



# City of Fort Wright

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## City of Fort Wright Council Meeting Wednesday, October 4, 2023 – 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 Collins	Present
Councilman Wall	Present
Councilman Weber	Present
Councilman Wessels	Present
Councilwoman Witt	Present

Also present for the meeting were:

City Administrator Jill Bailey  
City Attorney Tim Theissen  
Fire/EMS Chief Steve Schewe  
Police Chief Ed Butler  
Public Works Director Jeff Bethell  
City Clerk Maura Russell  
Finance Clerk Kelly Perry

Mayor Hatter requested a motion to amend the agenda to include an address to the public and Resolution. Councilman Weber made a motion and Councilman Wessels made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Mayor Hatter read the following statement:

Sadly, around two weeks ago - in a despicable and deplorable act of intimidation and fear - a family in Fort Wright was targeted because of their orientation. Their home - a place we all equate with safety and comfort, our refuge from a divisive, cruel, and even dangerous world - was vandalized. Criminals on a mission of hate spray painted the words "Hell is Real" on the home of this family.

As Mayor of the City of Fort Wright, I am outraged, disgusted, and deeply concerned by this criminal act. As a Fort Wright native, I was raised close by. The vandalized house was once the home of my best friend, which makes this even more personal for me. Our police department is vigorously investigating this frightening and troubling incident and hopefully, those who committed this crime will pay for this despicable deed.

No individual should ever be subjected to intimidating speech and/or vandalism of their property. It is my expectation and my objective to ensure that every resident of and visitor to Fort Wright feels safe and welcome here and is treated with dignity and respect regardless of their race, religion, gender, or orientation. There is simply no place in Fort Wright, Kentucky, or anywhere else, for the type of repugnant behavior that sadly occurred here.

Like others on this Council, I had hoped and quite frankly never expected something like this to happen in the community that we all know and celebrate as welcoming, inclusive, caring and kind. I know my colleagues on Council and Staff share my sentiment that every individual in Fort Wright should always feel safe and welcome, and that we are always striving to live up to our long-time motto "Neighbors Helping Neighbors."

I will continue to work with our staff on this situation and I can assure you that the Fort Wright Police Department is taking this very seriously and is diligently taking all the necessary steps to investigate this crime, bring those responsible to justice and to send a loud and clear message that we do not and will not tolerate hateful criminal behavior so that something like this never happens again in our community.

Since I became aware of the incident, Police Chief Butler has met with the victims personally for additional fact-finding purposes, to provide updates on the investigation and to express our concerns about their wellbeing. Additionally, we have increased police patrols in our neighborhoods, and we will continue to do that to send a message that this behavior will not be tolerated. Rest assured that if the perpetrators are identified, we will file charges with the Kenton County Commonwealth Attorney.

I will leave it to law enforcement, legal counsel, and prosecutors to determine if what occurred falls under the legal definition of a hate crime; but I certainly believe that it was a crime of hate and should be loudly condemned by all.

We all know in our hearts that this contemptible incident is not indicative of the people of Fort Wright. Having grown up here and serving the community for nearly 25 years, I know firsthand that we are a community of people that care for one another. We want everyone here to live a full, happy life without fear of being attacked for any reason whatsoever and will continue to work towards that goal every day. Thank you.

Mr. Theissen completed a full reading of Resolution 08-2023, a Resolution of the City of Fort Wright, in Kenton County, Kentucky, condemning hateful behavior and speech and encouraging everyone to treat each other with kindness, dignity and respect in the City of Fort Wright, Kentucky.

Councilman Weber made a motion to approve Resolution 08-2023. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

### **CITIZEN COMMENTS/GUESTS**

Elise Sebastian and Hanna Windhorn – Ms. Sebastian addressed Council, saying she and her wife were the homeowners whose house was vandalized. She shared her family's experience of deliberately choosing to

relocate to Fort Wright four years ago, saying they have only ever experienced kindness. Ms. Sebastian said her family is proud of their home and has enjoyed the accessibility, camaraderie, and peacefulness of Fort Wright.

Ms. Sebastian said the family returned from dinner to find the phrase spraypainted on their home, adjacent to a hanging Pride flag. She shared that Mayor Hatter and the Fort Wright Police Department, including Chief Butler, Captain Colwell, and Sergeant Millay, have been kind and generous in their concern for her family. Ms. Sebastian said she reviewed the City's history regarding instituting a Fairness Ordinance and saw it was dismissed in 2021. She said the Resolution just passed is so close to a Fairness Ordinance and encouraged Council to send a message that everyone is welcome via that type of legislation, adding that it could prevent future hateful acts.

Greta Elenblaas – Ms. Elenblaas addressed Council in support of Ms. Sebastian and Ms. Windhorn, saying she has been a resident since 2009. She cited information from the Society of Human Resource Management, saying one in four LGBTQ+ individuals have left an area where this kind of attack has taken place, and an additional 36% consider leaving. She encouraged Council to send a strong message in consideration of the recent events.

Jason Worms – Mr. Worms inquired if the incident is being flagged as a hate crime or similar. Chief Butler advised the incident was documented by Sgt. Millay in the manner required and after reviewing it was determined this incident was considered criminal mischief by Kentucky law. He said the Police Department is investigating the incident in that manner and they have indicated it is a bias crime. Chief Butler said their investigation and the bias crime indicator would be given to a judge who would decide to escalate to a hate crime level.

Mayor Hatter reiterated how terrible he feels about the incident and apologized on behalf of the entire City. He said Council is exploring options for a Fairness Ordinance. He asked residents to please reach out to the Police Department if they feel they are being victimized in any manner. Mr. Theissen added that all Fairness Ordinances look different from city to city, so they are continuing to research options and determine the best fit for Fort Wright.

Deana Swetlik – Ms. Swetlik addressed Council regarding pedestrian safety in the City. She asked for signage on Redwood and in neighborhoods where sidewalks are missing to say, "Watch for Pedestrians" or "Share the Road". She also asked for educational programming on how to walk on streets without sidewalks, which could be easily added to the City's website. Ms. Swetlik inquired on adding "piano key" crosswalks to major intersections and stop sign bars at stop signs. She also asked if the updates to George Huser Drive would include an ADA-compliant sidewalk.

Mayor Hatter discussed the street program and the attempts the City has made to pass a tax to fund sidewalk installation, both of which failed. He agreed that some areas do need sidewalks, but said it is a very expensive venture and most homeowners are not in favor of taking their yard for a sidewalk.

Mayor Hatter added that he does not think there would be objections to additional signage, increased visibility of crosswalks, or the addition of stop bars on the streets the City controls, but the City would need to have the Kentucky Transportation Cabinet handle the roads they own and maintain.

Mr. Bethell advised the sidewalk at George Huser Drive is being replaced because of a water runoff issue from Tower Hill Plaza and the replacement will be ADA-compliant.

Ms. Bailey agreed the educational content would be helpful and asked for it to be sent to her for review and placement among City media outlets.

Officer Emily Horseman – Introduction – Chief Butler introduced Officer Emily Horseman, who joined the Fort Wright Police Department recently, having previously served the Villa Hills and Fort Thomas Police departments and Kentucky State University Police. He said she is a trained accident reconstructionist, has a lot of investigative experience, and is highly educated. Officer Horseman thanked Council and Chief Butler and said she is grateful to be working in Fort Wright and thanked them for the opportunity.

### **APPROVAL OF COUNCIL MINUTES**

Councilman Weber made a motion to approve the minutes of the Public Hearing held on Wednesday, September 6, 2023. Councilman Collins made a second. Ms. Russell called the roll.

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

Councilman Wall made a motion to approve the minutes of the Council Meeting held on Wednesday, September 6, 2023. Councilman Collins made a second. Ms. Russell called the roll.

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

### **UNFINISHED BUSINESS**

**2<sup>nd</sup> Reading of Ordinance 11-2023 related to FY2023-2024 Tax Rates** – Mr. Theissen completed the second reading of Ordinance 11-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, establishing the tax rate for the fiscal year beginning July 1, 2023, and ending June 30, 2024, upon real estate, personal and mixed property in the City of Fort Wright, Kentucky, and establishing the time and payment and penalty for non-payment of same. Mr. Theissen said the rates would be 0.248 for real property and 0.446 for personal property.

Councilman Wessels made a motion to approve Ordinance 11-2023. Councilman Abeln made a second.

Mayor Hatter thanked the Finance Committee, Councilman Wessels and Councilman Weber, for their hard work on analyzing the information with staff to determine where the City is and where it will be financially. He discussed the downtrend of tangible tax value, leading to a decrease in tax received. Mayor Hatter thanked staff for being judicious on spending money, enabling Council to hold steady the real property tax for residents in the City. Councilman Wessels thanked Mayor Hatter, Ms. Bailey, and staff for their work.

Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Collins	Yes
Councilman Wall	Yes
Councilman Weber	Yes

Councilman Wessels                      Yes  
Councilwoman Witt                      Yes

MOTION CARRIED

Ms. Bailey advised all taxes will be due by Friday, December 29<sup>th</sup>, with a grace period until January 3<sup>rd</sup>. She said the tax bills would be generated soon and she anticipates them being mailed by November 1<sup>st</sup>.

**Sale of Surplus Property – Barrington Road Subdivision** – Mr. Theissen advised this references a previously-discussed parcel of City-owned property in the woods off the corner of Morris Place and Glazier Road, lot 85 of the Barrington Subdivision, parcel ID 027-40-10-019.00. He said the owners of the adjacent property on Morris Place are requesting to purchase this lot from the City and are also working to purchase an additional piece that is privately owned. Mr. Theissen said once this is complete the owners intend to request the City close the undeveloped “paper” street.

Mr. Theissen said the property has been appraised and the owners have offered the City \$5,000 for the parcel and an additional \$1,000 to cover legal and administrative fees. He said the owners intend to use it as an extension of their backyard, which they had always been doing and only recently realized they did not own it.

Councilwoman Witt made a motion to approve Mayor Hatter and Mr. Theissen to continue negotiations toward contract to sell the surplus property. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

## NEW BUSINESS

**Holly Jolly Days with Behringer Crawford** – Ms. Bailey said the City has hosted a holiday event at Behringer Crawford Museum the past few years for residents and this year is suggesting that Council support this program again. She suggested the City donate \$1,000 for the “Yuletide Unlimited” plan, which allows an unlimited number of Fort Wright residents to attend Behringer Crawford Museum on a designated day, which she recommends is December 16<sup>th</sup>.

Mayor Hatter said this is usually well-received and well-attended by Fort Wright residents. He added that he appreciates this museum for being a helpful and active partner when the James A. Ramage Civil War Museum was in operation and then when it was closed.

Councilman Wessels made a motion to authorize Ms. Bailey to enter into an agreement with Behringer Crawford Museum at a cost of \$1,000. Councilman Collins made a second. Ms. Russell called the roll.

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

MOTION CARRIED

**Municipal Order 06-2023 – Disposal of Misc. Surplus Property** – Ms. Bailey read Municipal Order 06-2023, an order declaring surplus property and authorizing disposal of such property by destruction and/or recycling. She advised this Municipal Order includes several items from the Fire and Police departments.

Councilman Wessels made a motion to approve Municipal Order 06-2023. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

**Resolution 07-2023 regarding creation of N.KY Police Academy** – Mayor Hatter said the City's Police Department has an unbelievable team and they have been very fortunate to find people who want to become officers and stay with the City. He said it is getting harder and harder to find people to do the job and it is very expensive to send a candidate to the Kentucky police academy. He said there are multiple overhead costs, including the expense of paying a salary for an officer who is not allowed to patrol on their own for up to 18 months. Mayor Hatter said this concern has also been expressed at recent Kenton County Mayors Group meetings, and, if passed, he will be sharing this Resolution with neighbors and Kenton County.

Mr. Theissen read Resolution 07-2023, a resolution of the City of Fort Wright, in Kenton County, Kentucky, supporting the creation of a Northern Kentucky Branch of the Department of Criminal Justice Training Police Academy. Councilman Weber made a motion to accept Resolution 07-2023. Councilwoman Witt made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Mayor Hatter thanked Councilman Weber for his work on this initiative, and asked residents to reach out to elected officials at the state level to spread this message.

## COMMITTEE REPORTS

**Finance Committee** – Councilman Weber said the Committee met with Republic Bank representatives and they are considering raising the City's interest rate from 3.5% to 4.25%. He also announced the City earned over \$140,000 in interest between the accounts with Republic Bank and RedTree Investment Group in the 2022-2023 fiscal year. Councilman Weber also said those accounts for the current fiscal year have already earned over \$54,000 in interest. He said this is a very positive outlook for the City's accounts.

Councilman Wessels thanked Ms. Perry for her work in gathering that information for comparison, saying the City budgeted interest income for the 2022-2023 fiscal year to be \$50,000 to \$60,000.

**Community Improvement Committee** – No report.

## **CAO REPORT**

Ms. Bailey advised the financial audit will be held October 9<sup>th</sup> and 10<sup>th</sup> at the City Administration office and will be conducted again by Chamberlin Owen. She thanked Ms. Perry and Ben Harrison for their work in preparing information for the audit team. She said she anticipates the presentation of findings to be at the December Council Meeting.

Ms. Bailey said there will be an OSHA safety inspection tomorrow, purely for educational purposes, which will help to enhance safety and assist staff.

Ms. Bailey provided an update on the phone system transition, saying she still anticipates it being complete by the end of October. She also added that she expects altafiber to vacate their space in the Public Works Garage by the end of December.

Ms. Bailey thanked St. Agnes Parish for donating 44 bales of hay, which the Public Works Department has used to decorate around the City. She also thanked Rudler PSC, Chief Butler, and Chief Schewe for their work on the annual Shred Day event.

Ms. Bailey announced Halloween Trick-or-Treat hours will be on Tuesday, October 31<sup>st</sup>, from 6:00 to 8:00 PM.

Ms. Bailey welcomed new part-time Firefighter/Paramedic Seth Rosenhagen to the team.

Ms. Bailey advised One Holland Group would begin demolition of the former SubStation II building next week.

[Councilman Wessels left the meeting at 7:17 PM.]

Mayor Hatter thanked Rudler PSC, headquartered in Fort Wright, for their work on the Shred Day event, saying criminals will go through your garbage to steal your identity which makes shredding or burning your personal documents so important. He thanked them for being a long-time Shred Day partner with the City.

## **DEPARTMENT REPORTS**

**Administration** – Ms. Russell thanked Mr. Theissen, Ms. Perry, Mr. Bethell, and PDS for their assistance in the code enforcement liens on a property on Hazelwood Drive. She said the City was able to collect over \$14,000 in due liens and fees. Ms. Russell advised she has started preparations for the Employee Appreciation Lunch on November 22nd.

Mayor Hatter thanked Republic Bank for their generous donation to the Employee Appreciation Lunch. He also addressed the chronic properties with maintenance and code enforcement issues, saying the City wants to resolve the matters as quickly as possible but there is a legal process that must be followed. He thanked residents for their patience and understanding as the City addresses these properties and asked residents to reach out if they notice a chronic problem in their neighborhood.

**Finance** – Ms. Perry advised the property tax bills will start being generated now that the rates have been set. She said she is hosting the Northern Kentucky Governmental Finance Officer Association [NKGFOA] meeting next week and the following week she will be working with Kentucky Employers Municipal Insurance [KEMI] for an audit later in the month.

**Public Works Department** – Mr. Bethell announced that two of the ordered pickup trucks have come in and he will be putting logos on them this week. He also said the road project on Fort Henry is moving along well.

**Fire/ALS Department** – Chief Schewe said Hero Night at the DCCH Center for Children and Families last night went very well and he is looking forward to next year's event. He said the new part-time employee, Seth

Rosenhagen is working out well. Chief Schewe also advised Council he would be attending the Opioid Abatement Conference in Lexington next week.

**Police Department** – Chief Butler thanked Public Works Laborer Mike Hoerlein for his assistance with the Shred Day event. He also addressed recent vehicle break-ins, strongly encouraging residents to not leave valuables in their vehicles. He also thanked Officers Matt Betustak and Aaron Arnsperger for their work in apprehending the suspects of some of the break-ins.

Mayor Hatter encouraged residents to call 911 if they see anything suspicious or unusual in their neighborhoods.

**Legal Counsel** – Mr. Theissen advised a delinquent property in the Fort Wright Trace neighborhood has sold, so the City should be getting the owed taxes soon. He also provided an update on the Hazelwood property that paid off their code enforcement liens, saying they are providing regular updates on the progress of the property, and it looks optimistic.

## **SPECIAL ANNOUNCEMENTS**

**Employee Recognitions/Special Thank You's** – Mayor Hatter thanked Rudler PSC for sponsoring and working with the City on the Shred Day event.

## **COUNCIL COMMENTS**

Councilwoman Witt – She thanked the five volunteers that are picking up trash on specific adopted streets in the City, saying they have collected 131 bags of trash since February, which does not include any of the trash the Public Works team collects while they are out in the City.

She reminded residents the City would be hosting a Fall Clean Up Day on Saturday, October 14, from 9:00 AM to 12:00 PM.

Councilman Collins – He thanked the Police Department for their work in supporting the St. Agnes Oktoberfest. He also thanked Mike Hoerlein and Shane Harkins for their work in helping.

Mayor Hatter – He reiterated his feelings on the incident that occurred, saying the City will not tolerate the hate.

## **EXECUTIVE SESSION**

Mayor Hatter requested a motion to adjourn to Executive Session under KRS 61.810 (1)(c), discussions of proposed or pending litigation against or on behalf of the public agency.

A motion to adjourn to Executive Session was made by Councilman Weber. Councilman Wall made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Collins	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilman Wessels	Absent
Councilwoman Witt	Yes

MOTION CARRIED

The Council Meeting adjourned to Executive Session at 7:39 PM.



The Council Meeting was reopened to the public at 8:20 PM.

### **ADJOURNMENT OF THE COUNCIL MEETING**

Councilman Weber made a motion to adjourn the Council Meeting. Councilman Collins made a second. Ms. Bailey called the roll.

Councilman Abeln	Yes
Councilman Collins	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilwoman Witt	Yes

MOTION CARRIED

The Council Meeting adjourned at 8:22 PM.

Respectfully submitted,  
  
Dave Hatter, Mayor

Attest:



Maura Russell, City Clerk