

CITY OF FORT WRIGHT, KENTUCKY SPECIAL COUNCIL MEETING
08/27/03

Mayor Weaver called the meeting to order. The following members answered roll call, Mr. Adam Feinauer, Mr. Dave Hatter, Mr. Joe Nienaber Jr., Mr. Jeff Wolnitzek and Mr. Jim Robke. Also present were City Administrator Larry Klein, City Attorney Pete Summe, Police Chief Dan Kreinest, Fire/EMS Chief Steve Schewe, Public Works Director Tim Maloney and City Clerk Joyce Woods. Mr. Paul Hiltz was unavailable for this meeting.

Motion by Mr. Hatter, second by Mr. Feinauer to approve the minutes of the 08/13/03 Council Meeting. Roll call vote taken, Wolnitzek and Robke voting in favor, Mr. Nienaber abstained, no one opposed. Motion passed.

Second Reading of Ordinance 10-03 Establishing Property Tax Rate
Mr. Summe read this Ordinance in summary. Motion by Mr. Wolnitzek, second by Mr. Robke to approve. Roll call vote taken, Feinauer, Hatter and Nienaber voting in favor, no one opposed. Motion passed.

Second Reading of Ordinance 11-03 Establishing Waste Collection Fee
Mr. Summe read this Ordinance in summary. Motion by Mr. Nienaber, second by Mr. Feinauer to approve. Roll call vote taken, Hatter, Robke and Wolnitzek all voting in favor, no one opposed. Motion passed.

Second Reading of Ordinance 12-03 – Stage I Development Plan – Helen Ruth Drive
Mr. Summe read this Ordinance in summary. Motion by Mr. Hatter, second by Mr. Feinauer to approve. Roll call vote taken, Nienaber, Robke and Wolnitzek voting in favor, no one opposed. Motion passed.

Melissa Jort of NKAPC was in attendance for this meeting to explain the proposed text amendment to establish manufactured housing regulations. This proposed text amendment is to insure architectural compatibility with qualified manufactured homes within single family residential detached zones. The purpose is to update the existing zoning ordinances within Kenton County to address the changes made to manufactured homes and mobile homes since the HUD code. Discussion followed.

Second Reading of Ordinance 13-03 – Text Amendment – Manufactured Housing
Motion by Mr. Wolnitzek, second by Mr. Nienaber to approve. Roll call vote taken, Feinauer and Hatter voting in favor, Mr. Robke voting no. Motion passed 4 to 1.

Second Reading of Ordinance 14-03 – Moratorium on Sexually-Oriented Businesses

Motion by Mr. Hatter, second by Mr. Feinauer to approve. Roll call vote taken, Nienaber, Wolnitzek and Robke voting in favor, no one opposed. Motion passed.

First Reading of Ordinance 15-03 – Text Amendment – Definition of “Family”

Melissa Jort addressed Council and advised that the purpose of this proposed text amendment is to bring the definition of “family” within the Kenton County zoning ordinances into constitutional conformity and allow them to be defensible in the courts as an appropriate zoning regulation. Discussion followed.

Motion by Mr. Robke, second by Mr. Wolnitzek to approve. Roll call vote taken, Feinauer and Nienaber voting in favor, Mr. Hatter voting no. Motion passed 4 to 1.

KY 17 CPUD Overlay Zone

Mr. Klein advised that with the map amendment the CPUD overlay would be on all of the commercial property bounded by Orphanage Road, KY 17 and Highland Pike. After discussion it was decided to table this item until it is reviewed further.

First Reading of Ordinance 16-03 – Hazardous and non-Hazardous Materials Cleanup Reimbursement Rates

Mr. Klein advised included in tonight’s packet is the proposed schedule for hazardous and non-hazardous materials cleanup reimbursement rate schedule. Mr. Summe read this Ordinance. Motion by Mr. Hatter, second by Mr. Feinauer to approve. Roll call vote taken, Nienaber, Wolnitzek and Robke voting in favor, no one opposed. Motion passed.

Municipal Liability Insurance Deductibles

Mr. Klein advised that a spreadsheet is included in the Council packet showing savings by changing deductibles on the City’s Municipal Liability Insurance. By changing to a \$10,000.00 deductible from a zero deductible on General Liability, Law Enforcement and Public Officials policies and from \$1000.00 to \$2500.00 on Business Auto policy the savings would be about \$10,000.00 a year. Mr. Klein recommends that we change these deductibles as soon as possible. Motion by Mr. Hatter, second by Mr. Nienaber to follow this recommendation. Roll call vote taken, Feinauer, Wolnitzek and Robke voting in favor, no one opposed. Motion passed.

Glengarry Subdivision Agreement

Mr. Klein advised there is a proposed letter in the Council packet to the attorney representing Henry Fischer Builders pertaining to the original waiver request to Kenton County subdivision regulations by Grand Communities LTD that would have required them to connect their street to the next undeveloped property which is Devou Park. The waiver was denied by KCPC and Grand Communities LTD filed suit against KCPC. A settlement was reached in agreement with all parties and the lawsuit was withdrawn. As part of the settlement, Grand Communities LTD has requested that the City not construct a public street on this public right-of-way for at least 5 years. Motion by Mr. Hatter, second by Mr. Feinauer to approve the letter by the Mayor to Mr. James R. Gorman regarding the agreement between the City of Fort Wright and Grand Communities LTD. Roll call vote taken, Nienaber, Wolnitzek and Robke voting in favor, no one opposed. Motion passed.

Continuity of Government Resolution

Mr. Klein advised there is a letter in the Council packet from Ed Burk, Homeland Security Chief advising each City in Kenton County of changes in State law and asking for some chain of command for continuity of government to be put in place formally by each City in the event of disaster that someone, as a backup to the Mayor, be named to sign an emergency order for other state or federal agencies to assist us. Mr. Wolnitzek suggested someone on Council be named as the backup and consider appointing a Vice-Mayor for this purpose of filling in when the Mayor is unavailable. Discussion followed. Mayor Weaver suggested name in order of seniority of Council and then to the City Administrator and Department Heads. Mayor Weaver advised we would conduct this business at the next meeting.

Administrator Report

KY 17 Road Improvements

Explanation in Council packet of events of the last few weeks.

ALS Paramedic Service Change Effective August 25th

As of Monday, August 25th there will be only two paramedic units servicing the Kenton County area. One unit will be stationed in Covington and the other one in Edgewood. This service is provided by Transcare. A committee of the Kenton County Mayor's Group is requesting RFP's be issued by Kenton County Fiscal Court to receive proposals for the cost of this service and alternate improved levels of service.

Park Planning Timetable

Mr. Klein advised he would like to ask City Council to consider setting a date in the very near future when City Council, Vision Committee and the Parks and Recreation Board could meet for the purpose of discussing our newly acquired park property, which is the Storer property on Highland Avenue. We will try to get suggestions from everyone involved on ideas for this property, and from there decide if we would like to work with a consultant or if there would be someone to come up with a master plan for the property.

Council Committee Reports

Community Affairs

The Parks and Recreation Board will sponsor an Ice Cream Social on Sunday, September 7, from 5:30- 7:30PM on City property.

Computer Technology

Mr. Hatter advised he had a meeting with volunteers from the Fire Department who would like to work on the website. The 2003 tax information has been loaded into the system and has been forwarded to the City for additional information input to print the property tax bills for 2003.

Economic Development

Mr. Wolnitzek asked Mr. Summe if the City has the ability to give tax abatements of payroll taxes to businesses for economic development reasons. Mr. Summe advised it is the City's decision with different factors to be considered. Mr. Wolnitzek advised we may want to look at this on a short term basis as a possibility for the new office space that we will have in the future. Mayor Weaver advised we can look at the legality of this and report back.

Legal Matters

Mr. Summe advised the City will have to file a new lawsuit on the Ms. Classic Car Wash issue. Motion by Mr. Robke, second by Mr. Hatter to authorize Mr. Summe to proceed on this issue. All members voting in favor, no one opposed. Motion passed.

Council would like to have Mr. Summe send a letter to the Kenton County Attorney requesting in writing why the first lawsuit could not proceed.

Department Reports

Public Works Director Tim Maloney reported the overflow structure in the Nature Center has been completed.

Fire/EMS Chief Schewe congratulated full time firefighter Mike Harris and wife Julie on the recent birth of their twins, Brittany and Brandon.

Police Chief Dan Kreinest reported there have been a number of robberies in the past year and a spreadsheet has been included in the Council packet with additional information on these robberies. We have had two robberies since the last Council meeting, one at US Bank and another one at Speedway on KY 17. Three arrests were made on the Speedway robbery with the help of a very good witness and the help of Covington Police.

On September 17 the Police Department will be hosting a drug course at the South Hills Civic Club also sponsored by the Police Institute.

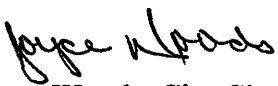
Mayor Weaver advised everyone received a copy of a letter that he had received from Donna Bloemer. She is a member of Legacy of Northern Kentucky and has requested, concerning the upcoming debate between Congressman Ernie Fletcher and Attorney General Ben Chandler that the City partner with Legacy Group and be a sponsor of this event. There are many other businesses and groups involved in the sponsorship of this endeavor. There would be no political position taken by the City or cost involved. Council agrees that the Mayor send a letter of support for this endeavor. This event will be held on September 30, at 4PM on the campus of Northern Kentucky University.

Motion by Mr. Nienaber, second by Mr. Hatter to adjourn the meeting. All members voting in favor, no one opposed. Motion passed.

Respectfully Submitted,


Gene Weaver, Mayor

Attest:


Joyce Woods, City Clerk