



City of Fort Wright

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City of Fort Wright Council Meeting Wednesday, March 3, 2021 – 6:00 PM

CALL TO ORDER

The Council Meeting was called to order at 6:08 PM by Mayor Dave Hatter following the conclusion of the Public Hearing.

The following Councilmembers were present for the meeting:

Councilman Abeln
Councilman Feinauer
Councilman Wall
Councilman Weber
Councilman Wessels
Councilwoman Witt

Also present for the meeting were:

City Attorney Tim Theissen
Fire/EMS Chief Steve Schewe
Police Chief Ed Butler
Public Works Director Jeff Bethell
City Clerk Maura Russell
Treasurer/Senior Deputy Clerk Susan Ellis

CITIZEN COMMENTS/GUESTS

Police Chief Butler introduced Police Officer Matt Betustak, saying he joined the department about a week ago and comes with experience from Dearborn County, Indiana. Officer Betustak spoke, saying he was a Dearborn County Sheriff's Deputy for two years. He said is originally from the Indianapolis, Indiana, area and attended school at Thomas More University. Officer Betustak said he grew to love the Northern Kentucky area and studied law enforcement in college. He said he and his wife got married in October and look forward to making Northern Kentucky their home. Council members each welcomed Officer Betustak to the team.

There were no citizen comments.

APPROVAL OF COUNCIL MINUTES

Councilman Abeln made a motion to approve the minutes of the Council Meeting held on Wednesday, January 6, 2021. Councilman Feinauer made a second. Ms. Russell called roll.

Councilman Abeln	Yes	
Councilman Feinauer	Yes	
Councilman Wall	Yes	
Councilman Weber	Yes	
Councilman Wessels	Yes	
Councilwoman Witt	Abstain	MOTION CARRIED

Councilwoman Witt made a motion to approve the minutes of the Council Meeting held on Wednesday, February 3, 2021. Councilman Wall made a second. Ms. Russell called roll.

Councilman Abeln	Yes	
Councilman Feinauer	Yes	
Councilman Wall	Yes	
Councilman Weber	Abstain	
Councilman Wessels	Yes	
Councilwoman Witt	Yes	MOTION CARRIED

Councilman Feinauer made a motion to approve the minutes of the Caucus Meeting held on Wednesday, February 17, 2021. Councilman Wessels made a second. Ms. Russell called roll.

Councilman Abeln	Yes	
Councilman Feinauer	Yes	
Councilman Wall	Yes	
Councilman Weber	Yes	
Councilman Wessels	Yes	
Councilwoman Witt	Yes	MOTION CARRIED

UNFINISHED BUSINESS

Fort Henry Stabilization Project Bid Review – Mr. Bethell announced that bids for this project were opened on February 19 and JTM Smith Construction was the low bid [at \$186,746.00]. He said the company did receive a letter of recommendation from CT Consultants.

Mr. Bethell said he spoke with Councilman Wessels before the meeting and with this project and the Street Program coming up later in the year, the City budgets about \$500,000 for streets. He said the City receives about \$100,000 in Municipal Road Aid funding, some of which is used for salt and street sweeping. He said both projects will total \$718,751, and the City received \$82,540 in Emergency Road Aid, leaving \$636,211. He said he wanted to make sure Council was aware. Councilman Wessels acknowledged that the programs will be a little over budget because the Fort Henry Project came \$16,000 over the engineer's estimate, but said the projects need to be completed.

Councilman Weber asked about the drains kicking over the hill. Mr. Bethell said the height of the current curb causes water to jump over and will be resolved. He also said he discussed with City Engineer Martin Hellman if anything was moving between the roadway and the pier, and Mr. Hellman confirmed there is nothing moving. Councilman Weber also asked about catch basins and Mr. Bethell advised they will be adjusted to go through the wall.

Councilman Feinauer asked who did the first phase of this project. Mr. Bethell said Terracon. He then asked if this wall will be like the existing wall in form, fit, and function, and Mr. Bethell confirmed that it will be similar. Councilman Wessels said this will be an extension of the existing wall.

Councilman Abeln made a motion to accept the bid from JTM Smith Construction for the Fort Henry Stabilization Project. Councilman Feinauer made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

NEW BUSINESS

COFW 2021 Street Improvement Project Bid Review – Mayor Hatter said the good news with this project is the bid came in under the engineer's estimate, which balances out a bit with going over on the Fort Henry Stabilization Project. Mr. Bethell said the bid opening was on February 25 and four bids were received, with JPS Construction coming in with the low bid by a considerable amount [at \$532,005.00]. He said JPS has done a considerable amount of work for the City and they also received a letter of recommendation from CT Consultants. He said they will be doing the street work for Redwood Drive and Birchwood Drive.

Councilman Abeln questioned the amount of the difference in the bids and Mr. Bethell said CT Consultants also confirmed the amounts a second time with the company. Councilman Weber asked when this will start and Mr. Bethell advised after July 1, but the intersections will be done first because of the pier wall.

Mayor Hatter commented on the bid, reminding residents that JPS Construction has done work for the City several times and has a quality track record. He said it is surprising how far under the estimate they came, but the engineer says it is okay and it is good news for the City to offset the extra expense with Fort Henry.

Councilwoman Witt asked Mr. Bethell if he had any information on the work being done on Bromley-Crescent Springs Road and when it will be reopened. Councilman Feinauer said he thinks the currently closed section will reopen by March 23. Mr. Bethell said he did not know but will work to get more information.

Mayor Hatter said the Amsterdam Road project is on track despite weather and issues, and he said he anticipates it being complete around July. Mr. Bethell agreed, saying it is ahead of schedule and he

hopes it continues. Mayor Hatter acknowledged the inconveniences for residents on that side of the City and knows there will be an additional inconvenience when the Street Program kicks off on Redwood Drive and Birchwood Drive, but he said the whole area will be significantly improved. Mr. Bethell also commented on the improvements expected, saying there will be a drain put in on Redwood Drive.

Councilwoman Witt asked about the timeline for the Redwood and Birchwood project. Mr. Bethell said he thinks they will be complete by November. He also said a lane will be maintained to allow residents in that area access in and out.

Mayor Hatter asked residents to be patient and stay tuned to social media and email for updates.

Councilman Wessels made a motion to accept the bid from JPS Construction for the 2021 Street Program. Councilman Wall made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Resolution 02-2021 re: Bank Depositories – Mr. Theissen said that state statute [KRS 91A.060] requires the City's executive authority to identify the depository institutions. He said this is a housekeeping item to identify the two banks the City is currently using. Councilman Weber asked if this ties into the Investment Policy and Mr. Theissen said it only identifies the banking institutions.

A motion to approve Resolution 02-2021, a Resolution of the City of Fort Wright, Kentucky, approving Republic Bank and US Bank as depository financial institutions for funds of the City of Fort Wright, Kentucky, was made by Councilman Weber. Councilman Wessels made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Resolution 03-2021 re: Coronavirus Utility Relief Program – Mayor Hatter said this Resolution is connected to the Public Hearing held earlier this evening and what Ms. Cooper from NKADD discussed. Mr. Theissen read Resolution 03-2021, a Resolution of the City of Fort Wright authorizing Mayor Hatter to sign and file a Community Development Block-CV Grant application in the amount of \$125,000 to provide utility relief funding to residents.

A motion to approve Resolution 03-2021 was made by Councilman Wessels. Councilman Feinauer made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Personnel Policy Update Pertaining to the Dress Code for PW Dept. – Councilman Weber said he and Councilman Feinauer worked with Ms. Bailey and Mr. Bethell to create this Policy and Resolution. He said it will help residents visually know who the Public Works Department members are, and it also ensures they have the clothing and equipment to do their job. Mr. Bethell said there had not been anything previously and this cleans things up for the Department. He said it will be signed by everyone, so they are aware of the Policy.

Councilwoman Witt asked if there had been issues previously and Mr. Bethell said there have not been any issues expressed. She questioned the detailed examples in the Policy and asked if they were necessary. Mayor Hatter said he tries to stay out of these discussions to a large extent but said there had been concerns raised in the past with appearance. He also said the Police and Fire departments are easily recognizable and the Public Works Department should be as well.

Councilman Weber noted that the City has a duty to make sure safety is followed with clothing. He also said the City does supply the department's clothing and supplies. Councilman Feinauer said the information was adapted based on policies from other cities as well. He also commented that the Public Works personnel will be able to stand out when the City is able to get staffing assistance from the Kenton County Detention Center again, allowing residents to know a Public Works employee versus inmate versus utility agency employee. Mr. Bethell said this ensures the team looks clean, neat, and professional.

A motion was made by Councilman Weber to amend the agenda to include Resolution 04-2021. Councilman Wessels made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

A motion was made by Councilman Feinauer to approve Resolution 04-2021, approving a dress code policy for the employees of the Public Works Department of the City of Fort Wright. Councilman Weber made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Executive Order 02-2021 approving Ramage Museum Board Members – Mr. Theissen advised Council this item will need to be tabled to resolve issues with terms and number of members on the James A. Ramage Civil War Museum Board of Directors. Mayor Hatter approved the tabling of the Executive Order.

COMMITTEE REPORTS

Community Improvement Committee - Chair Councilman Feinauer said the Committee met and updated their list of projects, with several items being closed or recategorized. He said the Gateway Sign project remains a priority and work continues with CT Consultants and Kentucky Transportation Cabinet District 6 [KYTCD6] to obtain permits and review solar lighting options. Councilman Feinauer said the Committee has reviewed the planting plan for the Dixie Highway/Kyles Lane intersection behind Walgreens and has made recommendations for planting varieties. He said the monuments will not be approved for 3L Highway/Madison Pike because of upcoming road work, but he hopes to address it again in the future.

Councilman Feinauer said the Committee discussed the ongoing issue with Door Store delivery and the littering problem created. He said Ms. Bailey reached out to other local cities to discuss how they handle these issues, and no one has put an ordinance through. Councilman Wessels discussed the amount of Door Store items his wife picks up weekly in their neighborhood. Councilman Feinauer said enforcing an ordinance would be difficult because you would have to witness issues as they occur and would need to take the weather into account for wind. He said Door Store does have a “no delivery” policy if they are contacted and the City can advise the company about abandoned property, so they do not deliver to those.

Councilman Feinauer said they reported several problem properties to the Door Store company to eliminate delivery. He said residents can opt out of Door Store delivery by calling a specific phone number. He also said the Committee may send out an email to residents with this information. Councilman Feinauer mentioned the creation of an Adopt-A-Roadway project was discussed to engage citizens in picking up litter in the community.

Councilwoman Witt said she picked up two bags full today and agreed that an ordinance would be tough because of enforcement and penalties. She said the Police Department would have to follow the van and cite them if they deliver incorrectly. She said that the Community Improvement Committee may have a resolution, which would call for an interim step, but that would be discussed at the next Caucus meeting. Councilman Feinauer said the nuisance code would also be reviewed at that meeting.

Councilman Weber asked about automatic watering at the Walgreens planting site. Councilwoman Witt said they had previously discussed tapping into a water main there but the plants on the list are drought-tolerant and would only need to be watered in their first few months until the weather cools off in the Fall. She said trees could utilize tree bags for water. Councilman Weber said he was concerned about staff safety watering at the busy intersection. Councilwoman Witt said they can pull up onto the sidewalk or find a better area to park. Mr. Bethell said irrigation would involve the State of Kentucky and Councilwoman Witt said she doubts that would be allowed.

Economic Development Committee - Chair Councilman Abeln said the stage one development plan has been approved for Mike's Car Wash on the former Golden Corral site and demolition has been permitted and should begin soon.

Councilman Weber mentioned that other cities have given grants for COVID relief to businesses. Councilman Abeln said he has seen and briefly discussed those, but nothing has materialized in Fort Wright. He also said as far as he knows no one in the City has come forward to request funding. Mayor Hatter commented on this, saying the City set up an email address specifically for residents who need assistance. He said the City did get rid of the alcohol tax temporarily and did variations on the outdoor dining zoning, but to Councilman Abeln's point no one has come forward asking for help. He said it presents an interesting scenario on how to judge those who are worthy of help. Mayor Hatter said he is not against it, but also not necessarily hugely in favor. He also pointed out the Administration staff that is busy dealing with other things, like the recently passed property tax amnesty program. Mayor Hatter added that he hopes we are near the end of the pandemic, and with the proper due diligence to put into a program like this, including two readings in front of Council, he hopes the pandemic will be over.

Mayor Hatter continued, saying a couple cities have done something like this and other incentives, but he questioned how a program would be administered, who would manage the money, and how would overhead be handled by the City's three-person Administrative staff.

Finance Committee - Chair Councilman Wessels said there will be a meeting scheduled with Park Hills soon regarding the EMS contract. He said there has not been movement on the RedTree Investment funds as all funds are in different areas of the budget and Ms. Bailey needs time to pull all the funds into one area to then give to RedTree. Councilman Wessels also said Ms. Bailey intends to go back to the state for another request for emergency funds since the Fort Henry project came in over budget.

Councilman Wessels commented on the property tax amnesty program, saying there has been a delay in getting the information gathered but he hopes to have it by Friday. Mayor Hatter said about \$16,000 was paid and will need to be refunded, but the bigger issue is that notifications have not gone out. He said he has asked for this to be made a top priority with the Administration staff as people need to know that they will get a refund, or they need to pay.

Ms. Ellis provided the Administration/Finance report, saying she has been trying to update reports and has caught up on deposits for tax collections. She reported Public Service Certification [PSC] tax collected is \$20,274.27, with almost \$42,000 outstanding. She said \$44,298 in bank taxes has been collected. She also said the first quarter insurance tax collection is at \$186,182.

Councilman Wessels asked Ms. Ellis to provide a report that can be shown on the screens in Council Chambers moving forward, as having it displayed makes it easier for residents watching from home to see the information.

Ms. Ellis also reported that she was out for most of February but is finishing the list for the property tax amnesty program. She said there are three groups: unpaid, refund owed, and write-off of penalty and interest as an administrative function. She said she is working on that information now.

Human Resource Committee - Chair Councilman Weber had no report.

CAO REPORT

Ms. Bailey was absent from this meeting.

DEPARTMENT REPORTS

Administration/Finance – [Reported above.]

Police Department – Chief Butler said having Officer Betustak on staff brings the Department to full force. He said he has nothing major to report at this time except that traffic is picking back up and becoming a mess again. He asked the people pay attention to their surroundings as they drive through the City because more people are out walking and riding.

Fire/ALS Department – Chief Schewe said the Department received a grant for \$15,000 for the replacement LUCAS [Lund University Cardiac Assist System] device so not as much money will be taken from unbudgeted funds. He also said the inspection with ISO [Insurance Services Office] begins on Monday, March 8, and he has spent a lot of time gathering data. He said he will keep Council informed of the Department's progress, but when the review is complete the organization will send a letter with the Department's classification and highlight satisfactory items and things to work on. He said right now the Department is a Class Three and he is happy with that and hopes it stays there.

Chief Schewe thanked Mr. Bethell and his team for their work during the snowstorms. He said the Public Works Department has a pager that they use to listen for Fire/EMS calls to get ahead of where the ambulance and fire trucks need to travel. He thanked them for making it easier for his Department.

Mayor Hatter said there is a Resolution for a Walmart employee and asked Chief Schewe to explain. Chief Schewe said the employee at Walmart witnessed a customer go into cardiac arrest and to his knowledge the customer is still doing well. He said he and Chief Butler are going to Walmart tomorrow morning to recognize the employee for stepping in and helping the customer have a positive outcome.

Mayor Hatter said he thinks this is a nice gesture for the employee's assistance. He said the City spent about \$16,000 on the LUCAS device, and it is a very advanced piece of equipment. He said if someone

goes into cardiac arrest this machine does the chest compressions instead of a person. He said this was an excellent expenditure of funds as it had a major role in saving at least one person so far and he appreciates Chief Schewe bringing these items to Council so they can make smart decisions on the technologically advanced equipment.

A motion was made by Councilman Feinauer to amend the agenda to include Resolution 05-2021. Councilwoman Witt made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Mr. Theissen read Resolution 05-2021, recognizing and honoring Tammy Cagle for her heroic efforts on February 26, 2021. Chief Schewe commented that all the links for the survival chain lined up well and that Ms. Cagle was doing very high-quality CPR when the Fire Department arrived on scene. He said she was clearly trained in it and knew what she was doing.

Councilwoman Witt made a motion to approve Resolution 05-2021. A second was made by Councilman Wall. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

After discussion, Councilman Feinauer made a motion to declare Thursday, March 4, 2021, "Tammy Cagle Day" in the City of Fort Wright via Executive Order 02-2021. Councilman Wessels made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Legal Counsel – Mr. Theissen had no report.

Public Works – Mr. Bethell reported that the Amsterdam Road project should have all storm water infrastructure complete by the end of the week. He said there will be a lull in the activity while they wait for blacktop plants to reopen and then roadway construction can begin.

Mr. Bethell said the month of February was a wild month for the Public Works Department, consisting mainly of snow removal and equipment maintenance. He said his team did an excellent job on back-to-back storms in multiple weeks and he thanked Mike Hoerlein and Trent Evans for their hard work. He also recognized Fire Department staff members Regis Huth, Ray Embry, Chuck Rice, and Brad Foley for their assistance with plowing. Mr. Bethell also thanked the Police Department for assisting with traffic control and shutting down roads, and the Fire Department for clearing sidewalks at the City Administration Building. He said it is great to see everyone pull together for situations like this and the City has a great team.

Mayor Hatter echoed Mr. Bethell's comments, thanking him and his team for doing an excellent job.

SPECIAL ANNOUNCEMENTS

Employee Recognitions/Special Thank You's –Mayor Hatter read through several Thank You's that had been sent into the Public Works Department, as well as one for Police Sergeant Jason Millay and for the Fire Department.

COUNCIL COMMENTS

Councilwoman Witt announced Clean Up Day will be tentatively scheduled for Saturday, April 24. She also thanked the Public Works Department for assisting a local utility provider who got stuck on the Fort Henry hill and thanked the Fire Department for assisting a neighbor who fell in the street.

Mayor Hatter said he echoes those comments, saying there is an amazing team here at the City of Fort Wright and one the best parts of his job is reading the nice comments from residents.

Councilman Feinauer also thanked the Public Works Department and rest of the staff for keeping the City running.

Councilman Weber echoed Councilman Feinauer's comments and added that he appreciated the residents being patient and letting the City's staff get their jobs done.

Mayor Hatter said in his 20-plus years on Council and six years as Mayor this is the first time he has ever had a complaint for not declaring a snow emergency. He said snow emergencies are giant pains for older residents in the City's older neighborhoods that have less parking. He said it is a risk to leave your car on the street, as it creates hazards for City departments, but he appreciates everyone moving their cars if they are able so he does not have to declare a snow emergency.

Mayor Hatter also said because of winter weather the City now has potholes on its streets. He asked if anyone knows where potholes are to email, call, or report it on Facebook so the Public Works Department can take care of them. He reminded residents that the Public Works Department is a team of three, but they do a great job and will repair potholes as quickly as possible.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT OF THE COUNCIL MEETING

Councilman Wessels made a motion to adjourn the Council Meeting. Councilwoman Witt made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Feinauer	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Yes
Councilwoman Witt	Yes

MOTION CARRIED

The Council Meeting adjourned at 7:25 PM.

Respectfully submitted,

Dave Hatter, Mayor

Attest:



Maura Russell
City Clerk