



City of Fort Wright

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

City of Fort Wright Council Meeting Wednesday, August 2, 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	Absent
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

CITIZEN COMMENTS/GUESTS

Tim Siegrist, 1309 East Henry Clay Avenue – Mr. Siegrist requested the City begin planning on how it will address increased traffic volumes on East Henry Clay Avenue once construction begins on the Brent Spence Bridge Corridor. Mayor Hatter acknowledged it will be a major inconvenience to residents, but the City cannot do much because it is a public street.

APPROVAL OF COUNCIL MINUTES

Councilman Wessels made a motion to approve the minutes of the Special Council Meeting held on Wednesday, July 19, 2023. Councilman Wall made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Councilman Wessels made a motion to approve the minutes of the Caucus Meeting held on Wednesday, July 19, 2023. Councilwoman Witt made a second. Ms. Russell called the roll.

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

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Proclamation recognizing August 2, 2023, as Thomas Henry Jacober Day – Mayor Hatter welcomed members of Thomas Jacober’s family as he recognized August 2, 2023, as Thomas Henry Jacober Day in the City of Fort Wright.

Mayor Hatter said he had the pleasure of working with Mr. Jacober on the City’s Vision Committee as well as at St. Agnes Parish and he appreciated all Mr. Jacober did for the City of Fort Wright. Former Mayor Tom Litzler commended the City for recognizing Mr. Jacober and said it was a joy to serve with him, saying he could always get to the root of an issue and talk common sense.

Mr. Jacober’s eldest daughter, Julie Menner, thanked the City for honoring their father, saying he did not like to bring attention to himself but they were extremely appreciative of the gesture.

Spectrum Cable Franchise Agreement – Tom Litzler, FW TBNK Representative – Mr. Litzler presented the background for the cable franchise agreement, saying it was first issued in 1980 and has since been renewed three times. He thanked Fort Wright’s Council and Administration for their support of his participation with the TBNK [Telecommunications Board of Northern Kentucky] Board of Directors and the franchise agreement work. He reviewed the offerings TBNK provides to the City, including broadcasting Council Meetings and the cable franchise interlocal agreement negotiations. Mr. Litzler said he was not very happy with the outcome of these recent negotiations, but it is the best that can be done to protect the residents.

Mayor Hatter thanked Mr. Litzler for his work on the agreement, saying he knows it is complicated and can take a long time. Councilman Wessels asked about cell towers and antennae, and Mr. Litzler said those are not covered in this agreement.

Mr. Litzler also advised Council that his term as the City’s representative to TBNK would be ending in December and it will be his last. He recommended a member of Council be appointed, as that would be a big advantage to being kept up to date.

Mr. Theissen completed a first reading of Ordinance 10-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, granting and issuing a competitive non-exclusive franchise for a combined term of ten (10) years to, and authorizing the execution of a franchise agreement with, Spectrum Mid-America, LLC, and its permitted successors and assigns, said franchise providing for: the construction, erection, installation, upgrade, repair, maintenance, and operation of a cable television system for the provision of cable television services within the confines of the City of Fort Wright; retention of police powers and sovereign immunity; a \$300,000 performance bond to ensure franchise compliance; indemnification by franchisee including adequate insurance

coverage; construction and technical standards; compliance with FCC technical & customer service standards; conditions of street occupancy; public, educational & government access channels; payment of franchise fees & offset; council approval required for transfer of control or assignment of franchise; right to audit records; default, revocation & termination of franchise procedure.

Mr. Theissen included in his summary reading information about the franchise fee, which will be five (5) percent of the gross revenues derived from operation of the cable system.

Councilman Abeln made a motion to accept the first reading of Ordinance 10-2023. Councilman Wessels made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Painting of Public Facilities (City Hall and South Hills Civic Club) – Ms. Bailey advised Ellison Coatings has come in as the low bidder for painting the City Administration Building and South Hills Civic Club. She said funds have been allocated in the budget, but Council previously requested to see the results of the bids prior to awarding the contract.

Councilman Wessels made a motion to accept the bid from Ellison Coatings for \$19,460. Councilman Collins made a second. Ms. Russell called the roll.

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

MOTION CARRIED

Mr. Bethell advised the painting at the City Administration Building would begin in the fall, and South Hills Civic Club work would start in the spring.

CBTS Teams/Telephone Upgrade – Mayor Hatter advised the City will be switching platforms for phone services to save money. Ms. Bailey advised this changeover would be funded from the Capital Improvements Fund at a three-year investment cost of \$18,646.48.

Councilman Wall made a motion to approve moving forward with the bid from Parallel Technologies for the changeover. Councilman Collins made a second. Ms. Russell called the roll.

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

MOTION CARRIED

1st Reading Ordinance 09-2023 – Issuing Duke Energy Franchise – Mayor Hatter said this franchise agreement has been a long-time coming, as Duke Energy uses the City's rights-of-way without compensation to the City. He also said that having franchise agreements with other entities like Spectrum and MCIMetro/Verizon and not Duke Energy can cause issues with those entities. He advised this could bring in an estimated \$100,000 per year in revenue for the City.

Mr. Theissen completed a first reading of Ordinance 09-2023, an Ordinance of the City of Fort Wright, in Kenton County, Kentucky, establishing a non-exclusive franchise for the use of public streets, alleys and other public grounds of the City for the transmission and distribution of both natural gas and electricity through and for consumption within the City; and providing the terms thereof.

Mr. Theissen included in his summary reading information about the franchise fee, which will be five (5) percent of gross receipts from the sale of electricity and natural gas.

Mayor Hatter thanked Mr. Theissen and City staff for their work in bringing this franchise agreement together, saying this is very important to the budget.

Councilman Abeln made a motion to approve the first reading of Ordinance 09-2023. Councilman Wessels made a second. Ms. Russell called the roll.

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

MOTION CARRIED

COMMITTEE REPORTS

Finance Committee – No report.

Community Improvement Committee – No report.

DEPARTMENT REPORTS

Administration – Ms. Russell advised 13 property tax liens have been filed on delinquent property taxes.

Mayor Hatter thanked the residents and business owners in the City who pay their taxes on time.

Ms. Bailey congratulated Ms. Russell on being selected to participate in Leadership Northern Kentucky through the Northern Kentucky Chamber.

Finance – Ms. Perry advised the property tax rolls were received and are being reviewed for Council.

Fire/ALS Department – Chief Schewe advised the Fire and Police departments were invited to participate in the Hero Festival in October hosted by Fort Mitchell. He said he would provide more information when it is available.

Chief Schewe also thanked One Holland for allowing the department to do upcoming search and rescue and technical trainings at the former SubStation II property prior to its demolition.

Police Department – Chief Butler said local agencies will be attending an active shooter training at St. Agnes School on Wednesday, August 9th.

Public Works Department – Mr. Bethell advised the Northern Kentucky Water District is wrapping up their work on Fort Henry Drive and Jefferson Contracting should begin work next week.

Legal Counsel – No report.

SPECIAL ANNOUNCEMENTS

Employee Recognitions/Special Thank You's – Mayor Hatter read recognition letters from the public for Officer Matt Betustak, Officer Taylor Bellau, and the Fire/EMS Department.

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 88 bags of trash since February.

She also advised the City would be hosting a Fall Clean Up Day on Saturday, October 14, from 9:00 AM to 12:00 PM, with a focus on Highland Pike and Madison Avenue.

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, and KRS 61.810 (1)(b), deliberations on the future acquisition or sale of real property by a public agency, but only when publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency.

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

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

The Council Meeting adjourned to Executive Session at 7:04 PM.

The Council Meeting was reopened to the public at 7:50 PM.

ADJOURNMENT OF THE COUNCIL MEETING

Councilwoman Witt made a motion to adjourn the Council Meeting. Councilman Collins made a second. Ms. Bailey called the roll; all voted in favor.

The Council Meeting adjourned at 7:50 PM.

Respectfully submitted,

Dave Hatter, Mayor

Attest:


Maura Russell, City Clerk