



City of Fort Wright

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City of Fort Wright Council Meeting Wednesday, April 6, 2022 – 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 Feinauer	Absent
Councilman Wall	Present
Councilman Weber	Present
Councilman Wessels	Present
Councilwoman Witt	Present

Also present for the meeting were:

City Administrative Officer 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

Councilman Weber made a motion to amend the agenda to include discussion about the Kenton County Fire Training Center. Councilman Wessels made a second. Ms. Russell called the roll.

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

MOTION CARRIED

CITIZEN COMMENTS/GUESTS

Eric Wilking – 303 Hazelwood Drive – Mr. Wilking addressed Council to request clarification on the City's Street Program and expressed concern that his street was moved on the schedule from 2022 to 2026. It was explained to Mr. Wilking the process the City goes through to update the Street Program, including involvement of the City's engineers and a non-political rating process to update the program on a rolling two-and-a-half year schedule.

Mr. Wilking referenced the City's reserves, asking why the funding cannot be taken from there now to address the issues with his and other City streets. He also said there is no explanation on the City's website about the updating process that occurs. Mayor Hatter said the website would be updated with that explanation. He also said he would be willing to spend some of the City's ARPA [American Rescue Plan Act] funding to get to more City streets, but the guidance is continually changing on how those funds can be used. Mayor Hatter did express concern about using the City's reserve quickly, as pension, salary, and insurance costs continue to rise and will eat away at that funding.

There was discussion about the basis for spending approximately \$500,000 each year and the need to review that amount and potentially increase it, as costs of labor and materials continue to rise. Ms. Bailey said this issue has come up in the past and there could be two remedies to achieving the needed revenue: assessment of residents per square footage or a street tax. She said a street tax was voted down by residents two times. Councilman Wessels added that the second defeat of the street tax was by a wide margin and gave a sound message to Council that a street tax was not wanted by residents.

Finance Clerk Kelly Perry – Ms. Bailey introduced Kelly Perry, the City's new Finance Clerk, saying she will begin training with Ben Harrison, the City's interim treasurer and accountant, once tax season ends. Ms. Perry said she most recently worked for Gateway Community & Technical College as a Financial Aid Advisor and previously spent 17 years in dental office management and continues to do the bookkeeping for her husband's business. She said she has earned an Associate in Arts with a focus in Accounting from Gateway and is currently working toward her Bachelor of Science in Business Administration at Morehead State University. Mayor Hatter said this position went unfilled for a long time and he is very happy to have Ms. Perry on the team.

Police Officer Michael Gross – Chief Butler introduced Officer Michael Gross, saying he came to the City with a lot of experience and has been with the Department for about two months now. He said the City is fortunate to have an officer with his experience on the force and he has made a great addition to the team. Officer Gross said he was happy to be with the City. He said he spent 13 years in Boone County, including on Bike Patrol and as a Senior Deputy, then was Chief Deputy in Campbell County before retiring from Fort Mitchell in 2020. Officer Gross said he enjoys focusing on community policing and outreach, playing ball with kids in the street and talking with the people he serves and protects. He said he is married and has an eight- and 11-year-old and a daughter who is a 911 dispatcher for the Kenton County Emergency Communications Center. He closed by saying he has worked alongside Fort Wright Police for many years and is very happy to now be working with them.

Councilmembers welcomed Officer Gross to the City. Mayor Hatter commented on the number of people who reached out directly to him and via social media to say how happy they are to have Officer Gross with the Fort Wright Police Department.

APPROVAL OF COUNCIL MINUTES

Councilman Weber made a motion to approve the minutes of the Council Meeting held on Wednesday, March 2, 2022. Councilman Abeln made a second. Ms. Russell called roll.

Councilman Abeln	Yes
Councilman Wall	Yes
Councilman Weber	Yes

Councilman Wessels Yes
Councilwoman Witt Yes

MOTION CARRIED

Councilwoman Witt made a motion to approve the minutes of the Caucus Meeting held on Wednesday, March 16, 2022. Councilman Wall made a second. Ms. Russell called roll.

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

MOTION CARRIED

UNFINISHED BUSINESS

Williams creek Development – Industrial Revenue Dev. Bond Request – Ms. Bailey said she anticipated representatives from this project would attend this meeting, but they did not. She said at the previous Caucus meeting they requested an Industrial Revenue Bond that would include a tax deferment of 47% over 30 years. She said the City has previously done IRB projects but there was potential growth through business and payroll taxes. She said this parcel is not affiliated with any potential job growth and will increase demand on City service.

Mr. Theissen said the developers provided two examples of IRB projects done recently in the area and they provided the Manhattan Harbor Project, which was a redevelopment of a riverfront area in Dayton, and Park Pointe in Park Hills, which redeveloped land previously used for a school, has significant views of Downtown Cincinnati, and is a very high-end residential development.

Mr. Theissen continued, saying if Council wants to approve the IRB, they will need to declare what determination they are using for Williams creek, as currently the only acceptable use would be as a downtown or industrial area redevelopment. He said the developers proposed pulling the Walmart – Highland Pike – Orphanage Road area into the plan but that may not pass because of the separation caused by I-275 and Dudley Road.

Councilman Weber proposed breaking the request into two sections to address the IRB request and the tax deferment request separately, saying he might be amicable to the IRB but not to the tax issue. Mayor Hatter said it feels like a stretch for him to use the IRB for the area, and he is against the tax deferment.

Councilmembers concurred that they were not interested in using the IRB for the Williams creek development or giving the 47% tax deferment and declined to take action on the request.

Lexus Development Sign Package Proposal/Dev Agreement – Councilman Wessels stepped out of Council Chambers for this discussion.

Mr. Theissen reminded Council that the Performance Lexus dealership in Covington is moving to the old Dixie Drive-In site on Dixie Highway and all signage must be approved by Council. He said this is different than most items they address because the Zoning Code is written to leave the discretion on how Council would like the signage to be, with no requirements or limits.

Kevin Atwell, General Counsel for Performance Automotive, thanked Council, Ms. Bailey, and Mr. Theissen for working with their group for the last few months. He said the design is consistent with what was presented 20 years ago, and their organization fully understands the importance of the site to the City and the community.

Jay Bayer, Principal and President of Bayer Becker, presented the signage plan for the Lexus dealership as well as two other future dealerships. The plan included pylon, monument, and directional signage, with mock-up views from multiple angles.

There were questions regarding the signage presented for the other, not-yet-named, dealerships. Mr. Bayer said they are trying to present general guidelines of what is coming but they will come back to Council if the signs wind up being totally different to ensure approval and modification of the signage guidelines.

Councilman Wall asked about light pollution for those who live opposite the dealership across I-71/75. Mr. Atwell confirmed with the architect that the lighting on the pylon signs would be internal and create a halo effect, and the signage on the building would be backlit as opposed to reflecting up and out off the signs. He confirmed the architects are aware of the lighting issues caused by another dealership in the City and are working to address those.

Councilwoman Witt made a motion to approve the signage package as presented with the understanding that the final design for the other two dealerships will be presented to Council for approval and that the lighting cannot violate the provisions of the lighting plan. Councilman Abeln made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Not Present
Councilwoman Witt	Yes

MOTION CARRIED

Mr. Theissen addressed one area he has discussed with Mr. Atwell and Mr. Bayer and that is having this property connect to Lookout Corporate Center to have traffic exit at a light. He said there is no legal requirement to connect the roadways, but it may be in everyone's benefit to get the access point between Wrights Summit and Lookout Corporate Center addressed for long-term planning.

Mr. Atwell said they have already begun initiating traffic studies for this connection and wants to have all parties involved in a decision. Ms. Bailey said this issue may not be pertinent to the Lexus dealership, but will impact the next two developments, and said the Lexus dealership should proceed as planned. Mr. Bayer said the architects have been working hard and expect to break ground this summer.

2nd Reading Ord. 02-2022 – Code Update (City Hall Address) – Mr. Theissen completed a second reading of Ordinance 02-2022, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending various sections of Title XV, Chapter 153 of the City of Fort Wright Code of Ordinances entitled “Zoning” to update outdated language about the City’s Zoning Regulations. Mr. Theissen said this will correct the address at which the zoning ordinance of the City will be available for public inspection from 1661 Park Road to 409 Kyles Lane.

Councilman Wall made a motion to approve Ordinance 02-2022. Councilman Abeln made a second. Ms. Russell called the roll.

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

MOTION CARRIED

2nd Reading Ord. 03-2022 – Zoning Changes re: Family Child Care Home – Mr. Theissen completed a second reading of Ordinance 03-2022, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending various sections of the Zoning Regulation of the City of Fort Wright to add a definition of Family Child-Care Homes and making them a conditional use in all residential zones as required by KRS 100.8982. Mr. Theissen said this is being required by the state to promote child-care development in residential zones across the state.

Councilwoman Witt made a motion to approve Ordinance 03-2022. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

NEW BUSINESS

Battery Hooper Park – Fencing Installation Options – Mayor Hatter started the discussion by saying the fencing would be partially paid for by a settlement of \$125,000 that was paid to the City to release the easement that had been in place on the former church property next to Battery Hooper Park.

Mr. Bethell advised he received two quotes for black chain-link fencing for the edge of the property; Mills Fence quoted \$14,985 and R & M Fence quoted \$15,975. He is recommending a specific path for the fence that avoids cutting into the wooded area near the bottom of the hill because of the required ongoing maintenance.

Council requested Mr. Bethell work with the new property owners to determine what kind of fencing they will be placing near the bottom and if there can be a connection made with the City's fence. Councilman Weber also requested that clarification be made with the property owner on who will take care of the fencing.

Councilman Wessels made a motion to approve the bid from Mills Fence with the condition that Mr. Bethell and Ms. Bailey work with the property owner to combine or connect the fences. Councilman Abeln made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Bid Results – Mount Vernon Drive Drainage Issue – Mark Brueggemann, City Engineer, presented the results of the bid opening for the Mount Vernon Drive Drainage Issue, advising the low bid was Humphrey Concrete LLC at \$20,450.00. Mr. Brueggemann advised the owner of Humphrey Concrete has been doing this work for years and previously worked for JPS Construction. He strongly recommended the City award the project to Humphrey Concrete.

Councilman Wessels made a motion to award the Mount Vernon Drive Drainage project to Humphrey Concrete. Councilman Abeln made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Bid Results – 2022 Street Paving/Reconstruction Projects – Mr. Brueggemann presented the results of the bid opening for the 2022 Street Program, which is a resurfacing project for Morris Road, Barrington Road, Howard Road, Glengarry Way, Glasgow Drive, and Tartan Court. He advised the low bid for the base and alternate bids was Paul Michels & Sons Construction. Mr. Brueggemann recommended awarding the project to this company, which includes a base bid of \$443,885.00, an alternate “A” bid of \$33,410.00, and an alternate “B” bid of \$29,160.00.

Councilman Weber made a motion to award the 2022 Street Program project to Paul Michels & Sons Construction. Councilman Wall made a second.

Councilwoman Witt asked for clarification on how much over the engineer’s original estimate of \$500,000 the City will be spending. She was advised approximately \$6,455.

Ms. Russell called the roll.

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

MOTION CARRIED

Resolution 06-2022 CDBG Utility Grant – Request to withdraw application – Ms. Bailey reminded Council that the City anticipated receiving utility funds through CDBG [Community Development Block Grant] funds via the State of Kentucky to be used by residents negatively impacted by COVID. She said a dispute between NKADD [Northern Kentucky Area Development District] and CDBG caused the funds to not come through and DLG [Kentucky Department for Local Government] asked the City to withdraw from the program.

Ms. Bailey advised there are other funds available for residents in need, including approximately \$200,000 through Kenton County. She said there were provisions of this agreement that caused concern, including a provision about the City being required to pay back any funds used that were found to be “double-dipped” by a

resident. Ms. Bailey advised Council that she is recommending they officially withdraw from the grant program. She said there are no fees or penalties for withdrawing. She also advised no Fort Wright resident has contacted the City since the pandemic began to inquire about utility assistance.

Mr. Theissen added that the Resolution was drafted because multiple Resolutions were involved in the initial joining of the grant program.

Councilman Wessels made a motion to approve Resolution 06-2022, a Resolution of the City of Fort Wright, Kentucky, Withdrawing from the Community Development Block Grant Coronavirus (CDBG-CV) Utility Relief Program. Councilwoman Witt made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Municipal Order 02-2022 – Disposal of Surplus Property – Ms. Bailey advised that this Municipal Order for surplus property includes various electronic items, including a non-working Samsung tablet, an outdated and non-working color TV/VCR, a printer that used to belong to the James A. Ramage Civil War Museum, and a monitor and computer that no longer work. She said all electronic items are typically recycled at NKOL, the City's IT vendor.

Councilman Wessels made a motion to approve Municipal Order 02-2022, an Order declaring surplus property and authorizing disposal of such property by destruction and/or recycling. Councilman Abeln made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Mayor Hatter advised he requested to amend the agenda to introduce a brief discussion about a proposed fire training center in Kenton County. He said the Kenton County Fire Chiefs Association current location on Boron Drive in Covington has been purchased by Rumpke, and Rumpke offered the Association a \$1 million incentive to leave the property early.

Mayor Hatter said one proposed location is next to the Gateway Community and Technical College's campus on Madison Pike across from Dudley Road at the old Robke facility. He expressed concern about having the fire training facility there because of the amount of heavy truck traffic that crosses the City-owned bridge, which was expensive to build. He said nothing over there would be generating any revenue for the City, and the City is on the hook for maintenance of the bridge.

Mayor Hatter continued, saying Kenton County has offered one of the old, proposed County Jail sites to the Fire Chiefs Association for free, but they declined as it is too far out into the County. He said he wants to bring this matter to Council for discuss at the next Caucus Meeting to decide on the City's position. It was determined there can be no assessments done because it is all government entities involved in the properties.

Mayor Hatter said he does not want to create tension or contention, but he does not see how this plan would be beneficial to the City's residents. He asked for more information to be gathered by Chief Schewe, Mr. Theissen, and Mr. Brueggemann, and requested to table the matter to a future meeting.

Blink 2022 – Mayor Hatter said he received an email from the Northern Kentucky Convention and Visitors Bureau about the Blink art and light festival coming back this fall and they are asking cities to contribute money to supporting the event. Ms. Bailey said they are asking for \$1.00 per person in each city. She said this will be in addition to any police support the City of Covington is preparing to request.

Councilman Wessels said he would rather use the \$6,000 for repairing potholes in the City. He added that he would consider contributing from his business and get other businesses in the City to do the same.

Ms. Bailey said ARPA funding guidelines currently allow for those funds to be used for initiatives such as Blink. Mayor Hatter said he is against sending City money to support this event but would leave it up to Council to decide.

COMMITTEE REPORTS

Community Improvement Committee – Chair Councilman Feinauer – Councilman Feinauer was not present and there was no report to provide.

Finance Committee – Chair Councilman Wessels – Councilman Weber said a quorum was not present for this afternoon's Finance Committee meeting, so there was only some discussion with RedTree Investment's Joe Violand regarding the City's investment accounts. He said RedTree will be presenting at the next Council meeting. Councilman Weber said some of the short-term investments the City put money into come due this year, so those have been reinvested into more short-term investments at six months or less maturity.

CAO REPORT

Ms. Bailey advised all department heads will be submitting their budgets by April 15th. She said she will review salary surveys, revenues, and audited funds to present a budget amendment for this year and the new budget for approval.

Ms. Bailey announced that passport acceptance will resume on May 2nd.

Ms. Bailey thanked Kenton County Jailer Mark Fields for restarting the work release program. She said Mr. Bethell and Public Works Laborer Mike Hoerlein attended training and will begin working with inmates in the City for mowing, weed eating, and trash pickup soon. Ms. Bailey added that today was Public Works Laborer Trent Evans last day with the City.

Mayor Hatter added that the City is now fully staffed in the Administration department, but are still hiring in Public Works and the Police Department. He asked residents to share the job postings so the City can find qualified candidates to fill the positions.

DEPARTMENT REPORTS

Administration/Finance – No Report.

Fire/ALS Department – Chief Schewe reported that the newer ambulance had some brake issues but is now back in service.

Chief Schewe announced that two new employees would be starting on April 17th and April 18th, and a current full-time employee will be moving to the open Lieutenant position as a promotion. He said this will fill all open full-time positions within the department. Chief Schewe said the part-time positions still have openings and he is working to fill those.

Police Department – Chief Butler said the department is back to a normal operational level as the two officers who had been out on medical leave have returned and Officer Gross joined the department.

Chief Butler reminded residents to not leave any key fobs or items of value in parked cars as thefts and car break-ins are increasing in neighboring communities.

Councilman Wall asked if there was an increase in juvenile crime like last year and Chief Butler said not at this time but that could occur.

Mayor Hatter reminded residents that the Police Department offers a Vacation Check program. He said there is a form to fill out and then an officer will check on your residence while you are away.

Mayor Hatter also reminded residents to call 911 if they see something suspicious. He said the Police Department is here to check out suspicious issues and they are happy to help the residents.

Public Works Department – Mr. Bethell said his department has been working to clear out Volunteer Park and prepare the area for the new playground installation in the coming weeks.

Mayor Hatter said he is happy to hear the Kenton County Jail work release program is back and knows that it will be a big support for the Public Works Department, even though it does come with some increased work around supervision.

Legal Counsel – No report.

SPECIAL ANNOUNCEMENTS

Employee Recognitions/Special Thank You's – Ms. Bailey read through commendations for Officer Brad Keller and Specialist Ben Wiesner for their work on a missing child report, and Officer Nick VonHandorf and Officer Matt Betustak for their work on vehicle accidents. Chief Butler expanded on each commendation and thanked each officer for their commitment to the community.

Councilwoman Witt announced the Fort Wright Community Clean Up Day will be Saturday, April 23rd, from 9:00 AM to 12:00 PM. She said this event has been held in the spring season for eight years and they hope to do it again in the fall this year. Councilwoman Witt said many businesses, schools, and churches are involved this year.

and she is hopeful for a big turnout. She said there will be free t-shirts on a first-come, first-serve basis and free lunch after the event courtesy of Sub Station II. She also announced there will be a contest for the oddest object found during clean-up, with the winner getting a prize.

Mayor Hatter thanked those who have taken their time to send in emails and call about employees doing a good job in the community, saying he loves to be able to recognize them.

COUNCIL COMMENTS

Councilman Abeln – He congratulated Councilman Feinauer who will be ordained as a Deacon by the Diocese of Covington on April 9th.

Councilman Wessels – He thanked Mayor Hatter for his service and the time he dedicates to the City.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT OF THE COUNCIL MEETING

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

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

MOTION CARRIED

The Council Meeting adjourned at 8:37 PM.

Respectfully submitted,

Dave Hatter, Mayor

Attest:



Maura Russell
City Clerk