



**City of Fort Wright Council Caucus Meeting  
Wednesday, September 18, 2019 6:00 p.m.**

**CALL TO ORDER**

The meeting was called to order at 6:00 PM by Mayor Hatter. Mayor Hatter led the Pledge of Allegiance followed by a moment of silence. City Clerk Susan Ellis called the roll.

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

Also present for the meeting were:

City Administrative Officer Jill Bailey  
City Attorney Todd McMurtry  
Police Chief Marc Schworer  
Police Captain Jonathan Colwell  
Fire/EMS Chief Steve Schewe  
Public Works Director Jeff Bethell  
City Clerk Susan Ellis

**CITIZEN COMMENTS**

There were no Citizen Comments.

**ITEMS FOR DISCUSSION:**

**MCI/Verizon Franchise Agreement – Dina Dye**

Ms. Dina Dye of MCI Metro addressed the council regarding the agreement they were seeking. MCI Metro is a subsidiary of Verizon. They are requesting public access of approximately seven

miles to install fiber optic cable using 2-inch conduit underground and existing aerial poles. This is not a wireless service as they are not authorized. Verizon Wireless would be 5G, MCI Metro is not. They would not be doing small cells. The initial plan is for business and governmental consumers, not residential. The fiber optics may be used by other carriers or possibly used in the future for other services. There is no difference from what the local phone company has already installed. In the future the fiber could be wholesaled to other carriers or provide services direct to customers. They plan to utilize conduit sharing if available rather than redigging. The franchise agreement would only give legal access to the right of way.

It was determined that additional expertise was needed from Tim Broering or others as well as a need to understand what the agreement says. There is urgency on this process and will require a Resolution for a bid.

#### **Beyond Self Storage – Jay Bayer, Bayer Becker**

Mr. Jay Bayer of Bayer Becker addressed the council and referred to photos and information about a proposed storage facility stating that it would need zoning changes. Mayor Hatter commented that the facility looks nice but would not generate any significant revenue for the City but that this might be the best opportunity to develop that location.

Mr. Tim Holiday of Northpoint Development in Kansas City also addressed the council stating that Beyond Self Storage is rooted in Cincinnati. He provided background on Northpoint Development and their current projects. The facilities are typically 3-4 stories, 100% inside and 100% climate controlled. They have high security and loading and unloading would be completed inside the building. They are light on traffic with on average four customers per hour. Mr. Holiday stated that they like to utilize challenging sites that might otherwise go undeveloped. The site they are considering has significant challenges and Northpoint has developed on a similar site and has budgeted for these challenges. The facility they are proposing is approximately 35000 square feet into side of hill and retaining walls would also serve as building walls. Beyond typically employs a general manager and two flex managers. Operating hours are 9 AM to 5 or 6 PM every day. Customers can access the building from 6 AM to 10 PM with an access code.

Mr. Bayer provided the following information from an email from Johnny Sweeney of Northpoint Development:

***In addition to our strong local presence – the core of our team is the construction group which is located of Reading – we are a developer, owner and operator. We invest with a long-term perspective and the City would be working with the same team throughout the process from entitlements, to construction to operation.***

**Taxes paid to the City of Fort Wright (does not include other taxing jurisdictions)**

ESTIMATES – SUBJECT TO CHANGE		
Annual City Taxes		10 years
\$1, 104	Payroll	\$11,040
\$1, 096	Gross Receipts	\$10,963
\$16,122	Real Property	\$161,217
\$18,322		\$183,220

Council discussion of zoning and design issues included the following:

- Current zoning is HOC which is “industrial excluding self-storage”.
- Whether to add a use to an existing zone or to rezone.
- Map amendment recommendation to limit exposure. Mr. McMurtry recommended defining allowed self-storage as climate controlled.
- Concern about recent changes to the HOC zone
- Concern regarding the building façade design.
- Consideration of rezoning not only this one property but the property to the right as well.
- Conditional use.

It was determined to allow the experts to come up with a proposal for this development.

Discussion continued regarding economic development and the need for an economic development initiative. Hosting an event for realtors to showcase available properties for development was suggested. Ms. Bailey will schedule an economic development committee meeting to address this topic.

**George Hueser Sidewalk Repairs**

Flowable fill has been used as a remedy for the wash out of the sidewalk. It will eventually need to be replaced. Currently there is a trip hazard that will be address by Precision Concrete. Mr. Marty Hellmann of CT Consultants has suggested that Tower Hill needs to dump water somewhere else. Mr. Bethell commented that he had no idea of where to go with the water or what route to take. It may be possible to add a sewer though the ditch line, but there is a water main through there which would need to be relocated. Other suggestions included slab jacking or locating a new sidewalk across street. Mr. Hellmann believes that this sidewalk issue will happen again. It was determined that the repair should be good until at least next year allowing time to explore slab jacking as well as relocating the sidewalk to see what makes more sense. It was also recommended to talk to SD1 about run off.

## **Zoning - Short Term Property/Group Home Rentals**

Ms. Bailey reported that this topic has been discussed in Community Improvement Committee. They determined that short term rentals are not permitted in any part of the zoning code. Penalty options were discussed and can be enforced, but the committee was not interested in taking action. If one becomes an issue, then it would be shut down.

Requiring a business license was discussed. A short-term rental is operating illegally. If the City were to require and charge for a business license, it would be condoning the activity.

Short term rentals are not permitted and not enforced. It was recommended to leave this alone. If problems arise, then they will be enforced. Chief Schworer commented that the activity would need to be criminalized for it to be enforceable. It was recommended to use PDS to site for violations and issue fines.

Councilman Abeln left the meeting at 7:40 PM.

Ms. Bailey reported on the issue of group homes with multiple people living in them. Most are recovering alcoholics and recovering drug addicts who are self-policing themselves. It was concluded that they were protected properties. Mr. McMurtry commented that group homes are permitted but can be addressed if they become a nuisance. It was questioned if a business license should be required. The zoning code would need to be reviewed.

## **Tax Rates (FY 19-20)**

Mayor Hatter referred to the information from ADD district. He expressed his concern that if the City does not take a tax increase, it has foregone that opportunity. He also expressed concern about pension death spiral. A public hearing has already been scheduled if the City is considering taking more than compensating rate. Consideration to having a buffer should be given. Mayor Hatter reported that Fort Wright ranks in the lowest 1/3 in the area for tax rates. There was discussion regarding the fiscal year 2019-2020 budget being set such that the City would not need to raise taxes and the reappraisal of Fort Wright properties next year. Mayor Hatter referred to an Excel spreadsheet he had developed for conducting "what if" analyses. He will provide that tool to council members. It was determined that the tax rate would be set at the next meeting on October 2, 2019.

### **Ongoing 'Project & Issues' List Review**

Wessels has offered to donate an 11-acre parcel to the City of Fort Wright and has agreed to pay for the preparation of the deed. The City shall pay the legal fees associated with closing, the costs of a title report, and any needed environmental evaluation(s). Mr. McMurtry has recommended doing an environmental study with an estimated cost of \$3,000. Mr. McMurtry stated that he has a conflict of interest and that this is not his area of expertise. He recommended hiring another attorney with expertise in that area. Mayor Hatter asked that a title exam be conducted as well. A proposal to hire an outside attorney will be needed and a budget set for this project.

Captain Colwell was introduced, welcomed and congratulated. Mayor Hatter reported that he has met with the Police Department prior to the Caucus Meeting to quell rumors.

### **ADJOURNMENT OF THE CAUCUS MEETING**

Councilman Wall made a motion to adjourn the Caucus Meeting. Councilman Feinauer made a second. All Council members present were in favor.

**MOTION CARRIED**

The Caucus Meeting was adjourned at 8:52 PM.

Respectfully Submitted,

Dave Hatter, Mayor

Attest:



Susan Ellis, CMC, KCMC  
City Clerk