



**City of Fort Wright Council Caucus Meeting Minutes**  
**Wednesday, March 20, 2019 6:00 p.m.**

**CALL TO ORDER**

The meeting was called to order at 6:30 PM by Mayor Hatter following the Special Meeting.

The following Council members were present for the meeting:

Councilman Abeln  
Councilman Feinauer  
Councilman Hoerlein  
Councilman Wall  
Councilman Wessels  
Councilwoman Witt

Also present for the meeting were:

City Administrative Officer Jill Bailey  
City Attorney Todd McMurtry  
Police Chief Marc Schworer  
Fire/EMS Chief Steve Schewe  
Public Works Director Jeff Bethell  
City Clerk Susan Ellis

**CITIZEN COMMENTS**

**Mr. Alan Luebbers, 21 Edna Lane – Water Drainage Issue**

Upon introducing this issue, Council was directed to the engineer's report from August 29, 2018 included in their meeting packet. The conclusion that this was a civil issue.

Mr. Luebbers addressed the council stated that Edna Lane sits in a bowl. He purchased his property in 2011. He was not told of an issue by the previous owners. Since 2011 there had not been an issue however, recently he arrived home to discover his driveway was flooded. He noticed that another resident had built new driveway and had diverted water run off to the front of the property and not to the storm system. There had been sewage problems at top of street. He stated that any house that builds a driveway or has a drainage issue, is diverting water down to Edna and that anything that hits his property has to go through his driveway drain or the water ends up in basement. He expressed his concern about permit issuance and the future potential of other properties diverting water to Edna Lane. He requested that the

City look at this more in depth.

City Engineer Mr. Mark Brueggemann responded stating that the summary is correct. SD1 issues the rules and regulations and is responsible for storm sewer systems. Discussion of this issue needs to go to them as well.

Mr. Luebbers stated that the storm system on Edna will not be able to handle all the run off from Crittenden & Augusta and that SD1 is not going to fix it. This issue will erode property value and he cannot knowingly pass the house on to someone else without disclosing the issue. He stated that the problem would slowly get worse and that the City needs to look at how permits are issued.

Mayor Hatter responded that the City cannot spend public money on private property. SD1 handles storm water and sewage. PDS handles permitting. The City is unable to do anything except to raise awareness and be an advocate.

Mr. Brueggemann recommended that the best course of action to address this situation would be for Mr. Luebbers go to SD1 and meet with Shawn Blake. There are programs to work with private property owners to evaluate existing condition and make recommendations for improvements. It depends on type of program as to what assistance is available.

City attorney Todd McMurtry commented that the driveway should not have been constructed to drain onto another property or cause harm down-stream.

After additional discussion about how storm water runoff is handled and regulated, Mayor Hatter asked if the City as the City or the City through PDS have the authority to tell someone how to control these types of issues. If not, can we, or should we? Is this something we should control through ordinance?

The following was determined:

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- This issue will be sent to PDS to determine if a violation occurred. This would put the burden on the offending property owner to correct.
- Mr. McMurtry will investigate answers to Mayor Hatter's questions above.
- Mayor Hatter will reach out to SD1 to initiate contact on behalf of Mr. Luebbers.

## **ITEMS FOR DISCUSSION**

### **Parks & Recreation Board**

Ms. Bailey provided background on the Parks & Recreation Board. It had been created many years ago but currently is no longer functioning. There were only two members, but their terms have probably already expired. Since it is no longer active, the Community Improvement Committee recommended to dissolve the board. There were no objections. Mr. McMurtry will draft the paperwork to dissolve the board.

### **Ongoing 'Project & Issues' List Review**

**Z21 Project:** Ms. Bailey reported that this has been completed. PDS is promoting and explaining the Z21 Project which dealt with recommended zoning changes and other zoning

related items. They are scheduled to present at the April Caucus Meeting. As this has been completed, it will be removed from the list.

**Collaboration Talks with Neighboring Cities:** Ms. Bailey requested clarification on this item. Mayor Hatter responded that this revolved around conversations with Park Hills and Fort Mitchell. Chief Schewe reported that there had been a few meetings, but administrations have changed since that time. Some things were implemented related to going ALS. The last meeting was when Gary Huff was still City Administrator. Discussion followed regarding creation of a police authority or a fire authority and what other entities were doing. It was determined that this had gone nowhere, so it would be removed from the list.

**Total Compensation Report:** Ms. Bailey reported that this would be for the entire organization. Each employee would receive a total compensation packet, so they could see the value of their salary and all their benefits. This was targeted for the start of the 2019-2020 fiscal year.

**Don Martin Drive:** Mayor Hatter instructed that this be removed from the list.

**Unsolicited Written and Printed Material:** Ms. Bailey reported that Edgewood had put together an ordinance to address unsolicited written and printed material, such as Door Store materials, and that those items are litter, and there are penalties associated with that. Fort Mitchell will be discussing this. Edgewood determined they will not be enacting it. Mayor Hatter expressed his concern that this could be a first amendment issue and how would it be enforced. It would become part of the nuisance so that citations could be issued for leaving these items laying around. Councilwoman Witt commented that the city should place the onus on the companies distributing these materials rather than on the resident. In response to Councilman Wall's question about the newspapers, Mayor Hatter stated that we would need to distinguish between advertisements and newspapers. Mr. McMurtry reviewed the ordinance and found no issue with it. It was the consensus of the Council to put this on the agenda for the next Council Meeting.

Ms. Bailey stated that she had several important issues to report on and would include this information in her weekly report.

### **Updates from Mayor Hatter**

Mayor Hatter received a voicemail from Bob Yaeger of the Transportation Cabinet regarding the Amsterdam Road Project and will forward it to council members as well as some related documents to provide clarity. Everything is ok. The Cabinet has provided some extra funding.

Lighthouse Church is having issues with the State regarding access at their permanent facility on Route 17. The State is telling them they only need right in and right out and wants them to make a u turn and come back. The Church wants a left in and wants the City to advocate on their behalf. The need to have someone look at the study. Mayor Hatter stated that the City would not act on this until the Church has something to present.

Mayor Hatter received an email from Kathleen Romero and Jeannine Kreinbrink of the Museum Board who received word that church neighboring the Museum property is going to be sold. The land swap with Covington that had been discussed previously, has gone nowhere. It is believed the easement is permanent assuming legal documents are correct. The Museum

Board urgently wants to meet to discuss this, but Mayor Hatter wants to gather all information before meeting with them. Mayor Hatter asked Mr. McMurtry to look into this.

There has been no further communication from the resident on Glazier regarding the parking issue.

Ms. Bailey sent an email requesting to meet with the resident on Hazelwood regarding the drainage of water onto the road. The resident is a merchant marine and is working out of town so there has been no response yet.

Councilman Feinauer as if there had been an update on the Kyles lane project. Mayor Hatter responded that a meeting with Mr. Kuhcle had been scheduled but that he (Mayor Hatter) had been unable to make the meeting. Mr. Kuhcle had prepared a letter with a number of questions, many of which predated Mayor Hatter's time as mayor. Mayor Hatter forwarded the letter to Mr. McMurtry. Mayor Hatter also responded to Mr. Kuhcle that he received the letter but was unable to answer the questions and referred him to the City Attorney.

#### **ADJOURNMENT OF THE CAUCUS MEETING**

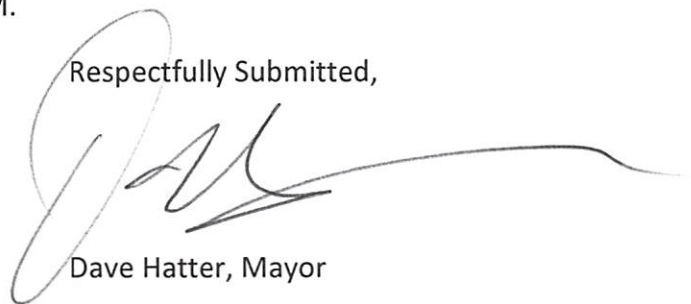
Councilman Wessels made a motion to adjourn the Caucus Meeting. Councilwoman Witt made a second. City Clerk Susan Ellis called the roll.

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

MOTION CARRIED

The Caucus Meeting was adjourned at 8:02 PM.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be "Dave Hatter", with a long horizontal flourish extending to the right.

Dave Hatter, Mayor

Attest:

A handwritten signature in blue ink, appearing to be "Susan Ellis", with a long horizontal flourish extending to the right.

Susan Ellis, City Clerk