

CITY OF FORT WRIGHT, KENTUCKY COUNCIL MEETING

JUNE 3, 2015 – 6:00PM

Mayor Hatter opened the meeting with a Pledge of Allegiance and a moment of silence. The following members answered roll call, Mr. Mike Hoerlein, Mr. Bernie Wessels, Mr. Joe Averdick, Mr. Dave Abeln and Mr. Adam Feinauer. Also present for the meeting were City Administrator Gary Huff, City Attorney Todd McMurtry, Fire/EMS Chief Steve Schewe, Police Chief Dan Kreinest, Public Works Director Tim Maloney and City Clerk Joyce Woods. Mr. Scott Wall was unavailable for this meeting.

Motion by Mr. Wessels, second by Mr. Abeln to amend the agenda to introduce our newest Police Officer, Ben Wiesner, and introduce our proposed Captain Marc Schworer. Roll call vote taken, Wessels, Abeln, Averdick, Feinauer and Hoerlein voting in favor, no one opposed. Motion passed.

Chief Kreinest introduced Ben Wiesner, our newest Police Officer, who has nine years' experience and has decided to return to police work from the private sector. Officer Wiesner introduced his family and friends that were present for the meeting. Council welcomed him as an employee with the City.

Executive Order 12-15 – Appointing Marc Schworer as a Police Captain for the City of Fort Wright, Kentucky

Mr. McMurtry read this Executive Order. Motion by Mr. Feinauer, second by Mr. Wessels, to approve. Roll call vote taken, Feinauer, Wessels, Hoerlein, Abeln and Averdick voting in favor, no one opposed. Motion passed. Chief Kreinest stated that he is very happy to have him in this position. Marc introduced his family who were present for this promotion. Council congratulated him.

Chief Kreinest introduced Brad Keller who was given a conditional offer of employment for a vacant Police Officer position with the City.

Approval of Minutes

Motion by Mr. Averdick, second by Mr. Hoerlein to approve the minutes of the 05/06/15 Council Meeting. Roll call vote taken, Averdick, Hoerlein, Wessels and Feinauer voting in favor, no one opposed. Motion passed.

Motion by Mr. Wessels, second by Mr. Feinauer to approve the minutes of the 05/20/15 Caucus meeting. Wessels, Feinauer, Averdick and Hoerlein voting in favor, no one opposed. Motion passed.

Motion by Mr. Wessels, second by Mr. Averdick to amend the agenda to move the Proclamations up on the agenda other than where they were listed. Roll call vote taken, Wessels, Averdick, Abeln, Hoerlein and Feinauer voting in favor, no one opposed. Motion passed.

Proclamation – Gary Gluth

Mayor Hatter read the Proclamation and designated June 5, 2015, as Gary Gluth Day in Fort Wright.

Mr. Gluth thanked Mayor and Council for the Proclamation.

Proclamation – Margie Witt

Mayor Hatter read the Proclamation and designated June 4, 2015, as Margie Witt Day in Fort Wright.

Ms. Witt was unavailable to attend the meeting, but we will send the Proclamation to her.

Second Reading – Ordinance 07-2015 – Stage I Development Plan for Approximately 0.85 Acres of Area Located at 3394 Madison Pike.

Mr. McMurtry stated that Sections 6 and 7 were added to this amendment for the second reading and are also appropriately included in this amendment. Mr. McMurtry read this Ordinance in summary.

Motion by Mr. Wessels, second by Mr. Averdick to approve. Mr. Jason Hall from Prism Engineering was present and stated that the company does not want debris or oil drippings in the parking lot. Mr. McMurtry stated that we can use the Nuisance Ordinance to police this problem.

#7 of the Ordinance will be amended to read:

Employees of AutoZone may assist customers with minor auto repairs near the rear of the building in designated parking stalls with signage.

Motion by Mr. Wessels to amend his previous vote to approve and to include the updated language. Second by Mr. Hoerlein to approve. Roll call vote taken, Abeln, Averdick and Feinauer voting in favor, no one opposed. Motion passed.

Second Reading – Ordinance 08-2015 – An Appropriation Ordinance Adopting the City of Fort Wright Annual Budget for the Fiscal Year July 1, 2015 through June 30, 2016.

Mr. Huff stated that there is an amendment to this Ordinance, the amount for trash pickup around the City will be increased from \$5000.00 to \$7000.00 and is reflected in the numbers. Mr. McMurtry read this Ordinance in summary.

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

Mayor Hatter thanked the Finance Committee and staff for their input on the budget.

Second Reading – Ordinance 09-2015 – An Appropriation Ordinance Amending the City of Fort Wright Annual Budget for the Fiscal Year July 1, 2014 through June 30, 2015.

Mr. McMurtry read this Ordinance in summary. Motion by Mr. Feinauer, second by Mr. Wessels, to approve. Roll call vote taken, Feinauer, Wessels, Hoerlein, Averdick and Abeln voting in favor, no one opposed. Motion passed.

Mayor Hatter advised residents that these Ordinances will be put out on the website and encourages everyone to check them out to see how your money is being spent.

Second Reading – Ordinance 10-2015 – An Ordinance Adding a New Section to Chapter 35 of the Fort Wright Code of Ordinance, to establish the Volunteer Position of City Historian.

Mr. McMurtry read this Ordinance in summary. This position will be given to Dean Russell, a former employee and volunteer with the City. Motion by Mr. Feinauer, second by Mr. Hoerlein, to approve. Roll call vote taken, Feinauer, Hoerlein, Wessels, Averdick and Abeln voting in favor, no one opposed. Motion passed.

First Reading – Ordinance 11-2015 – Regulation of Shopping Carts.

Mr. McMurtry read this Ordinance in Summary. Motion by Mr. Wessels, second by Mr. Averdick to approve. Discussion followed.

Mr. Huff stated that there was a problem with management changes at Wal-Mart and that is the reason there was no communication with the store. Wal-Mart agreed to have the TANK bus routes changed, so that they are on their property and there would be no carts taken off of their lot. Mayor Hatter stated that he is not really in favor of this Ordinance as it reads. Mr. Wessels would like to see first reading of this Ordinance tonight to send Wal-Mart a message that the City is not happy with this situation. Language changes for the second reading have been suggested.

The changes from TANK will not be able to be done before November. Roll call vote taken, Wessels, Averdick, Abeln and Feinauer voting in favor, Hoerlein voting no. Motion passed.

Administrator Report

Mr. Huff thanked the department heads for their help on the 2015-2015 Budget.

On July 1st the contractor will start on Beaumont Ct., and hopefully have this done by the end of summer.

Thanks to all who helped with the Memorial Day Ceremony. It was one of the best ever, even though it rained.

A proposed Resolution was distributed to Council, to discuss at a caucus meeting, concerning their prelude to the Time Warner contract being signed on their franchise. Mr. Huff passed out the contract for Council's review for discussion at a future meeting.

Department Reports

Chief Kreinest reported on the property on Upland Avenue that residents have been complaining about. He spoke to the owner and now has a contact for him and advised he will address some of the issues and thinks that some have already been eliminated.

Fire/EMS Chief Schewe stated that two fires occurred over the last week, one at Wal-Mart and at White Castle. There fires were not too significant. The businesses were shut down for a period of time.

Public Works Director Tim Maloney stated that the parking lot will be sealed shortly. Will have a proposed five year plan and data from the street survey. The Beaumont Street replacement will start on July 1, 2015.

City Clerk Joyce Woods reported that we will be shorthanded during the summer months and asked that everyone calling the City offices be patient.

City Attorney Todd McMurtry reported that the property at 1587 Marcella Drive, was sold to Pika Investments at the courthouse for \$85,000.00. This will cover liens and attorney fees that had been placed on the property. Update on the case with Kentucky Retirement Systems, the Judge is supporting the case for the City. Anything involving the issue of sovereign immunity can be appealed immediately. On this issue it will go up the chain to the Court of Appeals and beyond. This could last as long as 18 months or longer.

Motion by Mr. Averdick, second by Mr. Abeln to adjourn the meeting. Roll call vote taken, Averdick, Abeln, Wessels, Hoerlein and Feinauer voting in favor, no one opposed. Motion passed.

Respectfully Submitted,

Dave Hatter, Mayor

Attest:

Joyce Woods

Joyce Woods, City Clerk