeting would be held on Wednesday, October 30 at Twin Oaks Plantation Club.

Mr. Kordenbrock noted that Mr. Bowdy's retirement dinner will be on Friday, November 1 at the Drawbridge and noted that information will be forthcoming.

MEMBER'S COMMENTS

There were no member comments.

Mr. Kordenbrock asked if there were any other comments or business to come before the commission, there being none he adjourned the meeting at 6:50 pm. with unanimous consent.