

CITY OF FORT WRIGHT, KENTUCKY REGULAR COUNCIL MEETING

06/07/06 – 6:00PM

Mayor Weaver opened the Council meeting with the Pledge of Allegiance and a moment of silence. The following members answered roll call, Mr. Jeff Wolnitzek, Mr. Matt Barker, Mr. Dave Hatter, Mr. Joe Nienaber Jr., Mr. Adam Feinauer and Mr. Paul Hiltz. Also present were City Administrator Larry Klein, City Attorney Pete Summe, Police Chief Dan Kreinest, Public Works Director Tim Maloney and City Clerk Joyce Woods. Fire/EMS Chief Steve Schewe was unavailable for this meeting.

Ms. Rosemary Fischer of 1637 Glazier Court addressed Council regarding the back yard at the apartment building at Park and Barrington Roads. Trees have been cut down and debris has been laying in the yard for a very long period of time. Ms. Fischer brought pictures of this area for Council to look at. She advised this debris is killing her shrubs and she wants something done. Mayor Weaver advised that Mr. Klein and Public Works Director Tim Maloney would look into this situation and let her know what would be done.

Motion by Mr. Hiltz, second by Mr. Feinauer to approve the minutes of the 05/03/06 Council meeting. Roll call vote taken, Barker, Nienaber and Hatter voting in favor, Mr. Wolnitzek abstained, no one opposed. Motion passed.

Motion by Mr. Nienaber, second by Mr. Hatter to approve the minutes of the 05/03/06 Municipal Road Aid Public Hearing. Roll call vote taken, Barker and Feinauer voting in favor, Wolnitzek and Hiltz abstained, no one opposed. Motion passed.

Second Reading of Ordinance 9-06 – Amended FYE 2005/2006 Budget

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

Second Reading of Ordinance 10-06 – Proposed FYE 2006/2007 Budget

Mr. Summe read this Ordinance in summary. Motion by Mr. Feinauer, second by Mr. Hiltz to approve. Wolnitzek, Barker, Hatter and Nienaber voting in favor, no one opposed. Motion passed.

Motion by Mr. Hatter, second by Mr. Nienaber to recess Legislative Session. All members voting in favor, no one opposed. Motion passed.

PUBLIC HEARING – 6:15PM

TOWN CENTER FORM DISTRICT (TCFD) ZONING TEXT AND MAP AMENDMENT PROPOSALS

Mayor Weaver opened the Public Hearing.

Introductory Comments by Larry Klein, City Administrator

Mr. Klein addressed Council and thanked everyone for all the work that was done to prepare for this hearing. He explained the reason for the Public Hearing. NKAPC was selected to perform this study for the cost of \$50,000.00. \$20,000.00 was for an extensive market study to determine the best uses for this corridor.

Kenton County Planning Commission Recommendations – Melissa Jort, NKAPC

Melissa addressed Council and advised that her purpose at this Public Hearing was to give Council the recommendation of NKAPC. There are two applications considered. The 1st is a proposed text amendment adding that Town Center/Form District Zone and the associated regulations to the Fort Wright Zoning Ordinance. The 2nd is a proposed map amendment adding the Town Center/Form District Zone to an area within the City. On March 31, 2006 the NKAPC staff recommended approval of the proposed text amendment subject to three conditions. Staff also recommended approval of the proposed map amendment subject to one condition. There was a Public Hearing on April 6, 2006 and action taken at their meeting on April 19, 2006.

Presentation of Other Form Districts – Melissa Jort, NKAPC

Presentation of Form District Example – KY 17 and Highland Pike – Mark Brueggemann
CDS Associates, Inc

Presentation of Arlington, Virginia Form District – Keith Logsdon, NKAPC

KY 17 Market Study – Doug Harnish, Gem Public Sector Services, Inc.
Keith Logsdon, NKAPC

City Staff Recommendation – Orphanage Road

A City staff recommendation was presented by City Administrator Larry Klein regarding the proposed map amendment. In discussion with NKAPC staff, if there is consideration tonight for a map amendment to this corridor, it is City staff's recommendation that the map amendment be modified to exclude the area on Orphanage Road between the City property line with Fort Mitchell, going west. This would include the property bordered by Orphanage Road and the entrance/exit ramp to I-275 and the city boundary southwest, because this area, due to its adjacent proximity to I-275, is not as conducive to the concept of the Town Center Form District (TCFD) as it will be to the anticipated second form district to the south. Existing uses in this area comprise uses envisioned for the

second form district to the south and therefore should be considered for inclusion when that form district is being prepared.

Mr. Hatter stated that he is not in favor of these changes. He has a problem with the five acre rule, which he believes is much too restrictive. Discussion followed.

Public Comment – Proponents/Opponents/Neutrals

Speaking in favor of the proposals:

Lynn Toner of Beacon Hill spoke and advised she is in favor of the restrictions and is happy that City Council is imposing them to keep the development looking very nice. She stated that only because the City stayed on the Wal-Mart development it is kept nice.

Eileen Hastings of Mount Vernon Drive spoke and advised as a member of the Vision Committee they have been talking about this for sometime. She gave a few examples of areas that were not pleasing to look at and others that were very nice. She also commented on the feedback she received on the Wal-Mart site that people in the area were very pleased with the outcome.

Tom Litzler of Beaumont Court spoke and advised that he came to the meeting not really knowing how he felt on this proposal. What was done with the Wal-Mart project, because Council stood their ground on this issue, improved traffic and was not the problem he thought it would be. He advised he doesn't think anything will change. You have to look at each case on an individual basis, that's what the Board of Adjustment is for. This area is the heart of the City and it is critical to set standards.

Speaking against the proposal:

Rudy Kreutzjans of General Drive spoke and noted that the Board of Adjustment is limited to what they can do and not a catchall for every problem that comes up. He asked questions of the speakers. He noted that everyone on either side wants this corridor to look good. He thinks this plan is much too restrictive.

Joe Michels of General Drive also spoke and had reservations regarding the plan and agreed it is much too restrictive on what can be done with the land.

Speaking as a neutral:

Roger Schroder, Foreign Auto Salvage, Highland Pike

Motion by Mr. Hatter, second by Mr. Nienaber to close the Public Hearing and reconvene the Regular Council meeting. Roll call vote taken, Wolnitzek, Barker, Feinauer and Hiltz voting in favor, no one opposed. Motion passed.

First Reading of Ordinance 11-06 – Zoning Text Amendment – TCFD

Mr. Summe read this Ordinance. Motion by Mr. Wolnitzek, second by Mr. Hiltz to approve. Roll call vote taken, Barker and Feinauer voting in favor, Nienaber and Hatter voting no. Motion passed 4 to 2.

First Reading of Ordinance 12-06 – Zoning Map Amendment

Mr. Summe read this Ordinance. Motion by Mr. Wolnitzek, second by Mr. Barker to approve, but amended, as recommended by City staff, to eliminate the area currently zoned HOC (Highway Oriented Commercial) and bounded by Orphanage Road , I-275, and KY 17, from the TCFD (Town Center Form District) based on the following finding of fact:

- 1) The area described, due to its adjacent proximity to I-275, is not as conducive to the concept of the Town Center Form District (TCFD) as it will be to the anticipated second form district to the south. Existing uses in this area comprise uses envisioned for the second form district to the south and therefore should be considered for inclusion when that form district is being prepared.

Roll call vote taken, Feinauer and Hiltz voting in favor, Hatter and Nienaber voting no. Motion passed.

Motion by Mr. Hatter, second by Mr. Barker to have a short recess. All members voting in favor, no one opposed. Motion passed.

Mr. Jim Titus of Dunn and Titus, addressed Council and stated that there is a planned development of 7.5 acres for 55 plus age group in the planning stages on Madison Pike. This will be a gated community with many amenities; there are plans for 1, 2 and 3 bedroom high end condos ranging in price from \$200,000.00 to \$450,000.00.

Executive Order 4-06 – Reappointment of Police Chief

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

Debt Refinancing Proposals

Seven debt refinancing proposals were received for consideration by the June 1, 2006, 4PM deadline. After much consideration and discussion it was decided to accept the proposal from The Bank of Kentucky. Motion by Mr. Hiltz, second by Mr. Feinauer to accept the proposal from The Bank of Kentucky. Roll call vote taken, Wolnitzek, Barker, Hatter and Nienaber voting in favor, no one opposed. Motion passed.

Saint Anthony and Marcella Drive Street Improvements

Because of work to be done on Saint Anthony and Marcella Drive by the Sanitation District the bidding for this street project has been delayed. The Sanitation District cannot confirm a timeframe for the repairs that are to be done on these streets, so it could be

many years in the future. City staff's recommendation is to proceed with the bids for reconstruction of Saint Anthony and Marcella Drives.

Administrator Report

2006 Memorial Day Commemoration

The Memorial Day Commemoration held on May 29, 2006, was well attended and went very well.

Kennedy and Lake Street Improvements

The street repair project on Kennedy Road and Lake Street is progressing well. The change order submitted to JPS Construction for an all concrete street on Kennedy Road was \$7000.00 less than asphalt.

Dixie Fix Update

Information included in the packet on the Open House held on May 8, 2006 for the purpose of receiving public comments on proposed improvements to the Dixie Highway corridor. Other information is also included. This study will conclude at the end of June with a final report.

Vision Committee Survey

A copy of the survey that was included in the June Top of the Hill Newsletter is included in the packet. The purpose of this survey is to compile results from residents and distribute them to City Council and the Vision Committee for review.

Northern Kentucky Subdivision Regulations Review Committee

This committee is asking for input from cities and local elected officials. Mr. Klein advised that if you have any input and suggestions or recommendations, please let him know.

Council Committee Reports

Community Affairs

Mr. Feinauer just wanted to note that school is out, watch for children playing in the neighborhoods.

Mr. Nienaber reported that we recently had two longtime Fort Wright residents pass away, Bob Hebbeler and Ray Schuler. Our sympathy to their families.

Legal Matters

Mr. Summe advised there would be a pre-appeal hearing in July for Ms. Classic Car Wash.

Department Reports

City Clerk Joyce Woods stated that Assistant City Clerk Jennifer Lipson gave birth to a baby girl, Arielle Elizabeth on June 1st. Everyone is doing well.

Public Works Director Tim Maloney reported his monthly report was distributed on the desk. The I-75 cleanup project has been completed and all the volunteers from the Kenton County Detention Center did a really good job. The Kennedy-Lake street project is going very well. NKAPC has the permits for the lights that will be installed under the Rivard underpass.

Police Chief Dan Kreinest reported that he wanted to send condolences to Tom Scheben of the Boone County Sheriff's Department on the death of his son in a motorcycle accident.

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

Respectfully Submitted,

Gene Weaver, Mayor

Attest:
Joyce Woods, City Clerk