

CITY OF FORT WRIGHT, KENTUCKY REGULAR COUNCIL MEETING

02/06/08 – 6:00PM

Mayor Weaver called the meeting to order with a Pledge of Allegiance and a moment of silence. The following members answered roll call, Mr. Joe Averdick, Mr. Bernie Wessels, Mr. Adam Feinauer and Mr. Scott Wall. Also present were City Administrator Larry Klein, City Attorney Pete Summe, Police Chief Dan Kreinest, Fire/EMS Chief Steve Schewe, Public Works Director Tim Maloney and City Clerk Joyce Woods. Mr. Dave Hatter arrived at 6:10PM and Mr. Joe Nienaber Jr. arrived at 8:11PM.

Judge Ann Ruttle, of Kenton District Court was in attendance to swear in our newest member of Council, Bernie Wessels. After being sworn in Mr. Wessels thanked everyone for the opportunity to serve. Mayor Weaver thanked Judge Ruttle and congratulated Mr. Wessels.

Citizen Comments

Mr. John Herold, a resident of 1385 Vidot Court addressed Council regarding sidewalks. He stated that other cities take a pro-active measure on putting in sidewalks. He wants Council to consider taking action on this project. Sidewalks are a good safety measure for the community. enhance property values and encourage more people to walk in the neighborhoods. Mayor Weaver reminded him of the tax issue on the ballot a few years ago, and we had comments both for and against this issue with the outcome for the street tax being narrowly defeated. The City does try to look at the sidewalk issue when replacing the streets.

Resolution 3-08 Fort Wright General – Jeff Wolnitzek

Mr. Summe read this Resolution. Motion by Mr. Feinauer, second by Mr. Wall to approve this Resolution. Roll call vote taken, Wessels, Averdick and Hatter voting in favor, no one opposed. Motion passed. Several members of the Wolnitzek family were in attendance and Mayor Weaver asked them to convey to him how much the City and individuals benefited from his generosity and knowledge. Jeff will be greatly missed on Council.

FYE 2006/2007 Annual Audit Report – Mr. Jim Sparrow, Rankin and Rankin, CPA's

Mr. Sparrow reported that he had met with the Finance Committee and Mr. Klein to review the report in much more detail. Mr. Sparrow highlighted some points of the audit to Council and explained some items in the audit. Mr. Sparrow reported that the City had a good fiscal year. Mayor Weaver thanked Mr. Sparrow for meeting with the Finance Committee.

Motion by Mr. Hatter, second by Mr. Averdick to accept the FYE 2006/2007 Annual Audit. Wessels, Wall and Feinauer voting in favor, no one opposed. Motion passed.

Motion by Mr. Averdick, second by Mr. Wall to approve the minutes of the 01/02/08 Regular Council meeting. Roll call vote taken, Feinauer voting in favor, Wessels and Hatter abstained, no one opposed. Motion passed.

Motion by Mr. Feinauer, second by Mr. Hatter to approve the minutes of the 01/14/08 Special Council meeting. Roll call vote taken, Averdick and Wall voting in favor, Wessels abstained, no one opposed. Motion passed.

Second Reading of Ordinance 1-08 – Repeal of Sanitary Sewer Fee

Mr. Summe read this Ordinance in summary. Motion by Mr. Averdick, second by Mr. Feinauer to approve. Roll call vote taken, Wall, Hatter and Wessels voting in favor, no one opposed. Motion passed.

Second Reading Ordinance 2-08 – Recreational Vehicles

Mr. Summe read this Ordinance in summary. Motion by Mr. Wall, second by Mr. Averdick to approve. Roll call vote taken, Wessels, Hatter and Feinauer voting in favor, no one opposed. Motion passed.

This Ordinance prohibits camping on public access parking lots in the City of Fort Wright.

Roger and Martha Kuchle, & Steve Hemberger of Anchor Properties

Mr. Kuchle addressed Council regarding the property owned by the family at 1813, 1817, 1825 and 3 Kyles Lane. He explained the timeframe of events leading up to his speaking at tonight's Council meeting. His time frame included his decision to close his business and decided on a long term lease to a business that would be appealing to Fort Wright. He contacted the City and spoke to Mayor Gene Weaver and City Administrator Larry Klein many times and Mr. Kuchle asked the Mayor and Mr. Klein for confidentiality on this project of bringing a Walgreens store to this site. There would have to be a zone change for this use but he reported he was advised by the City that this should not be a problem. Mr. Klein contacted Mr. Kuchle in December and advised him that the State had submitted the Kyles Lane/George Huser Drive re-alignment project and put in a request for federal funding for the project. The State Highway Department told Mr. Kuchle that if the Walgreens plan went through, the Kyles Lane/George Huser Drive realignment project would not touch his property. Anchor Properties requested that Mr. Kuchle get a letter from the City stating that the City was in favor of the proposed Walgreens store and that if a re-alignment of Kyles Lane and George Huser Drive did take place that the city preferred that it not take the Kuchle property. Mr. Kuchle stated that Mr. Klein is supporting the Kyles Lane/George Huser Drive re-alignment. Mr. Kuchle asked if the zoning could be voted on at this meeting and was told it could not. Mayor Weaver also stated that they have discussed this project many times and was always sworn to secrecy and confidentiality by Mr. Kuchle. Mr. Klein cannot guarantee a zone change or commit money to a project, this has to be approved by Council and go through a legal process at NKAPC. No one can control what the State will do, or write a letter supporting a zone change.

Steve Hemberger from Anchor Properties addressed Council and stated that what they requested from the City was an opinion as to how they would like to see the Kyles Lane/George Huser Drive re-alignment done. One thing about Walgreens is that they are not flexible with their building and their parking plans. If 15 parking places were lost Walgreens would not be interested in developing this property. Mr. Hemberger can answer any questions Council may have.

Martha Kuchle addressed Council and stated that it was very frustrating to be told one thing and then another thing was being done. Mayor Weaver told the Kuchle's to file the paperwork for the zone change with NKAPC and when it comes back before Council, they will vote on their part of the project. Mr.

Summe advised there cannot be an approval by Council before zoning is changed and the legal process started. Mr. Hatter suggested that if someone comes in with a plan for development in the City, to let them know that Council should be in on the plans since they are the people that will vote on the outcome. Mayor Weaver advised that this would be the only way it would happen.

Resolution 2-08 – United States Senator Jim Bunning

Mr. Summe read this Resolution. Motion by Mr. Hatter, second by Mr. Feinauer to approve. Roll call vote taken, Wall, Wessels and Averdick voting in favor, no one opposed. Motion passed.

Award of Bid for Kyles/Henry Clay Realignment Project

Mark Brueggemann addressed Council and stated that there were very good bids for this project, within our estimates that were prepared in 2006. Low bidder was Bray/Arnsberger for \$306,432.50 and it is Mr. Brueggemann's recommendation that this company be awarded the bid. The water main part of this project will be funded by Northern Kentucky Water District. Motion by Mr. Averdick, second by Mr. Hatter to approve. Roll call vote taken, Wessels, Wall and Feinauer voting in favor, no one opposed. Motion passed. Council advised they would like to have this project started as soon as possible.

First Reading Ordinance 3-08 – Interlocal Agreement for Amsterdam Road Improvements

This project will be started in late May and will conclude in late August. The road will be closed when this project is started because of the large equipment being used. Discussion followed regarding the road closure. Mr. Brueggemann advised that he would look at options for this. Mr. Summe read this Ordinance. Motion by Mr. Feinauer, second by Mr. Wessels to approve. Roll call vote taken, Wall, Averdick and Hatter voting in favor, no one opposed. Motion passed.

Resolution 4-08 – Disposition of Surplus Property

Mr. Summe read this Resolution. Motion by Mr. Hatter, second by Mr. Wall to approve. Roll call vote taken, Feinauer, Wessels and Averdick voting in favor, no one opposed. Motion passed. This property was a 1996 Ford Crown Victoria 4 Door.

Resolution 5-08 – CMAQ Application for Kyles and Dixie Realignment

Mr. Summe read this Resolution. Motion by Mr. Hatter, second by Mr. Feinauer to approve. Roll call vote taken, Wessels, Wall and Averdick voting in favor, no one opposed. Motion passed.

The City also ranked this project the most important state road in the City in May, 2007 and the Dixie Fix Study also recommended this as the top project. Support from the City for this project was requested, by the state.

Executive Order 1-08 – Appointing Daniel Martin as Police Specialist for the City

Mr. Summe read this Executive Order. Motion by Mr. Hatter, second by Mr. Wall to approve. Roll call vote taken, Wessels, Averdick, Nienaber and Feinauer voting in favor, no one opposed. Motion passed.

Executive Order 2-08 – Appointing Travis Brown as Police Specialist for the City

Mr. Summe read this Executive Order. Motion by Mr. Feinauer, second by Mr. Hatter to approve. Roll call vote taken, Wessels, Averdick, Nienaber and Wall voting in favor, no one opposed. Motion passed.

Additional Monthly City Council Meeting

This item was placed on the agenda by members of Council. Mr. Hatter and Mr. Feinauer stated they would like to cut down on the time between regular meetings. Discussion followed. Motion by Mr. Hatter to conduct one legislative meeting on the first Wednesday of the month at 6:00PM and a second caucus meeting on the third Wednesday of the month at 6:00PM to begin in March, 2008. Motion seconded by Mr. Feinauer for approval. Roll call vote taken, Wessels, Averdick, Nienaber and Wall voting in favor, no one opposed. Motion passed on first reading on this Ordinance.

Vehicles for Sale on City Streets

Mr. Hatter requested this be on the agenda. He stated that he read an article in the newspaper with a ruling in Glendale regarding vehicles for sale on city streets. The City had a ban on this practice and it was determined this cannot be regulated under free speech. Chief Kreinest stated that there was a particular resident that was fixing up cars and putting For Sale signs on cars and letting them sit on the street. Mr. Summe advised he doesn't think it is worth changing the Ordinance, since this is not a big problem. The Chief will monitor this situation.

Rental Property Conversion Plan

Mr. Hatter asked for this item to be placed on the agenda. He thought everyone should take a look at this regarding rental property. It is not a problem at this time, but could become one in the future. Mr. Wessels asked about forming a committee to study this issue. Mayor Weaver stated we will look into it.

Annual Budget Retreat Date – April 12th, 2008 at 8:00AM.

Battery Hooper Park

Mr. Nienaber stated that he asked for this item to be put on the agenda. He wanted to discuss HB380 Grant that will be expiring in June, 2008. He stated we need to have a plan, so we don't have to refund any money that we received for park improvements. Discussion followed. It was decided to schedule a special meeting on February 21, 2008, at 6:00PM to discuss only the Park Plan.

Administrator Report

Code Enforcement Board Update

There were violations regarding inoperable vehicles that went to the Board. By the time the meeting was held the violations had been corrected and the charge was dismissed.

Police Department Grants

We received a Grant from US Department of Homeland Security for night vision binoculars that could be used in many cases. There is no cost to the City for the equipment or training.

Duke Energy Foundation Grant

We have received a grant from Duke Energy for \$2500.00 to help pay for the \$5000.00 concept plan for the Banklick Creek Preserve. We were notified a few weeks back that we had received it. Thanks to Duke Energy for their generosity.

Parks and Recreation Board Tour of City Facilities – March 6 – 10:00-12:30

This is scheduled for March 6, 2008 for new members and all Board members. Mayor and Council are invited if they are interested.

Museum Update

The Museum reopened February 1, 2008. They have upgraded and put in new exhibits and are working with Thomas More College TAP Program. There is an article in the packet in regards to the exhibit about the Heeb Family a local connection displayed at the Museum.

City Website Counter

There was a suggestion by students from the Thomas More Tap Program to put a counter on the website. There is a report in the packet where the hits come from and pages that they go to.

Brent Spence Bridge Advisory Committee

The City was notified that the next meeting is February 25th at O.K.I., this is a public meeting and Mr. Klein will be attending. The purpose of this meeting is to update on alternatives and honing it down for the bridge alignment. Mayor Weaver brought up the article that stated the concept of putting a toll on the new bridge. The City needs to voice their opinion and the impact on our residents. Motion by Mr. Hatter to formerly oppose the imposition of tolls to pay for the bridge and road reconstruction and that the Federal Government take responsibility for the project. Seconded by Mr. Feinauer to approve. Roll call vote taken, Wessels, Averdick, Wall and Nienaber voting in favor, no one opposed. Motion passed.

Emergency Services Billing

The City of Erlanger recently started charging for emergency services for non-residents. Discussion followed. Will watch this program to see if it is successful in Erlanger.

Annual Report of Employee Leave Time

Only 13% of annual leave of sick time used by all departments. Employees are very conscientious of this benefit.

Annual Appreciation Dinner – February 9th

Just a reminder this dinner is on Saturday at the Gardens of Park Hills and we hope all can attend.

Council Committee Reports

Legal Matters

Ms. Classic Car Wash- Board of Adjustment upheld the Zoning Administrator's decision. Mr. Summe advised the Car Wash will probably appeal the decision.

Fort Wright/Park Hills Boundary – Waiting to hear from the attorneys.

Long Range Plan

Vision Committee is starting their meetings for the year.

Department Reports

City Clerk Joyce Woods reported that there are 28 delinquent tax bills for 2007. Our fees to issue passports have decreased from \$30.00 to \$25.00 each by the US Department of State.

Public Works Director Tim Maloney reported that the new carpet will be laid in the City Building in the next few weeks.

Fire/EMS Chief Steve Schewe reported that the new turnout gear is in and has a sample at the meeting if anyone would like to see it. The cost for this is \$2300.00 a set. We received grant money to help pay for it.

Police Chief Dan Kreinest reported that the yearend report is in the packet and that we are the busiest small community in Kenton County. The City website signup for contacts and news alerts is up and running.

Motion by Mr. Averdick, second by Mr. Nienaber to adjourn the meeting. All members voting in favor, no one opposed. Motion passed.

Respectfully Submitted,

Gene Weaver, Mayor

Attest:

Joyce Woods, City Clerk