



City of Fort Wright

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City of Fort Wright Council Meeting Wednesday, May 3, 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	Absent
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

CITIZEN COMMENTS/GUESTS

Senator Chris McDaniel – Senator McDaniel discussed legislation that occurred during the recently closed short session for the state of Kentucky, including phasing out the bourbon barrel tax, passing medical marijuana conditions, authorizing sports gaming, and revising the juvenile justice system. He also discussed updates to publication requirements for local governments which will allow entities like the City of Fort Wright to publish digitally via LinkNKY, retirement updates, overhauls to the state's merit system, and changes to allow refugees to earn commercial driver's licenses.

Mayor Hatter and Council thanked Senator McDaniel for his hard work and time as a supporter for the City. Mayor Hatter applauded the efforts of Kentucky Transportation Cabinet District Six, saying the agency has been great to work with on the Brent Spence Bridge project, but added that there are a number of state routes through the City that could use attention. Senator McDaniel thanked the Mayor for the positive feedback and said he looks forward to working with the City and KYTC on the bridge project.

APPROVAL OF COUNCIL MINUTES

Councilman Collins made a motion to approve the minutes of the Council Meeting held on Wednesday, April 5, 2023. Councilman Weber made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Collins	Yes
Councilman Wall	Yes

Councilman Weber	Yes	
Councilwoman Witt	Yes	MOTION CARRIED

Councilman Weber made a motion to approve the minutes of the Caucus Meeting held on Wednesday, April 19, 2023. Councilman Collins made a second. Ms. Russell called the roll.

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

UNFINISHED BUSINESS

2nd Reading of Ord 02-2023 adopting Off-Street Parking Requirements – Mr. Theissen completed a second reading of Ordinance 02-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending the Fort Wright Zoning Ordinance Title XV entitled Land Usage Code, Chapter 153 entitled Zoning, Section §153.01, and specifically Section 11.2 of the Fort Wright Zoning Ordinance, entitled “Specific Off-Street Parking Requirement” in multi-family developments.

Councilman Abeln made a motion to approve Ordinance 02-2023. Councilman Wall made a second.

After some discussion, Mayor Hatter summarized the situation, saying this applies to one specific property at this time, the Wright’s Point Apartments, and their planned expansion. He added that the residents of that community will have to deal with the owners and management company if there is not enough parking, but he foresees less cars being needed in the future and this not being an issue.

Ms. Russell called the roll.

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

2nd Reading of Ordinance 03-2023 amending the Nuisance Code – Mr. Theissen completed a second reading of Ordinance 03-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending the Nuisance Code in Title IX, Chapter 92, Nuisances, Section 92.03 entitled “Nuisance Described and Prohibited” to repeal the provisions relating to distributing written materials.

Mr. Theissen advised the purpose of this Ordinance is to repeal certain provisions relating to the distribution of materials, specifically deleting the last three paragraphs because of a legal challenge to that language being unconstitutional. He said the Ordinance is being reviewed to see how this can be included in a modified way in the future, but it is appropriate to remove this language now to avoid the risk of liability.

Councilwoman Witt made a motion to approve Ordinance 03-2023. Councilman Collins made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Text Amendment – Off-Street Parking (Dunkin’ Donuts) – Jay Bayer, Principal and President of Bayer Becker, and Gary Holland, Founder and CEO of One Holland Restaurant Group, presented Council with updates based on the feedback given at the most recent Caucus Meeting.

Mr. Holland and Mr. Bayer provided the following updates: employees have been given the opportunity to park at various businesses in the vicinity, including the Berling Group and Skyline Chili; the dumpster will be contained within the same brick used for the building; deliveries will be coordinated to occur during non-peak hours, two days a week; donut delivery will occur at 3:30 AM daily; walk-up traffic cannot be allowed because the franchisor does not allow it in this model store; and the bike rack will be removed.

Traffic queues were discussed, and the pair presented numbers for the highest-volume store in their portfolio, Taylor Mill, to indicate that they are building in more capacity than they think will occur. Mr. Holland also advised the first two weeks will be the busiest, but they anticipate a 15-20% reduction in sales after that point.

Patrick Denbow, Senior Planner with Planning and Development Services of Kenton County [PDSKC], discussed the parking situation and said the PDS recommendation is to move forward with the language currently in the Z21 process.

After discussion, Mayor Hatter suggested moving forward with what One Holland originally requested, which is adding the drive-thru only specification. Councilman Weber made a motion to give Ms. Bailey the authority to apply to the Kenton County Planning Commission for only the change initially requested by One Holland. Councilman Abeln made a second. Ms. Russell called the roll.

Councilman Abeln	Yes
Councilman Collins	Yes
Councilman Wall	Yes
Councilman Weber	Yes
Councilwoman Witt	No

MOTION CARRIED

NEW BUSINESS

Warren County, KY – Certificate of Need Request for EMS – Ms. Bailey advised she received a Notice of Filed Application regarding the Warren County EMS establishing ground ambulance service in Warren County. She said there is no need to respond if Council does not want to weigh in on the request. Based on discussion, Council agreed that no action would be taken.

1st Reading of Ordinance 04-2023 amending the EMS Fee Schedule – Ms. Bailey and Mayor Hatter reminded Council of the discussion at the most recent Caucus Meeting, saying this update would offset some of the costs associated with EMS services and not put the entire burden on taxpayers.

Mr. Theissen completed a first reading of Ordinance 04-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, amending the fee schedule for emergency medical and transportation services.

Councilwoman Witt made a motion to approve the first reading. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Resolution 05-2023 Municipal Road Aid Contract/Agreement – Ms. Bailey said this is the annual agreement with the state regarding the funds the city receives from the gas tax, and the City is projected to receive \$124,165.32. Mayor Hatter added that these funds are put into the road projects to offset those costs. He said he does not anticipate these funds increasing over time with the increase in electric and hybrid vehicles and less gas being used, so changes will need to be reflected in future budgets. Ms. Bailey announced that the City is looking into grants for electric charging stations.

Councilman Weber made a motion to approve Resolution 05-2023, the Municipal Road Aid Cooperative Program Agreement. Councilman Collins made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Fort Henry Phase One Reconstruction Project – Bid Results – Ms. Bailey advised the bids were opened on April 29th and there are two options: the low bid on the Base Bid for concrete was from Jefferson Contracting for \$996,830.00 and the low bid on the Alternate Bid for asphalt was Eaton Asphalt for \$993,057.50.

After discussion on using asphalt versus concrete, Councilman Weber made a motion to accept the Base Bid from Jefferson Contracting. Councilwoman Witt made a second. Ms. Russell called the roll.

Councilman Abeln	No
Councilman Collins	No
Councilman Wall	Yes
Councilman Weber	Yes
Councilwoman Witt	Yes

MOTION CARRIED

Ms. Bailey advised the next phase would be bid out only for concrete.

COMMITTEE REPORTS

Finance Committee – Councilman Weber said there was no Committee meeting but confirmed all funds have been moved according to previous discussions into CDARS accounts. He said they are all in 52-week CDARS, with a 4.15% interest rate.

Mayor Hatter reminded residents that the movement of these significant funds is not taken lightly and handled by a team of staff, including Ms. Bailey, Ms. Perry, and City Accountant Ben Harrison, each working to protect

taxpayer funds and get better returns. Ms. Bailey added that all accounts have the same safeguards as existing accounts and are collateralized and FDIC-insured.

Councilman Weber added that budget information would be forthcoming. He also said Ms. Bailey and Chief Schewe have met with Park Hills and Kenton Vale leadership to work on new EMS and Fire/EMS contracts.

Community Improvement Committee – Councilwoman Witt said the committee would have an update after their next meeting.

Mayor Hatter thanked the Committee for their work on the new benches and garbage cans, saying they look great. He also reminded residents of the Community Bench Program, which helps offset some of the cost.

CAO REPORT

Ms. Bailey advised she will provide an update on Park Hills and Kenton Vale contracts soon. She also provided an update on Cincinnati Bell vacating the Public Works Garage space, saying they are still working on an end-date and determining what should be charged.

DEPARTMENT REPORTS

Administration – Ms. Russell advised passport acceptance and South Hills Civic Club reservations remain steady.

Finance – Ms. Perry advised 99% of real and tangible property taxes have been collected to date. She also advised that the Kenton County PVA [Property Valuation Administrator] has announced the homestead exemption rate will increase to \$46,350.

Fire/ALS Department – Chief Schewe said the department has been asked to participate in a Touch-A-Truck event at Walgreens in Fort Wright on May 20th from 12:00 to 2:00 PM to benefit the Red Nose Foundation.

Mayor Hatter thanked Chief Schewe and Ms. Bailey for their hard work in compiling data for budget review, including call reports. He said he hopes to include this information in future budget processes.

Police Department – Chief Butler said they have completed their spring active shooter drill with St. Agnes School, and he is working with their administration on implementing positive improvements.

Public Works Department – Mr. Bethell said new benches and trashcans are being installed and thanked the Fire Department for their help with that project. He provided an update on the Fort Henry project, saying Duke Energy has started their work on gas lines and the Northern Kentucky Water District will begin their work on June 5th. He advised residents that no thru-traffic will be allowed, but there will be flaggers to allow residents access.

Legal Counsel – Mr. Theissen had no report.

SPECIAL ANNOUNCEMENTS

Employee Recognitions/Special Thank You's – Mayor Hatter read a commendation from Kenton County Emergency Dispatch thanking Officer Taylor Bellau for her work in the City and Kenton County.

Mayor Hatter reminded residents of upcoming events, including the Community Yard Sale May 19th and 20th, the Garden Club Plant Swap May 20th, and the Memorial Day Ceremony on May 29th at 10:00 AM.

COUNCIL COMMENTS

Councilwoman Witt – She thanked the 35 volunteers and City staff for their hard work on Clean Up Day, saying they collected 120 bags of trash and half a truck of miscellaneous items. She also thanked Texas Roadhouse for donating lunch.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT OF THE COUNCIL MEETING

Councilman Wall made a motion to adjourn the Council Meeting. Councilman Abeln made a second. Ms. Russell 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 8:20 PM.

Respectfully submitted,

Dave Hatter, Mayor

Attest:



Maura Russell, City Clerk