



City of Fort Wright

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

City of Fort Wright Council Meeting Wednesday, September 1, 2021 – 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	Present
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

Mayor Hatter requested a motion to amend the agenda to include discussion about the James A. Ramage Civil War Museum during the New Business portion of the meeting. Councilman Abeln made a motion. Councilman Weber made a second. Ms. Russell called the roll.

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

MOTION CARRIED

CITIZEN COMMENTS/GUESTS

Lisa Maines (3 Barbara Circle) & Theresa Boehmer (28 Barbara Circle) – Ms. Maines addressed Council, thanking them for their time and reading the information she forwarded to them for their review. She said there were several issues with her street, and those surrounding, that she was bringing forward on behalf of herself and other residents in her neighborhood.

Ms. Maines identified four issues. She said the first issue was the lack of no parking zones, which causes difficulty when residents are entering or exiting their driveways. After discussion, it was determined that

the “No Parking Zones” were implemented based on recommendations from the Kenton County School District Transportation Department, but Chief Butler would review the issue and report back to the Community Improvement Committee any recommendations he has to address the situation.

Ms. Maines said the second issue is a lack of sidewalks in the neighborhood, saying this is the only neighborhood in Fort Wright without sidewalks. She asked for action to be taken by installing sidewalks to accommodate for the large number of active residents. Mayor Hatter advised Ms. Maines that the City has tried twice since 2003 to pass a street tax that would have funded the addition of sidewalks on every street in the City, but each time the measure was solidly voted down. He also advised the annual street program, on which the City has spent over \$8 million in 10 years, is not available to put in sidewalks, and any sidewalk currently existing in the City, aside from the new walk on Amsterdam Road, was installed by the original homeowner. Mr. Bethell added that the cost of sidewalks in the neighborhood in question would be approximately \$750,000. He said that cost would be divided between the 200 residents, costing each \$3,700, but only if 51% of the neighborhood agrees to pay the assessment. Ms. Bailey added that there is not enough right-of-way to install sidewalks, so each resident would have to give part of their property to the City, and if a resident does not agree there would be a break in the sidewalk.

The third issue Ms. Maines addressed concerned the curbs lining streets. She said she can hear people hitting corner sewer grates and it appears that the streets are not being maintained. There was discussion about the street program and how improvements are done based on engineer recommendations. Councilman Wessels said installing curbs requires stormwater infrastructure, which involves SD1 [Sanitation District Number 1 of Northern Kentucky]. He added that the streets in the City were all built at different times and improvements seen, including curbs and sidewalks, were all paid for by the homeowners through the cost of construction. Councilman Wessels said the request Ms. Maines is making on behalf of her neighbors would cost the City millions of dollars.

The final issue Ms. Maines brought before Council was regarding the above-ground wiring in the neighborhood. Ms. Maines claimed that their neighborhood is the only to have electrical poles and wires running in front of the homes, with other streets having the poles and wires behind the homes or underground. She said this is a safety issue because of the tree branches wrapping around the wires, and the look is affecting home values. Ms. Maines said she spoke with a representative from Duke Energy who told her this is part of the City plan. She asked the City to move the wires. Councilman Weber addressed this issue, saying the City has never moved electrical wires and any wires that are behind homes were put there by the contractor when the homes were built, based on requirements by the electric company. Ms. Bailey added that moving utility lines underground during road projects would cost approximately \$1 million per mile. Mayor Hatter said the lines in his neighborhood were moved underground because Duke Energy requested it, and Councilman Wessels added that he paid to have his lines moved underground.

There was further discussion about the City’s street program and the past votes to implement a special tax for roads. Mayor Hatter and Councilmembers expressed interest in having another vote for this matter, but admitted history is not on the City’s side.

Other residents present and wishing to be on record for supporting the issues Ms. Maines brought before Council included: Kathy Lynch, 117 Rosa; Joyce Edmondson, 121 Rosa; Steve Siegrist, 47 West Crittenden; Stephanie and Jeff Rensing, 31 West Crittenden; Susan Hicks, 3 West Crittenden.

There were no other citizen comments or guests.

APPROVAL OF COUNCIL MINUTES

Councilman Weber made a motion to approve the minutes of the City Council Meeting held on Wednesday, June 2, 2021. Councilwoman Witt made a second. Ms. Russell called roll.

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

Councilman Abeln made a motion to approve the minutes of the Special Council Meeting held on Wednesday, June 16, 2021. Councilman Wall made a second. Ms. Russell called roll.

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

Councilman Wall made a motion to approve the minutes of the City Caucus Meeting held on Wednesday, June 16, 2021. Councilman Abeln made a second. Ms. Russell called roll.

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

Councilman Wessels made a motion to approve the minutes of the City Council Meeting held on Wednesday, August 4, 2021. Councilman Feinauer made a second. Ms. Russell called roll.

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

Councilman Weber made a motion to approve the minutes of the City Caucus Meeting held on Wednesday, August 18, 2021. Councilwoman Witt made a second. Ms. Russell called roll.

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

MOTION CARRIED

UNFINISHED BUSINESS

Community Recreational Zoning Review – Ms. Bailey advised Council that she has filed a pre-application with PDS [Planning and Development Services of Kenton County] to review the change for the zoning of the Lookout Heights Civic Club property from R-2 [allowing two- or multi-family residential dwellings] to R-1DD [single- or two-family residential dwellings].

Councilman Weber made a motion to approve Ms. Bailey to move forward with the map amendment application with PDS. Councilman Feinauer made a second. Ms. Russell called the roll.

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

MOTION CARRIED

2nd Reading Ordinance 08-2021 – Mr. Theissen completed a second reading of Ordinance 08-2021, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending Ordinance 01-05 codified as section 32.21 of the Fort Wright Code of Ordinances, relating to the City's committees and their meetings.

Councilman Wessels made a motion to approve Ordinance 08-2021. Councilwoman Witt made a second. Ms. Russell called the roll.

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

MOTION CARRIED

2nd Reading Ordinance 09-2021 – Ms. Bailey explained that the City is required to file its employment structure with the State of Kentucky, and this Ordinance establishes the structures and non-elected

offices, including which offices are required to take an Oath of Office. Mr. Theissen completed a second reading of Ordinance 09-2021, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, establishing non-elected offices of the City, and a plan of personnel classification and organization.

Councilman Wessels made a motion to approve Ordinance 09-2021. Councilman Feinauer made a second. Ms. Russell called the roll.

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

MOTION CARRIED

2nd Reading Ordinance 10-2021 – Ms. Bailey advised Council this is a housekeeping item to update the City’s codification relating to eliminated pay levels and updated structure of the Police Department. Mr. Theissen completed a second reading of Ordinance 10-2021, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending Title II, Chapter 35, Section 35.11 of the City of Fort Wright Code of Ordinances relating to the Police Department to delete reference to “pay levels”.

Councilman Weber asked if this limits the Police Department from creating new positions. Ms. Bailey advised that new positions would be reviewed as part of the budget process and, just like the budget, would not be approved without Council vote.

Councilman Weber made a motion to approve Ordinance 10-2021. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

NEW BUSINESS

Mayor Hatter brought up the Executive Order [08-2021] he issued on August 25, 2021, closing the James A. Ramage Civil War Museum immediately and indefinitely. He called on Council to pass Municipal Order 04-2021 which would permanently close the Museum. He then allowed comments from the public.

William Myers, 1596 St. Anthony, expressed concern over the future of Battery Hooper Park, with or without the Museum. Mayor Hatter said there are no plans to do anything but improve the existing Park. He said the City is actively soliciting input from residents on what they would like to see, as well as PCA Architecture for improvement suggestions.

Sarah O'Bryan, 428 Hawthorne Avenue, Cincinnati – She said the Museum was a large part of her upbringing and she does not see any reason for the City to close it.

Bernard O'Bryan, 253 Tando Way, Covington – Mr. O'Bryan said he disagreed with the Mayor's decision to close the Museum.

Rachel Pladdick, 699 Wischer Drive, Taylor Mill – She told Council how much the Museum means to her and was concerned that the history would be lost.

Councilman Abeln made a motion to amend the agenda to include a vote on Municipal Order 04-2021. Councilman Weber made a second. Ms. Russell called the roll.

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

Mr. Theissen read Municipal Order 04-2021, a Municipal Order of the City Council of the City of Fort Wright in Kenton County, Kentucky, closing the James A. Ramage Civil War Museum, and related actions.

Councilman Abeln made a motion to approve Municipal Order 04-2021. Councilman Weber made a second. Ms. Russell called the roll.

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

There was further discussion about the intentions of the City with regard to the plans for the Park, and Mayor Hatter reiterated that there is no plan to get rid of or develop the Park, and he hopes that the Battery itself will remain and be preserved. He also advised that the City is in discussion with the Behringer Crawford Museum in Covington regarding items currently in the Museum building, but no final plan has been established.

There was a question from the public about money donated to the Museum and getting a refund. Mayor Hatter asked anyone requesting a refund of their donation made within the last year, with proof of the donation, to contact the City Administration Building for assistance.

Mary DeSalvo, 533 Beaumont – She addressed Council, introducing herself as an original Museum Board Member and one-time President of the Board. She said she is appalled with the people who do not live in the City of Fort Wright trying to dictate how the City spends its money. She said she does hate to see the Museum go away, but thinks it is time. Mayor Hatter thanked Ms. DeSalvo for her previous service to the Museum Board and her willingness to stand up as a taxpaying resident.

Mr. Myers asked how the Park will be policed with the development being built on the property next door. Mayor Hatter said the Museum building currently has video surveillance for security, and he may ask the Police Department to increase patrols in the area.

Municipal Order 03-2021 re: Disposal of Surplus Property – Ms. Bailey advised Council that this Municipal Order is to dispose of a Smith and Wesson M&P 40 caliber pistol handgun that is no longer in use by the Police Department. Mr. Theissen read Municipal Order 03-2021, an Order declaring surplus property and authorizing disposal of such property by destruction and/or recycling.

Councilman Weber made a motion to approve Municipal Order 03-2021. Councilman Wessels made a second. Ms. Russell called the roll.

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

MOTION CARRIED

1st Reading Ordinance 11-2021 – Waste & Recycling Collection Fees – Ms. Bailey advised that, as previously discussed, the contract price with Rumpke that is passed onto residents will go from \$183.00 per year to \$197.00, which covers the cost of the contract. She said this is a two-year contract, so Council will need to revisit this again in 2023.

Mr. Theissen completed a first reading of Ordinance 11-2021, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending section 51.09 of the Code of Ordinances to set the trash collection charge for the fiscal years 2022 and 2023.

Councilman Wessels made a motion to approve the first reading. Councilman Feinauer made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Real & Personal Property Tax Rates for FY 21-22 – Mayor Hatter said Kenton County recently announced they are lowering property taxes from 15.9 cents per \$100 of valuation to 15.4 cents, and the personal property tax rate is being lowered from 20.2 cents per \$100 of valuation to 19.3 cents. Mayor Hatter commended the Kenton County Fiscal Court, including former Fort Wright Mayor Joe Neinaber, Jr., for this work. He continued, saying the Fort Wright Finance Committee has worked hard and wants to keep the tax rate the same as last year or lower it slightly.

Mayor Hatter commented on the expenses the City incurs, including the \$1.6 million Police Department budget and \$1.3 million Fire Department budget. He said the City is in great financial position, has no long-term debt, and continues to operate under budget, and commended department heads for budgeting conservatively and staying below those numbers. Mayor Hatter said he hopes this continues for a long time but knows there are a lot of moving parts in the economy.

Ms. Bailey said she would be sending Councilmembers two spreadsheets with information. She said the Finance Committee has looked at the revenue stream with projected taxes for this year, but there needs to be a closer look for the future. Mayor Hatter said there are different formulas on the two spreadsheets, and they are working to make one sheet. He said he would like to see a projection of possibly phasing out the insurance premium tax in the next ten years, as well as include the franchise fees from Duke Energy.

Councilman Wessels added that the Finance Committee met with RedTree Investment Group, and they are looking at the possibility of investing in other types of capital with different risks. He said the discussion would continue so they can give RedTree guidance on those decisions.

It was determined that there would be Public Hearing prior to the upcoming September 15th Caucus Meeting to review the proposed tax rates, then have a Special Meeting to complete the first reading of the Ordinance.

COMMITTEE REPORTS

Community Improvement Committee – Chair Councilman Feinauer – No report.

Finance Committee – Chair Councilman Wessels – No report.

CAO REPORT

Ms. Bailey said she has been extremely busy dealing with unexpected projects relating to the Museum. She advised there are two documents that were provided to Council for review for the upcoming decisions on the tax rates. She said one document relates to the rates and the other fine tunes the process for tax collection, including due date, time, and postmark information. Mayor Hatter added that this will be done to clear up any ambiguity relating to the deadline, so that the process is extremely clear and reasonable.

DEPARTMENT REPORTS

Administration/Finance – Ms. Russell reported that the food truck events have wrapped up for the

season. She said she continues to take applications for the rental of the South Hills Civic Club and she has begun working on the Employee Appreciation Lunch to be held in November.

Councilwoman Witt asked about passport acceptance. Ms. Bailey advised that there needs to be two trained employees in the office to restart that process, so hopefully that will restart once the Treasurer position is filled soon.

Mayor Hatter added that the City is still looking to fill the Treasurer position and appreciates residents sharing the job posting.

Ms. Bailey also noted that the City is working to convert its payment software to the cloud and tax bills may have a different look because of this change.

Public Works – Mr. Bethell said the Public Works Department has been working on some sidewalk replacement and blacktop patching. He reported that the Fort Henry project is complete, and Birchwood is almost finished. He said Redwood is over 50% complete.

Mayor Hatter added that the Public Works Department has only three people and they are also still trying to hire a part-time employee to help. He encouraged residents to let the City know if something does not look good in the public right-of-way, but reminded them to be patient as there are only three people to serve over 6,000 residents.

Fire/ALS Department – Chief Schewe announced that the results from the ISO [Insurance Services Office] inspection have been returned, and the City's continues to maintain a rating of 3 [three]. He said that is a good rating, as the range is 10 [ten] being zero fire protection to 1 [one] on a level like the New York City Fire Department. Mayor Hatter added that the ISO rating impacts directly impacts insurance premium costs for residents and property owners and commended the Fire Department for their hard work in what they have achieved.

Police Department – Chief Butler thanked the public for their support of the Department's Cram the Cruiser event held at Walmart on Thursday, August 5th. He said he was amazed at the amount of donations that went to Fort Wright Elementary, which was chosen because there are many Fort Wright residents who attend the school even though it is in Covington. Chief Butler thanked all the officers, and specifically Officer Aaron Arnsperger, Officer Taylor Bellau, and Sergeant Rob Griffin for their work. He also thanked Officer Arnsperger's family who helped as well.

Chief Butler reported that vehicle thefts are up exponentially at this time and said 99% of recent thefts are due to the key fob being left in the vehicle. He reminded residents to take key fobs out of the vehicles and lock up the cars.

Mayor Hatter added his thanks to the City's First Responders as COVID-19 cases continue to rise and some members of the City's departments have been impacted. He asked residents to keep all First Responders in their thoughts and prayers as they work with the public and encouraged extra kindness.

Legal Counsel – No report.

Councilman Weber asked Ms. Bailey if she had received any responses from the Kentucky Department of Transportation [KDOT] regarding the proposed changes to Interstate 71/75. She said she had spoken to Bob Yaeger and he will be working to make a map available for review by Council. Ms. Bailey said she will request KDOT come to a Council Meeting to speak with members about the proposed changes. In addition, she said there are changes coming to the Dudley Road and Madison Pike interchange, which she plans to have as an agenda discussion item at the next Caucus Meeting.

SPECIAL ANNOUNCEMENTS

Mayor Hatter read a card received from Fort Wright Elementary, thanking the Fort Wright Police Department for the Cram the Cruiser event and donations.

COUNCIL COMMENTS

Councilwoman Witt – She said there may be a fall clean-up day in October, and she will be working with Mr. Bethell on planning. Ms. Bailey asked Councilwoman Witt to confirm if the Fort Wright Garden Club will still plan to do the tree lighting in late November, and Councilwoman Witt said they will work to confirm the date.

Councilman Feinauer – He asked drivers to be vigilant as school has started and buses are out. He also asked that everyone keep the September 11th attacks in their minds as the 20th anniversary approaches.

Councilman Wessels – He thanked Mayor Hatter for his leadership in dealing with the Museum, as well as Ms. Bailey and the City staff.

Mayor Hatter addressed the Meeting's attendees and at-home viewers, saying he has lived in the City his whole life and has served on Council or as Mayor for over 20 years, and he believes this is the best Council in his time serving. He said there are no hidden agendas, there is full transparency, and each person serving has the City's best interests at heart. He apologized for his outbursts but said he will not stand for anyone making allegations against Councilmembers making back-room deals. Mayor Hatter said he has no doubt Council made the right decision, unanimously, to shut down the Museum. He welcomed residents to reach out to him directly if they have questions.

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 Wessels made a second. Ms. Russell called the roll.

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

MOTION CARRIED

The Council Meeting adjourned at 8:40 PM.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Dave Hatter", is written over the text "Respectfully submitted,".

Dave Hatter, Mayor

Attest:

A handwritten signature in blue ink, appearing to read "Maura Russell", is written above the text "Maura Russell City Clerk".

Maura Russell
City Clerk