

CITY OF FORT WRIGHT, KENTUCKY RE-SCHEDULED COUNCIL MEETING

JULY 18, 2012 – 6:00PM

Mayor Nienaber called the meeting to order at 6:03PM with a Pledge of Allegiance and a moment of silence. The following members answered roll call, Mr. Bernie Wessels, Mr. Joe Averdick, Mr. Adam Feinauer, Mr. Scott Wall and Mr. Dave Abeln. Also in attendance 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. Dave Hatter arrived at 6:15PM.

Citizen Comments

Mr. Scott Scholz a resident of 116 Fayette Circle addressed Council regarding a follow up to a letter he sent on July 11, 2012. In his letter he spoke of the neighborhood traffic in the area of East Henry Clay. Mr. Scholz gave his findings on research and post graduate studies in Traffic Engineering that he had done on installation of stop signs at intersections and other signage that could be useful. After much discussion, Mr. Huff stated that we would have CDS Associates, look at the Basswood intersection and advise their findings for the best solution of the placement of stop signs.

Mr. Feinauer invited Mr. Scholz to the next Community Preservation Meeting. Mayor Nienaber thanked Mr. Scholz for coming to the meeting.

Approval of Minutes

Motion by Mr. Averdick, second by Mr. Abeln to approve the minutes of the 06/06/12 Council Meeting. All members voting in favor, no one opposed. Motion passed.

Motion by Mr. Hatter, second by Mr. Feinauer to approve the minutes of the 06/20/12 Municipal/Special/Caucus Meeting. Mr. Wessels and Mr. Wall abstained. All other members voting in favor, no one opposed. Motion passed.

Resolution 06-12 – Declaring the City of Fort Wright’s Intention to join with the Countywide Dispatch.

Mayor Nienaber stated that he had attended meetings regarding the merging of dispatch systems between Covington, Kenton County and Erlanger. There has been a lot written in the newspapers regarding this subject and Judge Executive Arlinghaus and other Representatives have attended our Caucus Meeting to explain changes that will take place when Covington joins the County around September. Mayor Nienaber advised that Kenton County would be able to take on a cluster of additional departments with Covington, but would be limited. Erlanger now receives \$4.25 per landline for 911 services, plus this year there was a shortfall of \$15,000.00 that we amended our budget to pay in addition. Kenton County is proposing a \$6.00 a month meter fee on our Duke bill and the landline fee on the telephone bills would be discontinued.

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

Resolution 07-12 – Authorizing the Mayor of Fort Wright to propose a Resolution to the Kenton County Mayor’s Group supporting a \$6 per month fee to fund dispatch, which will be placed on each electric meter.

Motion by Mr. Wessels, second by Mr. Averdick to approve. All members voting in favor, no one opposed. Motion passed.

First Reading Ordinance 06-12 – An Ordinance Prohibiting Parking on portions of eastbound side of East Henry Clay Avenue and Installing Stop Signs to regulate traffic on East Henry Clay Avenue

Mr. McMurtry advised that this Ordinance should be split into two separate Ordinances to define each one for parking and installation of stop signs. This will be done at a future meeting.

Mayor Nienaber suggested that since there will repaving done on East Henry Clay, we could try to close off the street at the bottom to see what happens with the traffic and have a legitimate reason to do this. It would make it safer during construction and if there is a problem we could reopen it to traffic. Mr. Maloney advised he will look at it and let Council know if this is a workable idea.

First Reading Ordinance 07-12 – Amend the 2012-2013 Fiscal Year Budget

This Ordinance will close the Capital Projects Fund and merge it into the General Fund per direction from our auditor. Since there is no funding into this account, it cannot be a separate account. Mr. McMurtry read this Ordinance in summary. Motion by Mr. Averdick, second by Mr. Feinauer to approve. Roll call vote taken, Wessels, Hatter, Abeln and Wall voting in favor, no one opposed. Motion passed.

First Reading Ordinance 08-12 – Imposing and Levying an Annual License Fee upon Motor Vehicles of \$50.00 per Vehicle to help pay for repair and maintenance of roadways within the City of Fort Wright.

We have been discussing ideas for maintenance and replacement of our streets. Several sources have been considered and discussed. The plan to impose a motor vehicle fee on each car registered in the City would bring in around \$250,000.00 to be used on our street program. This will not totally fund replacement of streets, but we will try and come up with additional funding ideas to be able to have a complete and fully funded program. Discussion followed. Safety of residents and property values are important issues in taking care of our streets.

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

Henry Clay Restoration

The Water District will be paving half of East Henry Clay Avenue when their repair work is done. We have enough money in the budget to cover the cost of paving from Henry Clay Ct. to Highland Avenue at the cost of \$43,612.50. Motion by Mr. Hatter, second by Mr. Feinauer to approve. Roll call vote taken, Wessels, Abeln, Averdick and Wall voting in favor, no one opposed. Motion passed.

Administrators Report

Mr. Huff reported that there is a meeting on Thursday evening at the Edgewood Senior Center for Direction 2030, from 6-8PM sponsored by NKAPC. All Elected Officials are encouraged to attend.

Public Works Director Tim Maloney reported there will be a concrete pad and bench installed at the corner of West Henry Clay and Kyles Lane. This was donated by the Sauser Family, from Augusta Avenue.

Legal

Mr. McMurtry reported on Godman Car Wash case is in Circuit Court to enforce the pending settlement that the owners thought was already settled regarding the access at the property.

The property that was gifted to the City from the Ratterman's is being turned over to the Conservancy Group.

Sanitation District No. 1 has refused to negotiate further with the City and making no progress regarding the previous agreement that is in effect between the City and Sanitation District. We will need authorization from Council to have our Attorney on the matter, Rick Brueggemann to pursue this matter.

Motion by Mr. Hatter, second by Mr. Wessels to adjourn to Executive Session per KRS 61.810, paragraphs (b), (c) and (g). All members voting in favor, no one opposed. Motion passed.

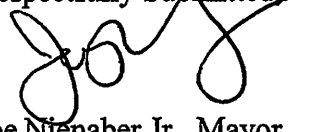
The purpose of the Executive Session was to discuss pending and threatened litigation. Upon adjourning from Executive Session, motion by Mr. Averdick, second by Mr. Hatter to adjourn. All members voting in favor, no one opposed. Motion passed.

Motion by Mr. Feinauer, second by Mr. Hatter to go back to Legislative Session, all members voting in favor, no one opposed. Motion passed.

Motion by Mr. Averdick, second by Mr. Feinauer to move to authorize the Mayor to initiate litigation against Sanitation District No. 1 to seek a declaration of rights and damages related to SD 1's failure to assume responsibility for the City's MS4 storm sewer system. All members voting in favor, no one opposed. Motion passed.

Motion by Mr. Wall, second by Mr. Wessels to adjourn the meeting. All member voting in favor, no one opposed. Motion passed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joe Nienaber Jr.", written over the text "Respectfully Submitted,".

Joe Nienaber Jr., Mayor

Attest:

A handwritten signature in black ink, appearing to read "Joyce Woods", written next to the word "Attest:".

Joyce Woods, City Clerk