

CITY OF FORT WRIGHT, KENTUCKY REGULAR COUNCIL MEETING

5/02/07 – 6:00PM

Mayor Weaver called the Council Meeting to order with a Pledge of Allegiance and a moment of silence. The following members answered roll call, Mr. Jeff Wolnitzek, Mr. Joe Averdick, Mr. Joe Nienaber Jr., Mr. Adam Feinauer and Mr. Scott Wall. Also present were City Administrator Larry Klein, City Attorney Pete Summe, Fire/EMS Chief Steve Schewe, Police Chief Dan Kreinest, Public Works Director Tim Maloney and City Clerk Joyce Woods. Mr. Dave Hatter arrived at 6:36PM.

Citizen Comments

Ms. Jenny Zink, Field Representative covering Fort Wright for Congressman Geoff Davis's Office introduced herself and advised Council that she had available a Grants Handbook and also a Grants E-Newsletter. These items give information regarding different kinds of grants available and the E-Newsletter keep people updated on a weekly basis as to what's happening in Washington and the State. If anyone needs anything from this office they can contact Ms. Zink anytime.

Mayor Weaver thanked her for the information and for her time to attend the meeting.

Ms. Jean Niehaus of 415 Pickett Court addressed Council and advised that the residents of Pickett Court are quite concerned about the recent shooting and killing of a dog on their street. The gentleman who shot the dog, has a concealed carry permit and he is known to pull his gun out frequently on at least six occasions. Ms. Niehaus questioned if anything can be done about getting the concealed carry permit revoked. Mayor Weaver stated that there is an ongoing criminal investigation and Council cannot comment on the case at this time. Chief Kreinest advised there is a preliminary court appearance concerning this matter, coming up the following week and it is a State statute regarding revoking the permit.

Approval of Minutes

Motion by Mr. Nienaber, second by Mr. Averdick to approve the minutes of the 3/07/07 Regular Council meeting. Roll call vote taken, Wolnitzek and Wall voting in favor, Feinauer abstained, no one opposed. Motion passed.

Motion by Mr. Feinauer, second by Mr. Wall to approve the minutes of the 3/27/07 Special Council meeting. Roll call vote taken, Wolnitzek, Averdick and Nienaber voting in favor, no one opposed. Motion passed.

Presentation of "Saving Cincinnati! Summer 1862" by James Kyle Hill

This presentation will be tabled at this time.

Mayor's Proclamation for Mr. Alex Schneider

Mayor Weaver recognized Alex Schneider who attends Moeller High School in Cincinnati and is a member of Troop 18 from Rossmoyne, Ohio. On April 21st he organized and coordinated a program to clear a path approximately 1600 ft. of small trees and other debris from the Bluegrass

Swim Club, to Battery Hooper Park behind the Museum. They also constructed two picnic tables and a fire pit.

Mayor Weaver presented the Proclamation to Mr. Schneider and proclaimed Monday, the 7th day of May, as Alex Schneider Day, in Fort Wright, Kentucky.

Amphitheater Grants – Ms. Julia Hurst

Ms. Hurst, a resident of West Crittenden Avenue, addressed Council and stated that she was present at the Special Meeting on 03/27/07 for discussion of the Battery Hooper Park Plan. She has some experience in grant writing and soliciting grants for Cities. She gave different ideas for funding, either through grants or private funding. Mayor Weaver asked if Ms. Hurst would be willing to meet with Mr. Klein and discuss this project further. She advised that she would be glad to. Discussion followed.

Executive Order 5-07 – Appointment to Public Works Department

This Order will appoint Nick Zumdick as a Full-Time Public Works Employee. Mr. Summe read this Executive Order. Motion by Mr. Averdick, second by Mr. Nienaber to approve. Roll call vote taken, Wolnitzek, Feinauer and Wall voting in favor, no one opposed. Motion passed.

Executive Order 6-07- Appointment to Parks and Recreation Board – Julia Hurst

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

Executive Order 7-07 – Appointment to Parks and Recreation Board – Jennifer Keating

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

First Reading of Ordinance 3-07 – Amended FYE 2006/2007 Budget

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

First Reading of Ordinance 4-07 – FYE 2007/2008 Budget

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

Resolution 4-07 – Municipal Road Aid Contract

Mr. Klein advised that this is a standard Resolution that authorizes the Mayor to enter into an agreement with the State to receive Municipal Road Aid funds and will be spent according to the conditions laid out in the contract. Motion by Mr. Averdick, second by Mr. Wall to approve. Roll call vote taken, Wolnitzek, Hatter, Nienaber and Feinauer voting in favor, no one opposed. Motion passed.

Resolution 5-07 – 2008 KYTC Six Year Highway Plan

This item was discussed at the Retreat session and the unscheduled project list from the State was provided to receive local input. We would like to have Council list their priorities and make further recommendations to the Kentucky Transportation Cabinet. This will then go into the State's Six Year Plan and will be considered for funding. Discussion followed. The three top projects Council would like to put on the list are Dixie Highway and Kyles Lane intersection, Dixie Highway at the old Thriftway entrance and Farrell Drive Highland Pike. Motion by Mr. Nienaber, second by Mr. Feinauer to approve. Roll call vote taken, Wolnitzek, Averdick, Nienaber and Wall voting in favor, no one opposed. Motion passed.

Encroachment Permit for Ruby Tuesday's Restaurant

Recently submitted for their building permit on the corner lot of Valley Plaza Parkway and Orphanage Road. The City has partnered with TANK to put in trash cans and a concrete pad and bus shelters. There is a location on this lot that, we are told, is encroaching on Ruby Tuesday's property. They don't have a problem with this, but would like to grant an encroachment permit to the City for part of this concrete pad being on their property. Mr. Summe has reviewed this agreement and it is less than two feet. Motion by Mr. Wolnitzek, second by Mr. Wall to have the Mayor sign the encroachment permit. Roll call vote taken, Hatter, Feinauer, Nienaber and Averdick voting in favor, no one opposed. Motion passed.

Battery Hooper Park Plan

There will be a special meeting on May 30, 2007 at 6:00PM to discuss only the park plan.

Administrators Report

Annual Easter Egg Hunt at Battery Hooper Park

This was very successful with about 150 participants.

Kuchle Property

The property on Dixie Highway and the home facing Kyles Lane has been sold to a developer. We have seen no plans as of today.

Saint Anthony and Marcella Drive Improvements Update

Work has begun on this project. There will be curb, gutter, sidewalk and pavement replacement. So far no complaints from residents.

Kyles/Henry Clay Intersection Project

Nothing new to report. Public Works put down seed and straw on property acquired by the City, so there will be no storm water issues before this project is done.

Trail Projects at Battery Hooper Park

Clearing brush and trees for trail. Scouts did a great job. A grant has been applied for.

Museum Update – Schools Visit and Events.

Fort Wright Elementary 5th graders visited the Museum and had a great time. Immaculate Heart of Mary 5th graders will be visiting in the next couple of weeks.

PVA Report

There is a spreadsheet included in the packet with total property values in Fort Wright. This includes the amount of Homestead exemptions and exempted property by City, State, Religious exemptions etc.

July 2007 Council Meeting Rescheduled

Our regularly scheduled Council Meeting for July falls on July 4th, it was decided by Council to reschedule the meeting for Thursday, July 5th at 6:00PM.

The Wessels Company vs. Kentucky Court of Appeals

In a unanimous decision the Courts decided in favor of the Sanitation District and Cities. The Wessels Company has decided to appeal this decision to the Kentucky Supreme Court.

Emergency Dispatch

Continuing discussions with Erlanger and the other Cities involved.

Fundraiser for Leukemia Victim – City Employees

A former Fort Wright resident and 5th grader at Fort Wright School has recently been in the news as having leukemia and fundraisers have been set up by the school to help with his many expenses. We gave this information to our employees and within a two day period of time we collected \$275.00 to contribute to this worthy cause. This was done anonymously.

Adopt-a-Unit Update

Our newly adopted unit will be deployed to Iraq next month. We have a large amount of items at the City Building to send and will start publicizing this as soon as we get a new address. Thanks to Saint Agnes Church, especially Alan White and Tom Jacober, for their continuing efforts to contribute and deliver the items to us.

Annual Memorial Day Observance – May 28th at 10:00AM

This year our observance will be at Battery Hooper Park at 10:00AM.

Committee Reports

Legal

Wessels LLC vs. SD1 and City of Fort Wright et al

Waiting on decision from the Court of Appeals

Long Range Plan

Mr. Feinauer advised that a lot of the Vision Committees ideas coincide with our long Range Plan, which means that we are all on the same track. We have a volunteer to help update our website, Leslie Cain, a resident of East Crittenden Avenue.

Department Reports

City Clerk Joyce Woods announced that young Mr. Klein has a new Grandson born May 1st. His daughter Mary and son-in-law Jeff have a beautiful baby boy and his name is Tyler Jeffery. All are doing well.

Public Works Director Tim Maloney reported that the tent in front of the building has been put up for the Garden Club's Plant Swap and Sale on Saturday. There is also a Scout program going on in the Nature Center, building fishing platforms at the lake.

Fire/EMS Chief Steve Schewe recognized and congratulated Fire Fighter/EMT Mike Harris for graduating from the University of Cincinnati Paramedic Program. He was the top student in the program. The Fire Department did get a squirrel from between the walls in the City Building that had been in there all day.

Police Chief Dan Kreinest had nothing to report.

Motion by Mr. Hatter, second by Mr. Nienaber to adjourn to executive session per KRS-61.810(g). All members voting in favor, no one opposed. Motion passed.
There was discussion regarding the Madison Woods business development.

Motion by Mr. Nienaber, second by Mr. Feinauer to adjourn the executive session back to legislative session. All members voting in favor, no one opposed. Motion passed.

Motion by Mr. Nienaber, second by Mr. Hatter to approve a PILOT (Payment in Lieu of Taxes) proposal by the Madison Woods project developers, subject to approval by the Kenton County Fiscal Court and the Kenton County School District. This would give the City 70% of its real property tax due; the County 70% of its real property tax due; and the Kenton County School District 40% of its real property tax due, with no PILOT for any other taxing jurisdictions. In addition, this PILOT was conditioned upon receipt of a Letter of Credit from a Senior Lender on behalf of the developer and some type of guarantee submitted, either escrowed funds, performance bond or the Letter of Credit assigning a certain amount to the City, or other instrument, sufficient to complete the first proposed building and necessary infrastructure. All members voting in favor, no one opposed. Motion passed.

Motion by Mr. Feinauer, second by Mr. Hatter to close legislative session. All members voting in favor, no one opposed. Motion passed.

Respectfully Submitted,

Gene Weaver, Mayor

Attest:

Joyce Woods, City Clerk