

**Meeting 636 minutes  
June 17, 2015**

Mayor Irvin T. "Butch" Callery called the June 17, 2015 City of Villa Hills Council meeting #636 to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mr. Kilburn gave the prayer. Mayor Callery led the Pledge of Allegiance.

Those in attendance:

**Mayor Butch Callery**  
**G. Bruns**  
**G. Kilburn**  
**M. Koenig**  
**S. Ringo**  
**J. Vaden**  
**G. Waugaman**

**Mary Ann Stewart, City Attorney**  
**Craig T. Bohman, City Administrator/Clerk**  
**Chief of Police Bryan Allen**  
**Dave Whitacre, City Engineer**  
**Buck Yelton, Public Works Director**

A quorum was present.

The first order of business was the approval of the minutes of meeting #635. Motion made by Mr. Bruns, seconded by Ms. Koenig. A voice vote was taken, all in favor.

The next order of business was the approval of the minutes of the June 10<sup>th</sup> public hearing on the use of KMA and LGEA funds. Motion made by Mr. Bruns, seconded by Mr. Ringo. A voice vote was taken, 5 in favor, Mr. Kilburn abstained.

The next order of business was the approval of the minutes of the June 10<sup>th</sup> quarterly caucus meeting. Motion made by Mr. Bruns, seconded by Mr. Waugaman. A voice vote was taken, 5 in favor, Mr. Kilburn abstained.

The next item on the agenda was Presentations.

**Presentations:**

- Mayor Callery asked Mr. Waugaman to give the Finance Committee report and budget recommendation.

## **Finance:**

- Mr. Waugaman presented the Finance Committee report.
- Mr. Waugaman noted that the committee approved a change in the prepay policy to book payments under \$1,000 per month in the month they occur instead of accruing the expense monthly over the course of the fiscal year.
- Mr. Waugaman reported that the Finance Committee's questions had been answered by the City Administrator/Clerk.
- Mr. Waugaman reported that the committee discussed the Mayor's revised budget proposal and that the committee had no financial objections to the adoption of the proposed budget.
- Mr. Waugaman explained that the money being taken from reserves had been placed there because the city was not ready to spend the allocated dollars during the fiscal year in which the revenue was realized. He noted that \$18,450 was from an insurance payment to replace the Amsterdam Village sign, \$7,200 was from previous sales of surplus vehicles, which are being transferred to the new capital fund, and the remaining balance was being used for one-time expenses.
- Mr. Waugaman reported that the committee recommends approval of monthly Finances without redaction and be placed on the website.
- Mr. Waugaman explained the \$750,000 reservation in the surplus reserves to provide cash flow to the in months when expenses exceed revenue, especially during the first 3 months of the fiscal year before tax payments are received.
- Mr. Waugaman announced the next meeting would be July 13<sup>th</sup> at 7:00 p.m. at 719 Rogers Road.
- Discussion about the proposed \$750,000 reservation followed. Ms. Koenig stated that she felt more comfortable with a \$1 million reservation. Mr. Waugaman noted the committee discussed that and determined that other revenue such as payroll taxes and insurance premium taxes received in the first quarter offset the need to have \$1 million available. Mr. Ringo asked if the city has ever fallen short and Ms. Koenig responded the city had not. Discussion followed. Mr. Bruns stated that he knows an additional \$650,000 is available in unrestricted reserves and that he never wants less than \$1 million total in reserves. Ms. Vaden and Mr. Ringo inquired about the size of the total reserves being \$1.4 million dollars when prior discussions indicated a smaller amount. Mr. Waugaman replied that discussing the addition of the reservation helped clarify the size of the reserves. Mr. Ringo recalled that the finance committee felt a 3 month reserve was sufficient. Mr. Kilburn noted that the auditor recommends 1/3 of the budget expenses be in reserves while KLC recommends 6 months. He noted that the city currently meets those standards when looking at total reserves.
- A motion was made by Mr. Kilburn, seconded by Mr. Bruns to approve the monthly financial report. Motion carried by voice vote, all in favor.
- Mayor Callery brought Council's attention to a change in the proposed budget that added funds to pay for a record preservation project in the Administration Department budget. This would be a one-time project paid from reserves. Mr. Waugaman described that the current administration budget is in surplus but that there is not enough time remaining to

expend those dollars this fiscal year on the records project so the money will fall into the budget at the end of the fiscal year then be taken out again from surplus to fund the project. Council agreed to the change. Mr. Waugaman wanted the public to understand that the same issue occurs with KMA and other road funding in that the projects got started late and did not finish during the fiscal year. As a result it looks like a lot of money is coming out of reserves when in reality those were for projects that had been expected to be completed and paid for in the current fiscal year, but fell into the reserves at the end of June when they went unspent.

- Ms. Koenig disclosed to the public and council that she had received a reimbursement check for \$58.34 for plants she purchased for landscaping at 720 Rogers Road and that the check was listed in the financials.
- Mr. Bohman presented the changes in the departmental totals made after the first reading.
- Ms. Stewart gave a second reading to draft Ordinance 2015-F as amended. Mr. Bohman presented the changes in the departmental totals made after the first reading. Mr. Kilburn made a motion to approve the budget as amended, seconded by Mr. Ringo. Mr. Bruns asked if the budget contained a 4% property tax increase. Mayor Callery responded it did not. Mr. Bruns noted that residents need to keep in mind that the budget did not contain a property tax increase and this would need to be revisited in the context of road funding in the future. Mr. Kilburn commented that the Chief has requested body cameras and was seeking a grant to pay for them. He noted that the words and actions of our police officers need to be backed up with a digital record in light of potential complaints and to seek to prosecute those who falsely accuse officers of misconduct and, likewise, any officer shown to have abused their powers should be promptly disciplined to the highest level of redress. If the grant for the cameras does not come in, the city should look for funding within the current budget to pay for them. Ms. Koenig asked for a clarification regarding money dedicated for roads. Mayor Callery responded. With no further questions or comments a roll call vote was taken as follows:

Mr. Bruns	aye	Mr. Ringo	aye
Mr. Kilburn	aye	Ms. Vaden	aye
Ms. Koenig	aye	Mr. Waugaman	aye

Motion carried 6-0. This will become Ordinance 2015-7

With no further discussion, the meeting moved to other legislation.

**Legislation:**

- City Attorney Stewart read draft Resolution 2015-J adopting the needs assessment and technical evaluation reports in conjunction with the cable franchise renewal process. Ms. Stewart noted this legislation was requested by TBNK and is the first step in the process to negotiate a renewal with Time

Warner that will be handled by TBNK. Motion made by Mr. Kilburn, seconded by Mr. Ringo to approve the resolution. Motion carried by voice vote, all in favor.

This will become Resolution 2015-10

- Mayor Callery presented Executive Order 2015-11 Amending the Villa Hills Personnel Policies. Mr. Bohman explained that the city code contained two methods to adopt changes to personnel policies, the first by ordinance and the second by executive order with Council having until the close of the next regular meeting to vote to reject the changes. Mr. Bohman noted the changes contained in the update include increasing the PTO limit by 40 hours to give employees more leeway to find time to take time off and removed references to the Civil Service system that was repealed.

The next item on the agenda was committee reports.

### **Committee Report:**

#### **Police:**

- Chief Allen provided the monthly police report. He noted the increase in thefts from vehicles that occurred in May. Chief Allen directed Council's attention to the map in their packet that showed the approximate locations of the thefts.
- Chief Allen reported that the department used 27 hours of overtime and responded to 53 calls outside of the city.
- Chief Allen announced that Officer Ward has provided notice and that a part-time position has been posted.
- Chief Allen reminded the public about the upcoming safety fair and bike rodeo scheduled for August 4<sup>th</sup>.

#### **Safety:**

- Mr. Bruns gave the safety committee report. He noted it was a very short meeting lasting about 10 minutes.
- Mr. Bruns asked the public to visit the city's Facebook page and review the images of the suspects captured on security video and to share those with others to help identify the people in the video.
- Mr. Bruns urged residents to call 911 immediately whenever they see suspicious activity and not to wait or feel like they are bothering the police with little things.
- Chief Allen reported that the Police Department passed reaccreditation. It is one of only a few departments in the state that has passed five 5-year accreditation cycles.

#### **City Engineer:**

- City Engineer David Whitacre reported that the asphalt work has been delayed due to weather and had not started on schedule. Likewise the concrete replacement project on Buttermilk was halfway complete before rain caused a delay.
- Mr. Whitacre reported that TMS construction was the lowest and most responsive bid for the replacement of the Niewahner/Buttermilk intersection and traffic island replacement project. The Bid is \$83,859.45. The estimate was \$115,000 including the island relocation.

Mr. Kilburn made a motion, seconded by Mr. Waugaman to accept the bid of TMS construction for \$83,859.45. Mr. Bruns asked if the restricted funds for streets can be used to relocate the traffic island. Ms. Stewart replied that restricted funds could be used since it was an improvement to the street. With no further questions a voice vote was taken, Motion carried all in favor.

This will become Resolution 2015-11

### **Public Works:**

- Mr. Kilburn gave the Public Works Committee report. He thanked Mr. Bohman, Ms. Koenig, Mr. Yelton, Mr. Whitacre, and Mr. Waugaman for holding the Public Works Committee meeting in his absence due to employment requirements.
- Mr. Kilburn reminded the public about the recent grant request for road work on Buttermilk Pike and that the city had received notification that the grant had been funded. The grant will cover half of the cost of replacing Buttermilk from Collins to Rogers.
- Mr. Kilburn described the replacement options for Windgate, \$30,000 for an asphalt overlay, \$60,000 to replace just the busted panels, or \$90,000 to replace the whole street. The big advantage to replacing the street with concrete is that the road would not need replacement again for 40 to 50 years.
- Mr. Kilburn stated he did not want to pass the road funding issue onto a future Council. He discussed the City's responsibilities to maintain roads had increased since 2011 when the County unilaterally transferred control of county roads within city limits to the city. The square footage of roads the city is responsible for increased from 338,000 to 398,500 with the addition of Amsterdam and Highwater.
- Mr. Kilburn announced the next public works meeting is July 8<sup>th</sup> at 1 p.m. at 720 Rogers Road.
- Public Works Director Buck Yelton reported that public works performs their daily tasks such as daily equipment maintenance, filling potholes, cleaning up the parks, cleaning catch basins and other tasks.
- Mr. Yelton thanked the volunteers who worked at Rigney Park and Arts Rental for donating the use of equipment at no charge for the Eagle Scout project.
- Mr. Yelton thanked the Mayor and Mr. Bohman for working on the Public Works logo design. All vehicles will have the new logo installed by the end of the year.
- Mr. Yelton informed Council that the crew had cleared an 8-foot wide path along the walking trails to remove overgrowth and had addressed a punch list of items from the Division of Water to be corrected for erosion control and debris removal on the dam holding the Civic Club Lake.
- Mr. Yelton thanked Jack Gemmer and Son's for their cooperation and work while replacing the waterline on Buttermilk on behalf of the Water District.
- Mr. Yelton mentioned the heavy rain expected from the remnants of Tropical Storm Bill may affect the area over the weekend and that Public Works has prepared by having all the chainsaws and generators ready to go should they be needed.

**Events and Beautification:**

- Ms. Koenig reported that the June committee meeting did not have a quorum.
- Ms. Koenig said that the Fishing Derby turnout was good. She thanked the volunteers who assisted the children with fishing and recording the sizes of the fish caught. Ms. Koenig thanked Ameri-stop for donating lunch. She thanked the fire department for being on site and the Civic Club for hosting the event.
- Ms. Koenig read a list of the winners of the biggest fish and most fish caught for each age group.
- Mr. Bohman thanked the Latonia Bait Shop for donating the bait for the event.
- Mr. Bruns congratulated Ms. Koenig for a good event.

**Recreation:**

- Mr. Ringo gave the recreation committee report. He discussed the watering schedule for the Villa Soccer fields and its use by a church group.
- Mr. Ringo reported that the committee discussed the replacement of safety netting along the fields and that both the school and the soccer club were asked to share in the cost of the replacement.
- Mr. Ringo noted that the committee received a thank you letter from Scott and Michelle Campling of the Villa Hills Instructional Baseball League for the city's support. Mr. Ringo noted that the residents could still obtain Kid Glove game tickets. The Instructional League has received \$620 as a result of that program and can receive more if additional tickets are sold. The order form is available on the city's website.
- Mr. Ringo announced the next meeting is July 9<sup>th</sup> at 6:30 p.m.

**Administration:**

- Ms. Vaden gave the Administration committee report. She noted that the trash contact is being reviewed and should be in place by July 1<sup>st</sup>.
- Ms. Vaden reported that the committee discussed the increase in medical premiums, which had changed from 24% to 18.6%.
- Ms. Vaden informed the Mayor and Council that new signboards are to be ordered for the Administration office and the Police Department in order to remove notes and signage from the doors.
- Ms. Vaden noted that the committee discussed digitizing records and creating security copies of records.
- Ms. Vaden announced the July Administration committee meeting has been canceled. Next meeting is August 5<sup>th</sup> at 6:30 p.m.

**Fire Authority:**

- Mr. Ringo gave the Fire Authority report.
- Mr. Ringo presented the monthly run numbers.
- Mr. Ringo discussed recent roof repairs affecting the firehouse. The company that installed the repairs of the roof 5 years ago is out of business so a new company will make the repair and honor the previous warranty. With the warranty, the funds targeted to repair the roof repair will be used to address issues on the metal portion of the roof which is a new issue.
- Mr. Ringo announced that a new paramedic or two must be hired to replace one who is leaving.

- Mr. Ringo informed Council and the public that residents have raised concerns about the closure of Buttermilk at Valley Trails and assured the public that Chief Wendt has an alternate route for fire equipment which is working well.
- Mr. Ringo noted damage to the firehouse parking lot which was caused by a vendor's truck. It is being repaired by the driver's company at their cost.
- Mr. Ringo reported that the fire department has not changed banking yet, due to the transfer of existing accounts, due to the merger of Bank of Kentucky with BB&T. The fire department is going to use the city's upcoming banking bid as a template and bid banking after the city process is complete.
- The next meeting is Monday July 20<sup>th</sup> at 6:00 p.m. at the firehouse.
- Mr. Kilburn suggested obtaining a performance bond from the contractor performing the roof repair work.

#### **City Attorney:**

- City Attorney Mary Ann Stewart reported on the proposed changes to the spiking regulations that was presented at a recent municipal attorney's meeting. The change would allow for future spiking penalties to be rolled into the actuarially required employer contribution statewide, but any penalty that has already been billed will still be owed solely by the invoiced jurisdiction. Discussion followed.

#### **City Administrator Clerk:**

- City Administrator/Clerk Bohman reported that evaluations have been completed, staff have been completing the budget process, and that preparations for the annual audit are under way. The audit is scheduled for July 15<sup>th</sup>-17<sup>th</sup>.

#### **Mayor's Report:**

- Mayor Callery stated that after reviewing the minutes for the first six months he was amazed by all the things that have been accomplished. He thanked council for working with him and thanked staff for their assistance during his first six months as Mayor. Ms. Vaden noted that everything has passed council unanimously. Council members thanked the Mayor.

#### **Old Business**

- Mr. Bohman reviewed and discussed draft Ordinance 2015-G updating the ethics code and, at the request of Mr. Kilburn, noted the differences between the ordinance suggested by the ethics board and the model ethics code drafted by the Kentucky League of Cities.

Mr. Ringo asked that the updated ethics ordinance be given a first reading. City Attorney Stewart gave the first reading of Ordinance 2015-G.

- Mr. Bohman updated Council about the status of the legislation to adopt encroachment regulations. Mr. Whitacre is working on profile drawings to outline the standards that need to be met by those cutting into city streets. The draft ordinance will be presented once those drawings are available.
- Mr. Bohman provided an update on the status of the new parking regulations. It will combine 4 chapters of traffic and parking violations into one chapter and address the most common complaint calls like parking in front of mail boxes. The draft will be presented by the end of summer.

There being no further old business, the meeting proceeded to new business.

### **New Business**

There being no new business, the meeting proceeded to general announcements.

### **General Announcements**

- Mr. Waugaman thanked the finance committee for its work on the budget. He noted that the committee had an in-depth discussion. Mr. Waugaman thanked Mr. Bohman for his help and proficiency in getting the committee the information it needed in a timely manner. He thanked the Mayor for his openness on the budget process.
- Mr. Ringo thanked the Mayor for an excellent budget process. He noted that he had been through this process many times under different mayors. Mr. Ringo then stated the process was great, from the Mayor and Mr. Bohman's budget proposal, to the committee's review, to Councils' discussion, everyone did a good job.
- Mr. Kilburn thanked Mayor Callery for the way he communicates with Council and staff. He thanked Mr. Bohman, Ms. Koenig, Mr. Waugaman, the public works staff and Mr. Whitacre for their assistance with the public works committee. Mr. Kilburn congratulated Mayor Callery on a good first six months in office.
- Mr. Bruns urged the public to call 911 immediately if they see suspicious activity of any kind and not to wait. He urged residents to support local businesses that donate to events like the fishing derby and noted that the city is fortunate to have Paul at Ameri-stop in the community. Mr. Bruns invited residents to join the Civic Club for \$25 annual dues. He noted that there are great opportunities in the city available for residents to use.
- There were comments from the public.
- Mr. Yelton thanked Kenton County Engineer/Public Works Director Nick Hendrix for the assistance and advice he has provided in the past few months.

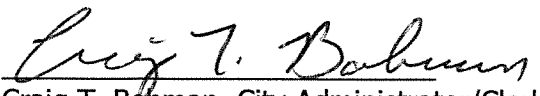
At 7:47 p.m., Mr. Kilburn made a motion to enter into executive session pursuant to 61.810(1)(c) for discussions of pending or threatened legal actions. Motion seconded by Ms. Koenig. Motion carried by voice vote, all in favor.

At 8:36 p.m. Ms. Koenig made a motion, seconded by Mr. Kilburn to leave executive session. Motion carried by voice vote, all in favor.

With there being no further discussion, Ms. Koenig made a motion to adjourn, seconded by Mr. Kilburn. Motion carried by voice vote, all in favor.

Time of adjournment was 8:37 p.m.

Respectfully submitted,

  
Craig T. Bohman, City Administrator/Clerk

  
Irvin T. "Butch" Callery, Mayor