



**CITY OF FORT WRIGHT, KENTUCKY COUNCIL MEETING
WEDNESDAY, APRIL 4, 2018 6:00 P.M.**

Mayor Hatter opened the caucus meeting at 6:00 PM with a Pledge of Allegiance and a moment of silence. The following members answered roll call: Mr. Dave Abeln, Mr. Adam Feinauer, Mr. Mike Hoerlein, Mr. Scott Wall, Mr. Bernie Wessels, and Ms. Margie Witt. Also present for the meeting were: City Administrative Officer Ed Butler, City Attorney Todd McMurtry, City Engineer Mark Brueggemann, Police Chief Marc Schworer, Fire/EMS Chief Steve Schewe, Public Works Director Jeff Bethell, and City Clerk Susan Ellis.

CITIZEN COMMENTS

Mr. Quinn McMurtry of 10 Kennedy Road spoke representing families on Kennedy Road between Rosa and Lake streets regarding traffic concerns. Speeding was no so much as issue as was safety. Children living in this area are older and are crossing the street, playing ball and sometimes the ball is bouncing out between cars. The residents are asking for two stop signs: one at Lake and Kennedy and the other at Rosa and Kennedy. Mr. Quinn McMurtry has completed research and provided handouts. He feels there is a need to disrupt or calm traffic passing down Kennedy Road between Lake and Rosa that will cause the drivers to pause. The road descends and rises and there are visual impairments. He provided a petition from the residents as well as a Google map showing the visual impairment and proposed stop sign locations. He referenced articles that support calming the traffic to stop the unimpeded progression cars. He also referenced a traffic study by the Federal Highway Administration the indicated that stop signs do help prevent accidents. Mr. Quinn McMurtry stated that while he was the representative of people in neighborhood he could bring others in to speak. Mayor Hatter responded that the City had also completed a traffic study but that it did not run long. The information collected is available. He asked for Mr. Quinn McMurtry to send any information he had in electronic form. He advised that he would have the City experts to look at this situation more closely. To install stop signs, there must be a good rationale as the City would not want to impede traffic or create another safety issue. Mr. Quinn McMurtry responded that it was the sight line that he was addressing and that typically the traffic is worse between 4:00 pm and 6:00 pm. Chief Schworer commented that the traffic is heavier early in the morning because of the daycare located in that area. Mr. Quinn McMurtry repeated that this was a safety issue, not a speeding issue and that there was no discouragement for people to slow down and look. When asked if there was anyone that did not sign petition, Mr. Quinn McMurtry replied that he could get more signatures as there were some people who were not at home. Mr. Wessels asked if there were any new businesses besides daycare that might increase traffic flow. Mr. Quinn McMurtry commented about a possible traffic redirection. Mr. Feinauer commented that sometimes a stop sign does not remedy an issue like this. Mayor Hatter concluded that the City would take a look at it and asked Mr. Quinn McMurtry to send any additional information he has.

APPROVAL OF COUNCIL MINUTES

Motion by Ms. Witt, second by Mr. Wall to approve amended minutes of the March 7, 2018 Council Meeting. Roll call vote taken, Mr. Abeln, Mr. Feinauer, Mr. Hoerlein, Mr. Wall, Mr. Wessels, and Ms. Witt voting in favor; no one opposed. Motion passed.

Motion by Mr. Wessels, second by Mr. Abeln to approve the amended minutes of the March 21, 2018 Caucus Meeting. Roll call vote taken, Mr. Abeln, Mr. Feinauer, Mr. Hoerlein, Mr. Wessels, and Ms. Witt voting in favor; Mr. Wall abstaining; no one opposed. Motion passed.

NEW BUSINESS

Discussion regarding a proposed change to the Stage II Development Plan for the O'Reilly's Auto Parts Development on Madison Pike

Mr. Tim Guillot, of Esterly Schneider & Associates, Springfield, Missouri, architects for O'Reilly Auto Parts addressed Council regarding the new construction planned on Madison Pike. The project was previously approved and put out to bid, and the prices returned were significantly higher than expected. Regrading and use of stucco are the most significant costs. The current ordinance requires specific finishes unless approved by the City Administrative Officer or Council. Rather than stucco, they would like to use split face block, which when painted would give the same appearance. This would result in a savings of \$200,000.

Mayor Hatter responded that the City and Council are business friendly and try to work with organization, however this project is already through stage 2 approval. The issue is not with this proposal but with making an exception to the process.

Mr. Guillot continued stating that they have encountered a lot of unanticipated site specific issues. He provided an 11 inch by 17 inch image of the finish he was proposing. Regardless of the finish used, both would be painted. The difference would be in the texture but the appearance would be very similar. Mr. Guillot indicated that they may need to resubmit all plans to make this project work. Mr. Todd McMurtry asked if they were going to resubmit, would they resubmit with this change so that Council could consider it after PDS. Mr. Butler commented that if the Council was not favorable to this change now, that they would not be favorable in the future. Mr. Todd McMurtry asked if this material was permitted. Mr. Butler replied that it was permitted in other zones but not this particular zone. PDS would definitely not approve because of the ordinance.

Mr. Wessels asked for more detail regarding the cost. Mr. Guillot responded that they have been surprised by the very significant cost. Applying stucco requires skilled labor as it fails easily if not installed correctly. It does not work well in the Midwest. Mr. Butler read the ordinance requirements. Other products, including EFIS were discussed. The O'Reilly's building

in Burlington was referenced. Mr. Wessels commented that he would not have an issue if the new building was built like the one in Burlington. Ms. Witt inquired about the upkeep on both surfaces. Mr. Guillot responded that stucco requires more maintenance than split face block. Mr. Wall asked why split face block was not included in the ordinance and there was some speculation regarding the possibility of the product not being developed at the time and that the ordinance may be out of date. Mr. Guillot indicated that O'Reilly's wished to comply with the ordinances but that they could not build the building with the current cost. Ms. Witt commented that there had been advancements in the look of the block. Mayor Hatter stated that the general consensus was that there was no issue with material. Mr. Guillot expressed concern that going back to planning was not worth trying without first asking if the split face block could be an option. Mr. Wessels recommended reviewing the ordinance. Mayor Hatter concluded that he did not see a major concern and that they should complete what they needed to do so that it could be revisited once that was done.

First Reading of Ordinance 4-18 an ordinance amending Chapter 136.01 of the Fort Wright Code of Ordinances: Projectile-Shooting Instruments

Mr. Todd McMurtry read the Ordinance. Mayor Hatter commented that this was a result of recent concerns about coyotes and that there had been significant discussion at the caucus meeting. This would allow for scaring off coyotes without concern for violating ordinance.

Motion by Mr. Wessels, second by Mr. Feinauer to approve.

Mr. Wessels asked if the 2.5 acre limitation had been removed. Mayor Hatter responded yes, that it had been replaced. Mr. Todd McMurtry confirmed that it had been stricken from the ordinance. Mayor Hatter reminded that the rules for hunting are set by the state and that the ordinance was in alignment with the Kentucky constitution.

Roll call vote taken, Mr. Abeln, Mr. Feinauer, Mr. Hoerlein, Mr. Wessels, and Ms. Witt voting in favor; Mr. Wall opposing. Motion passed.

Discussion regarding the Bid Results for the 2018 Road Program

Mr. Butler reported that the bids were opened on March 22, 2018. There were three bidders with JPS Construction being the low bidder with a cost savings of approximately \$37,000. Mayor Hatter commented that JPS Construction has done the road program for several years, does a good job, and provides cost savings.

Motion by Mr. Abeln second by Mr. Feinauer to accept the JPS Construction bid.

Mr. Hoerlein commented that this saving considerable amount of money and asked if the savings would be used toward sidewalk program? Mr. Butler replied that that would be up to the council. Mayor Hatter responded that he would consider re-evaluating the remaining part of the 5-year program. Sidewalks are no longer under the homeowner's responsibility and are

now the City's responsibility. Since the pension increase was nowhere near what had been anticipated, the money saved on the street project could be put toward sidewalk repairs. Mr. Wessels suggested letting the money sit until it was determined there were not any hidden or unanticipated costs. Other suggestions included additional repairs by Precision Concrete, landscaping on the interstate, technology, and tablets. Mr. Butler commented that an unexpected road related project always seems to come up.

Roll call vote taken, Mr. Abeln, Mr. Feinauer, Mr. Hoerlein, Mr. Wall, Mr. Wessels, and Ms. Witt voting in favor; no one opposed. Motion passed.

Discussion regarding a possible text amendment to the Fort Wright Code regarding KRS 100.2111

Mr. Butler reported that approval was needed to submit the text amendment change for Planning Commission meeting in May. There has been extensive discussion in the Economic Development Committee meetings. This will speed up approvals or changes. PDS has been looking for someone to try this new process. If a zone change is presented at PDS, it would be approved or denied. If the decision is not liked, a letter can be written and the it goes back to old process. If everyone is happy with the project, the process moves more quickly. Mayor Hatter commented that this is business friendly, but also gives a voice for objections.

Motion by Mr. Abeln, second by Mr. Wessels to approve. Roll call vote taken, Mr. Abeln, Mr. Feinauer, Mr. Hoerlein, Mr. Wall, Mr. Wessels, and Ms. Witt voting in favor; no one opposed. Motion passed.

ISSUES LIST REVIEW

There were no new additions to the list.

Mr. Hoerlein asked about the digital sign in progress and what was going to be done with the old sign. Mr. Butler responded that the old message board is currently in PW garage. Once it is declared surplus, it will be listed for sale on GovDeals.

CITIZEN COMMENTS RECEIVED

There were no citizen comments.

ADMINISTRATOR'S REPORT

City Administrator Ed Butler reported that work has begun on sign with completion anticipated in the next two weeks, weather permitting.

The Finance Committee held its first meeting regarding the budget. Finances are strong and will be reflected in budget. Department heads asked only for what was needed to get their jobs done. Additional projects can be added if that is the desire. A draft copy of the budget will be available by the next Caucus Meeting. The first reading is planned for May Council Meeting with the second reading at the June Council Meeting. Mr. Feinauer asked if there was still a list of capital items from 2 years ago. Mr. Butler responded that the 5-year capital plan is still in place but that items had been around citing the ambulance purchase before a new engine.

Mayor Hatter commented that the new website has been in place for 1.5 months and that it looks nicer, is easy to use and is searchable.

Mayor Hatter reported that the City is renegotiating the EMS contract with Park Hills.

Mayor Hatter provided an update on the CAO search. The Human Resources Committee has narrowed it down to six candidates and interviews are scheduled for tomorrow night. Next would be interviews with Department heads and with Council. The process is moving along. Mr. Butler will be here until June. The plan is to hire someone as soon as possible so that they are able to shadow him and learn as much as they can as well as to be available to participate in the budgeting process.

Mayor Hatter reported that the legislature has acted on the pension issue and some of the pension relief we were hoping for was in place. Initially additional pension costs for Fort Wright were projected to be \$240,000 but that the increase was capped at 12%, resulting in a much more manageable amount of \$54,000. The governor has not signed this yet, so Mayor Hatter urged citizens to reach out to the governor to encouraging him to sign bill. Mr. Wessels reminded that other taxing districts such as planning, library, et cetera were all subjected to the added pension costs.

DEPARTMENT REPORTS

Police Department: Police Chief Marc Schworer reported that another active shooter class had been conducted at the City Building by Officer Griffin. Officer Colwell completed on at Little Links. Officer Griffin does the crime prevention portion of the class. Chief Schworer and Officers Colwell and Griffin completed ALICE training so that they can present this material at schools. The Fort Wright Police Department is teaming up with Erlanger Police Department for a grant for new radios. Mayor Hatter commented that the cost of this equipment continues to come down and that it is important to buy high quality equipment. Chief Schworer reported that recently hired Office Bellau passed all her practicals, driving, shotgun, rifles, and pistols and is doing well at training.

Fire Department: Fire Chief Steve Schewe reported that the kitchen renovation is moving along nicely. He also reported that since July 1, 2017 to date the ambulance has been out of service over 100 days.

Public Works: Public Works Director Jeff Bethell reported that public works has been working on the fire department kitchen. They have removed a wall and are getting new cabinets. The department is still working to repair pot holes and clear storm drains. Mayor Hatter asked residents for notifications of pothole locations. Mr. Bethell also reported that the water main is in on the Amsterdam road project. It has been pressure tested and passed. The sidewalk project got started today. Weather has been an issue. Precision Concrete has been working on Henry Clay Avenue, St. Anthony Circle, and Marcella. Because of the rain, the footers for the new message board had to be dug by hand. The footers will be poured tomorrow and next week the brick work will be completed. Mr. Bethell has been working with Marty Hellman to complete the street inventory and should have a report in a couple of weeks.

City Clerk: City Clerk Susan Ellis reported that payment of one of the property tax delinquencies turned over to the attorney had been received with nine still outstanding with the attorney. Fourteen delinquent bills will be mailed out by the City at the end of the week. There are only four delinquent Personal Property Tax bills. Annual Insurance Premium Tax reconciliations for 2017 have been received and will be verified against quarterly returns. All available Ordinances, Resolutions, and Orders from approximately 1990 to current have been digitized and searchable digitized indexes are being created. Following completion of this project, there are plans to digitize all the meeting minutes and documents prior to 1990 that are to be kept as part of the permanent records.

Legal: City Attorney Mr. Todd McMurtry reported that there had been motion filings in the KRS lawsuit. He has that information available and is hoping to move to conclusion but it will be a few months before any ruling. There has been a maintenance settlement reached in the issues with the residences on St. Anthony Circle and Marcella Drive. Mr. Feinauer asked about the eminent domain lawsuit. Mr. Todd McMurtry replied that it usually takes 18 months and that he did not have any news yet.

COUNCIL COMMENTS

Ms. Witt reminded everyone that Clean Up Day is April 21, 2018 and asked everyone to continue to spread the word.

Mr. Feinauer thanked the administrative staff for patty for the assistance with his family's passport applications.

Mr. Hoerlein wished a happy birthday to his neighbor Heather.

Ms. Will wished a happy birthday to her husband

Mr. Wessels thanked Chief Schewe for assisting the resident who experienced health issues recently in chambers.

Mayor Hatter announced that Shred Day will be Saturday, June 9, 2018.

ADJOURNMENT OF COUNCIL MEETING

Motion by Mr. Abeln, second by Mr. Walls to adjourn the council meeting. Roll call vote taken, Mr. Abeln, Mr. Feinauer, Mr. Hoerlein, Mr. Wall, Mr. Wessels, and Ms. Witt voting in favor; no one opposed. Motion passed.

The meeting was adjourned at 8:01 PM.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, consisting of a large loop followed by a series of sharp, intersecting strokes.

Dave Hatter, Mayor

Attest:

A handwritten signature in black ink, appearing to read 'Susan Ellis' with a stylized flourish at the end.

Susan Ellis, City Clerk