



City of Fort Wright

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City of Fort Wright Council Meeting Wednesday, July 6, 2022 – 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 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

John Brophy (1592 Marcella Drive) – Brent Spence Project Concerns – Mr. Brophy addressed Council regarding a Notice of Proposed Acquisition he and his neighbors received regarding from the Kentucky Transportation District for the planned Brent Spence Bridge Corridor. He asked for Council's help and support in dealing with KYTC and other officials regarding the potential noise issues that will come from this project and the property acquisition. Mr. Brophy said the noise has gotten worse in the 40 years he has lived on Marcella and knows that it will continue to get worse with the changes coming.

Mr. Brophy requested Council endorse and support the residents in their request for a sound barrier wall. Mayor Hatter agreed that a Resolution would be the best step for Council to take but warned Mr. Brophy and the residents in attendance that the City has tried to work with KYTC District 6 in the past to assist other residents and have not succeeded. He encouraged each of the residents who received a letter to reach out to Senator Chris McDaniel and Representative Buddy Wheatley, as well as former Mayor Joe Nienaber Jr, who serves as a Kenton County Commissioner, to see if they can support this request. Mr. Brophy said he plans to reach out to those individuals and feels the time is right to get this done because the money is available.

There was discussion regarding previous sound level studies. Nancy Hoffman, 1596 Marcella Drive, said she attended a Council Meeting about eight years ago at which the Kentucky Transportation Cabinet was present, and they admitted the sound decibel levels at that time exceeded federal levels, but that the properties were

not worth enough to build a sound wall. Mr. Brophy presented information from 1989 from the US Department of Transportation levels that stated the sound decibel levels at that time were 79+5 and the federal level was 70.

Councilman Weber encouraged the residents to document everything they can, including getting all requests for assistance in writing, to establish a trail. He also suggested reaching out to the Brent Spence Bridge Advisory Committee to provide input there as well.

Mr. Brophy emphasized the urgency of this matter, saying the Kentucky Transportation Cabinet plans to meet with homeowners this month and asked if there was anything that could be done to support their efforts. Mayor Hatter said acting anytime other than this evening may be too late to support the residents in this request. Mr. Theissen prepared a Resolution to support the residents' request for a sound wall.

Mr. Theissen read Resolution 08-2022, a Resolution of the City of Fort Wright, Kentucky, Supporting Installation of a Sound Barrier Wall along I-71/75 to Protect the Homes in the City of Fort Wright from the Sound of the Proposed Construction and the Road Noise.

Councilman Wessels made a motion to approve Resolution 08-2022. Councilman Abeln 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

Interplastic Corporation – Mr. Theissen introduced Erik Levy, Chief Operating Officer, Martina Sailer, General Counsel, and Jeff Notarangelo, Vice President Operations, from Interplastic Corporation. He said they flew in from the company's headquarters in Minnesota to meet with leadership from the City of Fort Wright, the City of Covington, and Kenton County Homeland Security and Emergency Management to discuss the events that occurred on January 10, 2022, and other concerns each jurisdiction had regarding to operations at Interplastic's location at 3535 Latonia Avenue.

Mr. Levy provided background on Interplastic's operations in the city, saying the facility was built in the 1970's and acquired by Interplastic from British Petroleum in 1993. He said the location currently employs about a dozen Fort Wright and Covington residents, with approximately 75 total employees. Mr. Levy explained the product the company produces at the site, an unsaturated polymer resin, which is a composite material in liquid form that is then shipped to manufacturers of boats, showers, recreational vehicles, and many products in homes and businesses. He said this liquid becomes the glue for glass fiber to become fiberglass.

Mr. Levy addressed the incident in January, mentioning that the product is a reactive chemical that needs to be kept at a stable temperature for appropriate handling. He said in January, the heating device malfunctioned and caused an explosion-like noise. He thanked Chief Schewe and the Fort Wright Fire Department, along with Covington Fire Department, and Kenton County Emergency Management for their assistance in keeping residents safe, allowing the shelter-in-place order to be lifted within a few hours. Mr. Levy said the same type of

malfunction cannot happen again as the company investigated and then invested in new equipment to prevent a recurrence.

Mr. Levy addressed the occasional odor complaints that come from residents in the area, saying the company investigates those complaints rapidly and prefers to hear directly from complainants so they can be addressed quickly. He said all odor complaints received this year have so far been investigated by the company and regulators and everything at their plant is working as designed. Mr. Levy closed by thanking the City and Fire Department for its partnership over the years.

Mayor Hatter thanked Mr. Levy, Ms. Sailer, and Mr. Notarangelo for attending this evening’s meeting. He said the City’s main perspective is to be sure everything is operating in a safe and legal way, but the City has no authority to regulate what is happening as that is the responsibility of the Kentucky Department for Environmental Protection and the US Environmental Protection Agency. Mayor Hatter said he knows the EPA and KYDEP inspect the facility and respond to concerns, and he has no reason to believe the company is not operating above board in the way it should.

Mr. Levy stated that the industry is very regulated, with regulators at the federal, state, and county level to make sure the operations are safe and legal and protect the community. He said in addition to the external regulations, the company has internal controls that are not required by law, including their current work on reobtaining the ISO 14001, a globally recognized environmental management system. Mr. Levy said the company takes on these items to make sure the plant is operated safely and effectively and within the bounds of the law.

Mayor Hatter addressed the odor complaints, saying his understanding is that there is no safety concern when these occur, it is just unpleasant. Mr. Levy agreed, saying no toxic gasses are being emitted. He said there are some chemicals they work with that are odorous and need to be handled appropriately but are not a safety issue in the community.

Councilman Weber thanked Mr. Levy, Ms. Sailer, and Mr. Notarangelo for attending the meeting. He asked Chief Schewe his comfort level with his staff and how procedures are handled at Interplastic. Chief Schewe said the staff at Interplastic has always been extremely helpful with questions and he feels comfortable with his staff handling issues that may arise.

APPROVAL OF COUNCIL MINUTES

Councilman Weber made a motion to approve the minutes of the Special Council Meeting held on Wednesday, June 15, 2022. 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 Abeln made a motion to approve the minutes of the Special Council Meeting held on Wednesday, June 21, 2022. Councilman Wall 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

UNFINISHED BUSINESS

There was no unfinished business to discuss.

NEW BUSINESS

COFW FY 21-22 Audit Engagement Proposal – Mayor Hatter said the auditor for the city’s financial accounts changed shortly after he became mayor and has changed a couple more times since then. He said most of the auditors have done a good job, but it is important to have a fresh set of eyes on the information from time to time. Mayor Hatter said the current auditor is Chamberlin Owen, formerly VanGorder Walker, and they are doing a great job with the audit. He said John Chamberlin, owner of the firm, has brought a lot of things to Council’s attention to work on and he sees no reason to not proceed with this firm for the upcoming audit.

Mayor Hatter said in the near future the City will want to look at changing auditors again for a fresh perspective. Mayor Hatter recommended to Council that they accept the proposal from Chamberlin Owen for the 2021-2022 audit, and then next year potentially bring on a new firm.

Councilwoman Witt made a motion to accept the proposal from Chamberlin Owen for the 2021-2022 audit. 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

COMMITTEE REPORTS

Community Improvement Committee – Chair Councilman Feinauer – Councilman Feinauer said the Committee met on June 15th and discussed the nuisance ordinance with Mr. Theissen. He said it was suggested that the City work with PDS [Planning and Development Services of Kenton County] to work more closely with the Joint Code Enforcement Board. Mr. Theissen said the City is a member of that Board, with Frank Henn as the City representative, and PDS is excited to hear that the City will become more involved there. He said that board is very efficient and effective, while also being resident friendly.

Councilman Feinauer said Mr. Theissen is also working through the Ordinances to address circulars and unsubscribed items that are left on City sidewalks and in streets. Mr. Theissen said he will bring the ordinance back to the Committee soon for review, then will bring it to a Council meeting.

Mayor Hatter addressed working with PDS on joint code enforcement, saying he has been hesitant in the past to use that agency, but he is happy to hear that they have become more resident-friendly, as the City likes to take a “velvet glove” approach with code issues. Councilman Feinauer said the first layer of code enforcement will remain with Mr. Bethell doing the courtesy notices and discussions with residents, but to get to the Joint Code Enforcement Board a resident would have to basically ignore every outreach attempt by the City first.

Mr. Bethell said he works closely with PDS now and their philosophy on code enforcement is close to the City’s. He said their Joint Board is already hearing appeals, this will just update information to officially work with them.

Finance Committee – Chair Councilman Wessels – Councilman Wessels said the Finance Committee meeting for this afternoon was cancelled. He said he has asked Ms. Bailey to gather a few things to review the Insurance Premium Tax.

Mayor Hatter commented on the budget, saying it was approved at the Special Council Meeting on June 21st. He thanked the Finance Committee for their hard work and said the City is in great financial condition. Mayor Hatter said the next big thing to address will be setting the property tax rates. He reminded residents that all property values are sent to the City by the Kenton County PVA [Property Valuation Administrator], and then the City works with NKADD [Northern Kentucky Area Development District] to determine the maximum allowable increase the City can utilize for property tax rates. Mayor Hatter said the current mindset is to look at reducing the property tax rate or hold it steady, but no reasonable determination can be made until data is received.

CAO REPORT

Ms. Bailey was absent from this meeting.

DEPARTMENT REPORTS

Administration/Finance – Ms. Russell said liens will be filed on 16 properties that have not yet paid their 2021 property taxes. She said the current total of delinquent property taxes is \$31,319.04, with an additional \$10,000 in legal fees added to that total. Ms. Russell thanked Mr. Theissen and his assistant, Elizabeth Mason, for their help and hard work on collecting delinquent taxes owed.

Ms. Russell said passport appointments are going strong. She also said South Hills Civic Club rentals have restarted and has not seen much issue with the rental rate increases. Councilwoman Witt said she thinks that the rates are more competitive now and the renovations have helped drive rentals.

Fire/ALS Department – Chief Schewe a lot of damage around the City to power lines from this afternoon’s storm. He said it is more damage than he has seen in a long time and expects power restoration to be significantly delayed. Mayor Hatter thanked Chief Schewe and the Fire Department for their work in keeping

roads clear with the damage that was caused. Chief Schewe said Duke Energy has an outage map on their website and encouraged residents to review that.

Mr. Theissen thanked Chief Schewe for his work with Interplastic and said the City should feel very comfortable knowing he is in charge of the processes with the company.

Chief Schewe thanked Council on behalf of his staff for the raises at the start of the fiscal year.

Legal Counsel – Mr. Theissen had no report.

Police Department – Chief Butler also addressed today's storms, saying there is power out at a lot of intersections and reminded drivers to treat those like a four-way stop. He said the body camera project Council approved has started implementation and expects it to be rolled out in the next week. He said the technology is good and is an upgrade from their previous system.

Chief Butler also thanked Council for their support in approving the budget.

Public Works Department – Mr. Bethell said mowing has slowed because of the hot and dry weather and his department has been doing a lot of storm clean up over the last few weeks. He said he met with Marty Hellmann from CT Consultants and Michels to begin pre-work on the street program. He expects them to begin curb repair soon, then milling and paving will begin after that. He also said the boulder that was engraved for Volunteer Park will be delivered soon.

Councilman Feinauer asked about restoration on Morris Drive where the Northern Kentucky Water District had been working and Mr. Bethell confirmed they will be restoring the areas. He also asked about bushhogging, and Mr. Bethell said he was hoping to do that once another employee was hired, but they will have to do it soon regardless.

Mayor Hatter reminded residents that the City is still hiring for a full-time Public Works Laborer and asked that anyone interested reach out to him or Ms. Bailey. He also reminded residents that the Police Department does vacation checks for residents who are traveling.

SPECIAL ANNOUNCEMENTS

Employee Recognitions/Special Thank You's – Mayor Hatter read a note received by Mr. Bethell from the Bigneys on Mount Vernon Drive, thanking the City for the sidewalk repairs and sandbags.

COUNCIL COMMENTS

Councilman Feinauer – He wished everyone a belated Happy Independence Day.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT OF THE COUNCIL MEETING

Councilman Wessels made a motion to adjourn the Council Meeting. 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

The Council Meeting adjourned at 7:22 PM.

Respectfully submitted,

Dave Hatter, Mayor

Attest:



Maura Russell
City Clerk