



City of Fort Wright

409 Kyles Lane | Fort Wright, KY 41011 | www.fortwright.com | 859.331.1700

City of Fort Wright Council Meeting Wednesday, April 5, 2023 – 6:00 PM

CALL TO ORDER

The Council Meeting was called to order at 6:00 PM by Mayor Dave Hatter. Mayor Hatter led the Pledge of Allegiance and a moment of silence. City Clerk Maura Russell called the roll.

Councilman Abeln	Present
Councilman Collins	Present
Councilman Wall	Present
Councilman Weber	Present
Councilman Wessels	Present
Councilwoman Witt	Present

Also present for the meeting were:

City Administrator Jill Bailey
City Attorney Tim Theissen
Fire/EMS Chief Steve Schewe
Police Chief Ed Butler
Public Works Director Jeff Bethell
City Clerk Maura Russell
Finance Clerk Kelly Perry

CITIZEN COMMENTS/GUESTS

Mike Bloemer, 1923 Mt. Vernon Drive – Mr. Bloemer introduced himself to Council, saying he is the Deputy Chief of Operations for the Covington Fire Department, and long-time resident of the City of Fort Wright. He expressed concern with the availability of the Fire Department's vehicles, saying over the past eight months he knows of at least 10 instances where there was no ambulance or fire truck available in the City. Mr. Bloemer said he wanted the policy makers to be aware of the issue that he feels should be addressed for public safety.

Mayor Hatter said he did receive an email with these concerns from Mr. Bloemer and has not had an opportunity to do much research, but noted the Fire Department's budget has shown a 34% increase from 2019-2020 to 2022-2023 and the department's budget is the second largest line item in the City. He also said the City is spending more than most of the neighboring agencies.

Mayor Hatter advised they would continue to review the data and would be in contact with Mr. Bloemer.

Representative Stephanie Dietz – 65th District – Representative Dietz presented Council with an update on her work with the state House of Representatives this session, including her sponsorship of two bills in the House and two in the Senate that were carried through and signed into law. Rep. Dietz thanked Mayor Hatter for his work and support on House Bill 50 and Senate Bill 50, saying those would have gone through to a vote if he had not encouraged so many mayors and constituents to reach out.

Councilman Wessels asked for an update on the certificate of need and Rep. Dietz said she signed onto having the bill brought into committee for further review and information on its impact to the region.

There was discussion on Senate Bill 150. Rep. Dietz said she voted no to override the governor's veto because she does not feel she should be making medical decisions in her role as a legislator because she is not a doctor, and her constituents were not in favor of this measure.

APPROVAL OF COUNCIL MINUTES

Councilman Wall made a motion to approve the minutes of the Council Meeting held on Wednesday, March 1, 2023. Councilman Collins made a second. Ms. Russell called the roll.

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

Councilman Weber made a motion to approve the minutes of the Caucus Meeting held on Wednesday, March 15, 2023. Councilwoman Witt made a second. Ms. Russell called the roll.

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

UNFINISHED BUSINESS

There was no unfinished business.

Councilman Weber made a motion to amend the agenda to discuss Republic Bank products and a transfer of funds within the bank. Councilman Wessels made a second. Ms. Russell called the roll.

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

NEW BUSINESS

1st Reading of Ord 02-2023 adopting Off Street Parking Requirements – Ms. Bailey advised this amendment to the parking requirements would enable Bayer Becker to move forward with their expansion of Wright's Point apartments. She said the change would shrink the number of required spaces in multi-family developments from 1.5 parking spaces for a one-bedroom unit and two parking spaces for a two-bedroom unit to one space for a one-bedroom unit and 1.5 for a two-bedroom unit. She said they have already received the map amendment,

which went through without issue, and this text amendment received a favorable response from the Kenton County Planning Commission.

Councilman Wessels expressed opposition to this change, saying he does not feel that one space for a one-bedroom and 1.5 spaces for a two-bedroom is sufficient. He added that if the City finds this is not a change that will work long-term then Council can always change it back.

Ms. Bailey completed a first reading Ordinance 02-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending the Fort Wright Zoning Ordinance Title XV entitled Land Usage Code, Chapter 153 entitled Zoning, Section 153.01, and specifically Section 11.2 of the Fort Wright Zoning Ordinance, entitled "Specific Off-Street Parking Requirement" in multi-family developments.

Councilman Weber made a motion to accept the first reading. Councilman Wall made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Collins	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	No
Councilwoman Witt	Yes

MOTION CARRIED

Jay Bayer addressed Council, thanking them for their support for the projects his team is working on, including Wright's Point apartments and the car dealership under construction. He provided an update on that development, saying they worked with the state of Kentucky to change the small stretch of road near Frisch's to be two-ways so that those at the dealership will be able to take a left onto Kyles Lane then a left on Dixie. He said without this change there was going to be no way to exit the dealership area to make a left onto Dixie Highway. Mr. Bayer advised they are working on an updated construction plan for this change.

Municipal Order 02-2023 – Disposal of Surplus Property – Chief Butler advised the property he is requesting to surplus includes older model tasers and shotguns. He said the tasers are a generation older than the models the department currently carries, which are now five years old. Chief Butler said he has located a company that will purchase these older tasers and repurpose them, paying the City between \$500 and \$600. Chief Butler said the shotguns are no longer in use by the department, recently replaced by rifles. He said he has found a vendor who will purchase the shotguns once they have been decertified by the ATF and the department plans to purchase from that same vendor less-lethal bean-bag shotguns.

There was discussion about sending the equipment to other departments that could use it, similar to what the City did with the police cruiser last summer. Chief Butler warned against that as the items the department is getting rid of are outside of manufacturer expirations, which would create an additional liability.

Mr. Theissen read Municipal Order 02-2023, an order declaring surplus property and authorizing disposal of such property by destruction and/or recycling. Councilman Abeln made a motion to approve Municipal Order 02-2023. Councilwoman Witt made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Executive Order 04-2023 – Allowing Employees to Serve as Poll Workers – Mayor Hatter addressed the history of this Executive Order, saying several cities are working on a similar plan to allow city employees to work polls with their normal pay, to allow elections to allow for more polling locations and workers. He said Gabrielle Summe, Kenton County Clerk, has advised that there are currently enough poll workers for the May primary, but he wants to continue with this Order and then revisit the topic in the fall to institute the same measure for the November election.

Mr. Theissen read Executive Order 04-2023, an Executive Order of the Mayor of the City of Fort Wright in Kenton County, Kentucky, authorizing approved employees to serve as poll workers in the 2023 primary election and obtain leave with pay for the day or days served. Mr. Theissen added that there are stipulations within the Order specifically addressing the employee request and approval must be in writing; the employee can earn both their poll worker compensation and their earnings from the City; all requests will be considered with the workforce needs of the City and other circumstances; the request will be approved or denied by the Mayor or City Administrator in his absence; this Executive Order is only valid for the 2023 primary election on May 16, 2023; and employees shall not be permitted to wear any attire that shows evidence of their employment with the City of Fort Wright while working the polls.

Mayor Hatter added that this is limited only to those who work polls in Kenton County.

Councilman Abeln made a motion to approve Executive Order 04-2023. Councilman Collins made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Transfer of Funds at Republic Bank – Councilman Weber said the Finance Committee met with the representative from Republic Bank prior to this meeting and discussed an additional option for the City's funds that could yield a higher return. He said the product is a CDAR [Certificate of Deposit Account Registry Service] and would have different lock-in periods. Councilman Weber said the funds held at Republic Bank could be split among three or four CDAR accounts so if the money needs to be liquidated the entire sum would not be penalized with fees.

There was discussion about not being locked into anything too significant until after the budget is complete and the Fort Henry street project, but it was decided that exploration and potential shifting of funds could occur.

Councilman Wessels made a motion to allow staff and the Mayor to transfer funds from Republic Bank accounts to Republic Bank CDAR accounts up to \$4 million pending staff review. Councilman Weber made a second. Ms. Russell called the roll.

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

MOTION CARRIED

COMMITTEE REPORTS

Community Improvement Committee – Ms. Bailey reminded residents and Council of the commemorative bench program, whereby residents, business owners, and community supporters could purchase a bench to be placed at one of 15 locations throughout the City and have a commemorative plaque added. She said five have been sold so far. She also mentioned that the trashcans throughout the City will be replaced in the coming weeks as well.

Ms. Bailey said there have been delays with the new gateway signage and there are hopes that installation will begin next week.

Finance Committee – Councilman Weber said they had nothing additional to report.

CAO REPORT

Ms. Bailey did not have a report.

DEPARTMENT REPORTS

Police Department – Chief Butler discussed the accident that happened at Kyles Lane and Madison Pike on Tuesday, April 2nd, involving a semi-truck and a guardrail. He thanked Smith's Towing for their hard work on a quick recovery and clean up of the site, and the Kentucky State Police and Kenton County Homeland Security for their assistance at the scene with traffic and other matters.

Ms. Bailey said it may be beneficial to request the Kentucky Transportation Cabinet restrict truck access on Kyles Lane and suggested that the official request come from the Police Department. Council voiced no objections. Mayor Hatter reminded residents that there are many roads in the City that are under control by the State and the City cannot make changes to traffic patterns, lights, or speeds, but the City can respectfully request updates when necessary.

Fire/ALS Department – Chief Schewe discussed the information presented earlier in the meeting and that he will work on getting responses to the concerns brought up. He said the biggest challenge is supplementing the work of six full-time firefighters with part-time staff who have full-time jobs elsewhere. Mayor Hatter added that increasing full-time staff by three would cost the department an additional \$500,000 per year and they will do due diligence in the research.

Public Works Department – Mr. Bethell said the bid advertisement for the Fort Henry street project will be run tomorrow, Thursday, April 6th, and bid opening will be on Friday, April 21st. He said a letter was sent to residents in the impacted area.

Councilwoman Witt requested a change to the PDS reporting on citations and Mr. Bethell said he would request an update, but he checks on each one regularly, usually weekly.

Mayor Hatter reminded residents of the City Clean-Up Day on Saturday, April 22nd, and thanked Councilwoman Witt for her work on this event each year.

Finance – Ms. Perry advised 99% of real and 98% of tangible property taxes have been collected to date. She said 25 real and 10 tangible delinquent letters from Mr. Theissen went out today.

There was discussion on larger delinquencies, including Lookout Heights Civic Club which owes over \$16,000 and a property on Castle Hill Lane with over \$11,000 in delinquent fees and fines. Mr. Theissen said the property on

Castle Hill Lane will be settled through foreclosure in the next six to eight months, but the Lookout Heights Civic Club issue is not proceeding right now because of challenges to liens on the property.

Administration – Ms. Russell advised passport acceptance at the City Building is by appointment only.

Mayor Hatter reminded residents to sign up for email alerts and follow the City on social media.

Legal Counsel – Mr. Theissen had no report.

SPECIAL ANNOUNCEMENTS

Employee Recognitions/Special Thank You's – Mayor Hatter read two Thank You notes to the Public Works department. There was also a certificate presented in Council Packets from Hoxworth Blood Center thanking the City for their blood drives.

COUNCIL COMMENTS

Councilwoman Witt – She thanked those volunteers who have adopted streets in their areas, saying the six volunteers have collected 39 bags of trash so far. She asked anyone interested to contact her or Mr. Bethell for more information.

Councilman Wall – He inquired on a recent complaint about a rooster in his neighborhood. Ms. Bailey said the City is working through that process with PDS.

Mayor Hatter asked residents to let the City know if they feel there is a zoning issue violation, as many times the City may not even know there is an issue. He added that he understands the requests to stay anonymous when filing a complaint, but there are times the City must enter a neighbor's yard to see a problem and properly file the complaint. He also reminded residents of the procedures in place to help residents mitigate issues and not get a bunch of fines but understands that this approach could be seen as delaying the process.

Mayor Hatter provided an update on the Brent Spence Bridge project, saying he and Ms. Bailey attended a meeting with Fort Mitchell city officials and the Kentucky Transportation Cabinet. He thanked Fort Mitchell Mayor Jude Hehman and City Administrator Ed King for being receptive to working with Fort Wright on a thematic approach to the highway overpasses that will need to be created during the work on I-71/75 and the bridge. Mayor Hatter expressed his appreciation as well to KYTC for producing great designs and being open to feedback.

EXECUTIVE SESSION

Mayor Hatter requested a motion to adjourn to Executive Session under KRS 61.810(1)(c), discussions of proposed or pending litigation against or on behalf of the public agency. Councilman Wessels made a motion. Councilman Collins made a second. Ms. Russell called the roll.

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

The Council Meeting was adjourned to Executive Session at 7:49 PM.

The Council Meeting was reopened to the public at 8:35 PM.


Mr. Theissen completed a first reading of Ordinance 03-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending the Nuisance Code in Title IS, Chapter 92, Nuisances, Section 92.03 entitled "Nuisance Described and Prohibited" to repeal the provisions relating to distributing written materials.

Councilwoman Witt made a motion to accept the first reading. Councilman Collins made a second. Ms. Bailey called the roll with all in favor.

ADJOURNMENT OF THE COUNCIL MEETING

Councilman Weber made a motion to adjourn the Council Meeting. Councilman Wall made a second. Ms. Bailey called the roll with all in favor.

The Council Meeting adjourned at 8:38 PM.

Respectfully submitted,

Dave Hatter, Mayor

Attest:


Maura Russell, City Clerk