720 ROGERS RD • VILLA HILLS, KY 41017 • (859) 341-1515 • FAX (859) 341-0012

## Meeting 633 minutes March 18, 2015

Mayor Irvin T. "Butch" Callery called the March 18, 2015 City of Villa Hills Council meeting #633 to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mayor Callery gave the prayer and led the Pledge of Allegiance.

Mayor Callery asked City Administrator/Clerk Craig Bohman to take the roll. Those in attendance:

**Mayor Butch Callery** 

G. Bruns

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

G. Kilburn – absent

A quorum was present.

The first order of business was the approval of the minutes of meeting #632 and the March 11, 2015 Caucus meeting. Mr. Waugaman requested one correction on the Meeting 632 minutes to reflect all members returned from executive session. Motion made by Mr. Bruns, seconded by Mr. Waugaman to approve the Meeting #632 minutes as amended and approve the Caucus meeting minutes. A voice vote was taken all in favor.

The next item on the agenda was legislation.

### Legislation:

Mayor Callery reminded the public that if they wished to address the Council on an issue being discussed or voting on to raise their hand and wait to be recognized.

 City Attorney Mary Ann Stewart gave a 1st reading to draft Ordinance 2015-C regarding the maintenance and repair of City sidewalks.

- City Attorney Stewart gave a 1st reading to draft Ordinance 2015-D, establishing
  a registration procedures for vacant properties in foreclosure. Ms. Stewart noted
  that discussion at the Caucus meeting raised concerns that the ordinance could
  be used for vacant properties not in foreclosure and informed Council that the
  draft had been changed to address those concerns. Mr. Bruns thanks Ms.
  Stewart for that change.
- City Attorney Stewart gave a 1st reading to draft Ordinance 2015-E, Establishing a separate classification of abandoned urban properties for ad valorem taxation. Mayor Callery noted this type of ordinance is used in other cities. Ms. Stewart stated that their use in other cities have not created an administrative burden. Ms. Koenig inquired about the existence of the Vacant Properties Commission. Mr. Bohman replied that the Commission existed with five members serving two year terms but had no appointees. Mr. Bruns stated that he had never heard of the Commission in the 40 years he has lived in the city. Mr. Waugaman inquired who would staff the Commission. Mr. Bohman replied that the Administration Department would assist. Mayor Callery asked Councilmembers to think of individuals to appoint after passage.
- City Administrator/Clerk Bohman read draft municipal order 2015-G, approving the 2015 Police Department Rules and Regulations. Motion made by Mr. Bruns, seconded by Mr. Waugaman. Motion carried by voice vote, all in favor.

Motion carried 5-0. This will become Municipal Order 2015-6

With no additional legislation to consider, the meeting proceeded to committee reports.

## **Committee Reports:**

#### Police:

- Chief Allen provided the monthly Police report, no reported crimes in February
- Seeing uptick in suspicious activity
- Mr. Waugaman asked questions about subjects with weapons calls. Chief Allen explained such calls are typically hunting in Boone. Chief noted the call was really fireworks complaints.
- Mr. Bruns mentioned that Maderia, Ohio had three break ins and was looking for a Gray Audi and Fort Mitchell police were looking for a silver Audi. Mr. Bruns asked residents to be vigilant. Chief Allen confirmed that a vehicle with a similar description was seen in the area.
- New cruiser is in waiting for equipment to complete the upfit.
- New radios that were a part of the budget amendment are in.

#### Safety:

- Mr. Bruns gave the Safety Committee report. He reported that the meeting was held on March 10<sup>th</sup> and discussed police rules and regulations just adopted. The Committee also discussed body cameras, community outreach, new radios, and the proposed stop sign on Squire Oak and Amsterdam.
- Mr. Bruns announced that the Reaccreditation walk through would be held on March 26<sup>th</sup>.

 Mr. Bruns reminded the public about the Prescription Drop Box located in the City Building.

## **City Engineer:**

- City Engineer David Whitacre reported that the most active project is the waterline project on Buttermilk from Rogers to Niewahner. After discussions with Department of Water in Frankfort, DOW has removed the dam from its list of low hazard dams. Project can proceed this spring.
- Mr. Whitacre discussed the Niewahner Island issue and the need to decide what to do with the Niewahner Island. He noted that the previous council had discussed if the island should be reduced in size. Mr. Whitacre discussed various options. Mr. Waugaman inquired if Niewahner Island can be shifted to one side. Discussion followed. Mr. Whitacre noted that the costs are the same for all options. Ms. Koenig asked Mr. Bruns if Fire Department had recommendations regarding the island. Mr. Bruns noted he had not discussed with FD but did not see an issue. Mr. Bruns stated that he would like to hear from residents nearby. Mr. Whitacre noted the City had a couple months to decide how to proceed.
- Carson Rogers, a resident on Valley Trails Drive noted that the island has memorials on it and is "sacred" and prefers that no changes occur at the island.

#### **Public Works:**

- Mr. Yelton gave the Public Works report. He stated that Public Works had made it through winter with minimal complications. The City used 623 tons of salt with about 75 tons left.
- Mr. Yelton reported that Public Works is street sweeping and patching. He
  expected it to take three weeks to complete the whole city.
- Mr. Yelton noted that he was working with Garden Club and Recreation to purchase their supplies such as mulch, gravel, loom and topsoil. Mr. Yelton announced that Wayne Slusher is on board as the seasonal groundskeeper.
- Mr. Yelton reported that the downspouts at the Villa Concession stand had been redirected to address the drainage issue.
- Mr. Yelton reported on the various vehicle maintenance that had been performed.
- Mr. Yelton noted he attended the KLC Risk and Safety seminar and learned a lot over the three day conference.
- Mr. Yelton Thanked Mayor for working with him.
- Thanked Lisa and Ernie Brown for food given during snow removal and an unknown resident that gave one employee hot chocolate.
- Mr. Waugaman asked about the mower to be replaced due to safety concerns.
   Mr. Yelton replied that the current equipment did not have the required safety features he learned about at the seminar which were not available when the mower was purchased in 2000. He had obtained prices.
- Mr. Bruns stated he would like to get the mower replaced as soon as possible.
   Mayor Callery replied that staff had that discussion earlier and was working to get it into the current budget.
- Mayor Callery thanked Buck and the crew for the job they did this past winter.

### **Events and Beautification:**

- Ms. Koenig reported that the committee held its first meeting and discussed decorative sign posts, the Adopt-a-Flower-Pot idea, landscaping for City Building and Police Department Building and scheduled events.
- Ms. Koenig announced that March 29<sup>th</sup> at 1:00 p.m. the City and Civic Club would hold an Easter Egg Hunt with the Easter Bunny.
- Ms. Koenig announced that April 11<sup>th</sup> (April 25<sup>th</sup> rain day) the City would cosponsor a City Beautification Day with the Garden Club and Civic Club. Lunch would be provided.
- Ms. Koenig announced that the City Wide Yard Sale would be May 1 & 2.
   Deadline to register your location is April 28<sup>th</sup>. Ms. Koenig noted that the Fall Yard Sale would be September 25<sup>th</sup> and 26<sup>th</sup> with a registration deadline of September 22<sup>nd</sup>.
- Ms. Koenig noted that Children's Fishing Derby and Senior Bingo are also being planned.
- Ms. Vaden noted the committee is also exploring holding a movie night at Franzen. Discussion followed. Mr. Bruns offered to assist getting equipment but noted there are issues with copyrights to be aware of.
- Ms. Vaden inquired about a Haunted Trails date. Ms. Koenig replied that it would be the Saturday before Halloween, October 24<sup>th</sup>.
- Ms. Vaden stated that the first meeting was a great meeting with lots of input from residents and good energy.

#### Recreation:

- Mr. Ringo gave the Recreation Committee report, he noted that staff is procuring the field supplies that are needed like loom.
- Mr. Ringo stated that the committee is preparing numbers for the Recreation budget by determining how much in field maintenance supplies are needed.
- Mr. Ringo announced the next meeting is April 9<sup>th</sup> at 6:30.
- Mr. Ringo noted that Wayne Slusher is on board.
- Mr. Yelton reported that staff would be rolling, aerating and fertilizing the fields in the next couple of weeks.

#### **Administration:**

Ms. Vaden report that there was no meeting it had been cancelled due to snow.
 Next meeting will be April 1st.

#### Finance:

- Mr. Waugaman presented the Finance Committee report.
- Mr. Waugaman reported that the Fire Department's budget request was up 3% over current costs adding \$14,000. He noted the fire hydrants cost estimate was reduced to \$20,000 freeing up \$10,000.
- Mr. Waugaman reported that the Finance Committee's questions had been answered by City Administrator/Clerk.
- Mr. Waugaman noted that the committee has reviewed the draft budget.
- Mr. Waugaman reported that the committee recommends approval of monthly Finances without redaction and be placed on the website.
- Mr. Waugaman announced the next finance committee meeting would be April 13<sup>th</sup> at 7:00 p.m.

• A motion was made by Mr. Ringo, seconded by Ms. Koenig to approve the monthly financial report. Motion carried by voice vote, all in favor.

### **Fire Authority:**

- Mr. Ringo reported that Jim Cahill gave Finance Report to Fire Authority Board and the proposed Fire Department budget was approved.
- Mr. Ringo noted that the Fire Department has a 5 year plan of Capital asset replacement schedule for Council to review.
- Mr. Ringo noted that Chief Wendt had established an Employee Assistance Program (EAP) with St. Elizabeth Business Health. He noted that Villa Hills and Crescent Springs also joined through the Fire Department saving each jurisdiction from having to pay \$1,700 each for the same program.
- Mr. Ringo reported that 13-14 fire hydrants needed next year and the funding for that was in the draft budget.
- Mr. Ringo reminded the public about the Department's Fish Fry held on Fridays until Good Friday.
- Mr. Ringo announced the next Fire Authority meeting would be at 6:00 p.m. on Monday April 20<sup>th</sup>
- Ms. Koenig asked Mr. Ringo if a report about the number of fire runs was available. Mr. Ringo replied he had it but did not bring it with him and would provide that. Ms. Koenig asked if runs are by jurisdiction. Mr. Ringo and Bruns stated that the runs are broken down. Ms. Koenig raised concerns about ambulance runs to Bromley. Mr. Bruns stated that Bromley has its own ambulance and that the Fire department was supplying mutual aid runs. Mr. Ringo stated that the Fire Authority rejected a contract to provide full coverage to Bromley.

## **City Attorney:**

1

- City Attorney Mary Ann Stewart reported that Judge Bartlett ruled in favor of the
  City in the Civil Service case stating that the Villa Hills Civil Service Ordinance
  was unconstitutional because it mixed two separate sections of state statues and
  made other changes. Cities cannot deviate from state statutes once the General
  Assembly establishes a comprehensive piece of legislation on the subject which
  the state had done.
- Ms. Stewart brought attention to the recent ruling in the City of Florence vs.
  Flannery case which overturned of the 2005 Telecommunications Act and was
  upheld by Kentucky Court pf Appeal. If ruling stands, the City could receive
  more revenue. Ms. Stewart described the Hold Harmless Clause contained in the
  2005 Telecommunications Act and its' flaws.

# **City Administrator Clerk:**

- City Administrator/Clerk Bohman reported that the deadline to respond to the final notice of delinquent vehicle license fees March 20<sup>th</sup>. Noted that about 40% of the fees had either been cleared or paid as of that day. Delinquent fee remaining after March 20<sup>th</sup> would have the full amount of penalty and interest applied as well as a 30% collection fee added by the 3<sup>rd</sup> party collection agent.
- Mr. Bohman discussed a letter left on the windshields of trucks on Sunglow earlier in the week. The letter was not from the City. It copied a page of the City's Code of Ordinances showing that trucks were prohibited on several streets,

including Sunglow. Mr. Bohman noted the code did not include a definition of truck, so staff will administratively interpret "trucks" to mean only those vehicles required to obtain a "truck" plate from the state. Pick-up trucks used as personal vehicles with regular plates would not be considered trucks under the ordinance.

**Mayors Report:** 

- Mayor Callery discussed a letter from Lois Hall about placing Purple Heart memorials in the City. Mayor Callery explained that an organization would pay for up to two such memorials. The Mayor asked Council for input. Mr. Waugaman noted that the Niewahner Island would be a good location due to the existence of other memorials. Ms. Koenig noted that the Memorial Garden would be a good location because people cannot can walk up to Niewahner Island.
- Mayor Callery reported that Mr. Bruns is working on a historic marker and video. Mr. Bruns spoke with the author of the Villa Hills book. Discussed ideas to develop a video for the City.

#### **Old Business**

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

#### **New Business**

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

### **General Announcements**

- There were no general announcements or comments from Councilmembers.
- There were no comments from the public.
- Public Works Director Yelton thanked Chief Allen for bringing pizza on the last day of the major snow event earlier in the month.

At 7:35 p.m., Mr. Waugaman made a motion to enter into executive session pursuant to KRS 61.810(1)(c), for discussions of pending or threatened legal actions. Motion seconded by Mr. Bruns. Motion carried voice vote all in favor.

At 8:35 p.m. Mr. Bruns made a motion, seconded by Mr. Waugaman to leave executive session. Motion carried by voice vote, all in favor.

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

Time of adjournment was 8:36 p.m.

Respectfully submitted,

Craig T. Bohman, City Administrator/Clerk

Irvin T. "Butch" Callery, Mayor