



**Meeting 641 Minutes
November 18, 2015**

Mayor Irvin T. "Butch" Callery called the November 18th, 2015 City of Villa Hills Council meeting #641 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.

Those in attendance:

Mayor Butch Callery
G. Bruns
S. Ringo
J. Vaden
G. Waugaman

Lee Metzger, Assistant City Attorney
Craig T. Bohman, City Administrator/Clerk
Dave Whitacre, City Engineer
Sergeant Mel Wright

G. Kilburn, absent
M. Koenig, absent

Chief of Police Bryan Allen, absent
Buck Yelton, Public Works Director, absent

A quorum was present.

A motion was made to approve the minutes of meeting #640. Motion made by Mr. Bruns, seconded by Mr. Waugaman. A voice vote was taken, all in favor.

The next item on the agenda was the administration of the ceremonial oath of office to Officer Matt Hall. Mayor Callery administered the oath of office to Officer Hall. Officer Hall introduced family members present in the audience.

The next item on the agenda was a presentation by Dan Blank from Ross Sinclair & Associates on bond funding.

Presentation:

Mr. Blank stated that \$140,000 in Kentucky Municipal Road Aid funding if dedicated to debt service would allow for a ten year bond that would provide about \$1.245 million in gross amount to the city with \$1.205 million for immediate use for road improvements. The process to bid takes about 60 days. Mr. Blank noted that there are three methods to sell bonds into the market place, through a competitive bid process, through a private placement with a bank, or by using the Kentucky League of Cities bond pool. Each had different rates and fees.

Mr. Blank reported that a rating process of the city's financial state would be needed if using a competitive bid process. There are extra cost is assessed with getting rated, publishing the bid specs, and providing annual reports to bond holders. He described the private placement process and using the Kentucky League of Cities bond pool. He described the reporting requirements due to obtaining a bond.

Mayor Callery asked if Ross Sinclair would be the fiscal agent. Mr. Blank replied that his firm would work as an adviser to help the city determine best deal and work with bond counsel selected by the city to get the bond to market.

Mr. Bruns asked about the difference in \$1.245 million and \$1.205 million in bond proceeds. Mr. Blank said legal fees and costs represent the \$40,000 difference. Mr. Bruns followed-up asked about the city's next step should council decide to move forward with a bond. Mr. Blank replied that his firm would help the city evaluate the various methods to find out which was most cost effective for the city.

Mr. Waugaman asked how much room the city had to negotiate fees and rates. Mr. Blank replied that more room existed to negotiate through private placement than and with insured versus uninsured issuance than other methods. Discussion followed. Mr. Waugaman noted that the previous presentation to council discussed the difference between tax free and taxable bonds. Mr. Blank responded that this bond would be tax free bonds in the first two methods but not with the KLC pool. Mr. Blank noted that obtaining a bond rating would cost \$10,000. Mayor Callery noted that the city had no debt. He asked Mr. Blank what rating the city should expect if it went through the rating process. Mr. Blank estimated the city would receive an "A" rating.

Mr. Ringo expressed a desire to go through this process once to avoid multiple fees but was concerned about being able to spend money fast enough. He noted that the city could not spend all the money allocated the last budget toward roads and rolled it over into this budget. Mr. Ringo inquired if the city could get a line of credit to avoid paying interest on dollars sitting in the bank waiting to be spent. Mr. Blank responded that once the city gets bond, it must be spent it down in 3 years. Discussion followed about the timing of the draws on the potential debt. Discussion followed on various methods to work multiple draws into a bond and the timing of spending down the bond in conjunction with the Buttermilk grant. Mr. Blank noted that the city could also issue short-term debt that rolls into long term debt. Mayor Callery stated many organizations do that.

Mr. Waugaman asked if penalties exist for early pay off of the bond. Mr. Blank replied that it depends on the methods used and any terms negotiated but typically adding a call feature on bonds increases their interest rate.

Mr. Bohman clarified that the competitive process had the lowest potential interest rate, but the highest fees and reporting requirements, while private placement had higher interest but lower fees than competitive bidding, while the KLC bond pool had the highest potential interest rate, but the lowest fees and reporting requirements. Mr. Blank agreed and explained the various fees incurred under the competitive bid method.

Mayor Callery asked Mr. Blank to provide the information he shared in written form so Council could review it. Mr. Blank said he would get both narrative and quantitative data together for council's review.

Mr. Ringo asked about timing of needed funds. Mr. Waugaman noted the city has bid out \$600,000 in bids so will need at least \$300,000 by spring. Discussion followed on the timing of the new revenue from the increase in the payroll tax.

Ms. Vaden asked if the Finance Committee could review the bonding options and recommend the best option. Mr. Ringo agreed that is needed. Mr. Waugaman said he would take the issue to the Finance Committee.

The next item on the agenda was legislation.

Legislation:

- Assistant City Attorney Lee Metzger gave the 1st reading of draft Ordinance 2015-P Amending section 110.02 of the Villa Hills Code of Ordinances to reduce the occupational license fee on insurance companies from 10% to 5%. Mr. Metzger said the second reading of draft Ordinance 2015-J creating the road tax approved by voters would be on in December agenda.

Mr. Bruns commented that should the county ever decide to take the their portion of the insurance premium tax inside city limits that he would vote to take the extra insurance premium tax and reduce the road tax accordingly to keep the insurance premium tax dollars in the city. Mr. Ringo and Mr. Waugaman agreed.

- Mr. Metzger read draft Municipal Order 2015-M Authorizing the Mayor to sign the Master Agreement with SD1. Mr. Bruns inquired if the master agreement was modifying the sewer or the storm water agreements. Mr. Bohman responded that this agreement supersedes both, noting that the agreements that SD1 signed with the various jurisdictions over time contained different terms and SD1 has asked all jurisdictions to adopt the master agreement so everyone has the same terms. Mayor Callery noted that the master agreement would not result in any changes for Villa Hills. Mr. Ringo made the motion to approve, seconded by Mr. Bruns. A voice vote was taken all in favor, the recorded vote as follows:

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

Motion carried 4-0. This will become Municipal Order 2015-12.

- Mr. Metzger read draft Municipal Order 2015-N Amending the Police Department Rules and Regulations to add policies and procedures regarding body worn cameras. Mr. Bruns made the motion to approve, seconded by Mr. Ringo. A voice vote was taken all in favor, the recorded vote as follows:

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

Motion carried 4-0. This will become Municipal Order 2015-13.

- Mr. Metzger read Resolution 2015-R accepting the bid of M & W Excavation Co. Inc. for concrete panel replacement work to be performed on Windgate, Sunglow, and Palomino in the amount of \$197,374.00 and authorizing Mayor Callery to sign a contract for the same. Mr. Whitacre explained the bid results and recommended approval. Mr. Bruns asked about the lineal cost of concrete street replacement. Mr. Bruns commented that he wanted to find out the cost per lineal foot so the city can determine the total cost to replace all city streets. Mr. Whitacre calculated the conversion of the square yard price to the lineal foot price based on the bid result and reported the cost at \$60 per 2.78 feet and noted that the lineal foot price included underdrains and apron replacement. Discussion followed. Mr. Whitaker said the bid price could be lowered by \$6 to \$7 if the city could provide contractors a place to dump concrete. Mr. Bruns suggested working with the Corp of Engineers to find and purchase an acceptable location on River Road to dump concrete. With no further discussion, Mr. Waugaman made the motion to approve, seconded by Mr. Bruns. A voice vote was taken all in favor, the recorded vote as follows:

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

Motion carried 4-0. This will become Resolution 2015-18.

The next item on the agenda was committee reports

Committee Reports:

Police:

- Sergeant Wright gave the monthly police report. He noted that the Chief is away at training. Sergeant Wright explained the open cases and the investigation that resulted in one arrest.
- Sergeant Wright reported that 250 students River Ridge have completed the DARE training. Sergeant Wright read an essay about the dangers of drugs from a student at River Ridge. Mayor Callery stated that the key to DARE is the one-on-one interaction between the kids and officers that builds good rapport.

Safety:

- Mr. Bruns gave the Safety committee report.
- Mr. Bruns reported that the Chief made presentation on Wolfcom body worn cameras, noting that the camera is a well-priced quality product.
- Mr. Bruns Committee received a copy of the new body worn camera policy.
- Mr. Bruns noted that the committee discussed at length the difference between 2 part time and 1 full time officer. Mr. Bruns reported that the safety committee recommend hiring an 8th full time officer, but the vote was not unanimous. He noted that two members had concerns and have an opportunity to discuss those with the Mayor.
- Mr. Bruns thanked Specialist Jim Wendeln for his service upon his retirement at the end of the month.
- Mr. Bruns announced that the next Safety Committee meeting is scheduled for December 8th.

City Engineer:

- Mr. Whitacre reported that two bids are due on December 8th. One is for the replacement of Valley Trails from Niewahner to (but not include) Dalewood intersection. The other is for up to \$50,000 worth of concrete panel work, including a separate bid price for sidewalk replacement which requires more handwork than street panels.
- Mr. Whitacre reported that drawings for the encroachment ordinance have been provided to Mr. Bohman. The draft ordinance needs to be reviewed but should have it ready for the next meeting.
- Mr. Whitacre reported that joint-crack sealing in amount of \$15,000 has been awarded to Riegler Blacktop who will start December 1st.
- Mr. Whitacre reported that Michaels has been approved to fix joints and overlay Lillian before winter if they can get to it.
- Mr. Whitaker commented on the quality of the concrete used in the 1950's and 1960's as really good concrete but in the 70's, 80's, and 90's, the quality really deteriorated. This has resulted in an accelerated replacement schedule.
- Mr. Bruns asked to discuss the bid process. Mr. Whitacre responded that the Mayor asked him to produce a five year list and will work on that over the winter. Mr. Bruns followed-up regarding the bidding procedure asking if it was possible to exclude the winning bidder on one project from getting the next project so multiple contractors could be working in the city at the same time. Discussion followed about how to keep contractors busy on multiple projects in the city.

Public Works:

- Mr. Waugaman gave the public works committee report.
- Mr. Waugaman reported that \$42,000 is available to spend. He noted the committee discussed upcoming bids.
- Mr. Waugaman reported that Public Works is ready for snow with salt on hand.
- Mr. Waugaman reported that the new work order system was discussed by the committee.
- Mr. Waugaman informed Council that Ms. Koenig reported to the committee that that the landscaping on the relocated Niewahner island is complete and that electric and water still need to be installed.

- Mr. Waugaman reported that a salt garage cannot be placed on the end of the existing public works garage due to the presence of a sewer main just under the west side of the building. Mr. Whitacre will review topographical maps of the area around the public works building and the concession stand to determine if stable ground exists to place a salt garage in either of those areas.
- Mr. Waugaman reported that bonding was discussed.
- Next meeting is December 9th at 1.p.m. at 720 Rogers Road.
- Ms. Vaden asked about the Niewahner sign being too close to the tree. Mr. Waugaman stated that either the tree or the sign would have to move. He noted that the sign would be harder to move because it is encased in concrete. Discussion followed about the sign placement. Mr. Bohman informed council that landscaping went in first then the Niewahner family was asked where they would like the marker located and staff placed the marker at that location. Discussion followed about the merits of relocating the sign or the tree. Ms. Vaden stated that the tree needed to stay in its current location. Mr. Bruns stated if the Niewahner family was asked where to locate the sign then they should receive the courtesy of an explanation as to why it should move. Mr. Waugaman he felt it would be easier to move the tree since it was still in its bulb. Mr. Ringo asked who should make the decision. Consensus emerged that the Events and Beautification Committee should decide the location, but that the Niewahner family should be informed about the change.

Events and Beautification:

- Ms. Vaden reported that Christmas in the Park will be held from 6:00 p.m. – 9:30 p.m. on December 5th at the Crescent Spring Community Park. She noted that the event would include a bonfire, refreshments, Santa, various children’s choirs crafts, and horse drawn trolley rides. The city is accepting reservations for the trolley rides and Ms. Vaden urged resident to call the city building to reserve seats on trolley.

Finance:

- Mr. Waugaman gave the finance report. Questions submitted by the committee and were replied to by Mr. Bohman and discussed. He reported that the delinquent Vehicle License Fee collection brought in \$3,800 in October. Mr. Waugaman noted that staff is still working to move the last five accounts from PNC and will likely stop taking credit card payments since only 13 have been taken since vehicle license fees have ended. Mr. Waugaman reported that the committee recommended the October financial statements be accepted and published on the city’s website.
- Mr. Ringo moved that the Financial Statements be approved and published, seconded by Mr. Bruns. Motion carried by voice vote all in favor.

Administration:

- Ms. Vaden reported that the last Administration Committee meeting was cancelled. She noted that the administrative staff have been busy collecting property taxes.

Recreation:

- Mr. Ringo presented the Recreation Committee report.
- Mr. Ringo reported that all ball fields are closed and all required work on the fields required by the contracts have been performed.
- Mr. Ringo announced that Eileen O'Connell has agreed to provide concession services at the Villa Complex beginning this spring.
- Mr. Ringo informed the Mayor and Council that the Longhorn Baseball Association will be handling the scheduling of the ball fields this coming year. He said he contacted Northern Kentucky Baseball about the change and wanted to personally thank Jason Ishmael for his work in scheduling the fields for the past three years.
- Mr. Ringo announced that the field selection night for the spring would be Thursday December 10th at 6:30 in Council Chambers. He asked all coaches to pass along the news to other coaches with Villa Hills based teams.
- Mr. Ringo thanked Wayne Slusher for all his work on the fields. He noted that all groups that use the fields have nothing but praise for Mr. Slusher and hopes that he considers returning again next spring.
- Mr. Ringo announced that Shop-with-a-cop will be December 9th.

Fire Authority:

- Mr. Ringo gave the Fire Authority report
- Mr. Ringo reported the monthly run numbers.
- Mr. Ringo told Council that the RFP for banking has been placed on hold pending the receipt of grant funding for the air packs.
- Mr. Ringo reminded the public that Villa Hills has a burn ordinance and that residents must contact the fire department to obtain a burn permit to avoid issues with unnecessary emergency dispatch calls.
- Mr. Ringo noted that the Fire Authority continues to work with the County on billing the subscriptions for the unincorporated areas covered by the department on the county tax bill.
- Mr. Ringo discussed the proposal for the County to convert to a digital radio system from the current analog system within the next three years. This would require both the police department and the fire department to purchase new radios. For the Fire Authority the cost is \$140,000. Mr. Ringo said the county will look for radio grants to offset some of the cost.
- Mr. Ringo announced the next meeting of the fire authority is December 21st at 6:00 p.m. at the Firehouse.
- Ms. Vaden asked about recent police radio purchase is able to be used on a digital system. Mr. Bruns explained that the radios that the city replaced were for use on current analog system and not transferable to a new digital system. Mr. Bruns urged council to add a budget item for radios in the Fire Authority funds. Discussion followed about the advantages of the proposed radio upgrade.

City Attorney:

- Mr. Metzger had nothing to report, and announced there was no need for executive session.

City Administrator Clerk:

- Mr. Bohman brought the Mayor and Council's attention to the annual Ethics Committee report placed at their seat. He noted this report is a new requirement of the updated ethics ordinance and will be available on the city's website.
- Mr. Bohman reported that taxes are 75% collected with the deadline to pay by November 30th to avoid penalty and interest. Mr. Bohman described the various ways residents could pay including paying at the city building during business hours or using the drop box next to the Administrative Office doors after hours, paying at the Heritage Bank branch location on Buttermilk, or mailing in the tax payment postmarked on or before November 30th to either the city building or the city's lockbox. Mr. Ringo requested that a flyer posting this information be displayed on the door of the Administrative office over the Thanksgiving holiday weekend. Mr. Bohman agreed. Mr. Bruns asked how many tax bills still unpaid. Mr. Bohman estimated 500 to 600. Mr. Bruns stated he wished there was a way to reach out to those individuals in order to avoid having to pay penalty and interest. Mr. Waugaman asked that the bank post a sign that they take city taxes similar in fashion to the way that 5/3 Bank has signage that they accept the County tax bill.

Mayor's Report:

- Mayor Callery announced that Mr. Yelton had received his certification as a Road Master from the Kentucky Department of Transportation on November 10th.

Old Business/New Business:

Old Business:

- Mr. Bohman said the status on the new parking regulations is unchanged. Staff need to insert the data needed for the tables contained in the ordinance.

New Business:

- There was no new business presented by Council.

General Announcements

- Mr. Bruns challenged his council colleagues to donate their December council check to adopted families being supported by the Christmas in the Park event.
- Mr. Ringo thanked residents for approving the road tax and Council for showing unity to address the issue.
- Ms. Vaden inquired about the process for resident to report code violations. Mr. Bohman responded that resident could contact Planning and Development Services (PDS) directly and ask for the city's code enforcement officer Melissa Bradford or contact the city which will forward the complaint to PDS. Mr. Bohman noted that he has meet several times with the staff at PDS in order to address the length of time it is taking to bring properties into compliance and have reduced the time offered under second notices to make it easier to get the case in front of the joint code enforcement board. He explained the typical process can take months to get a property in front of the board and has worked to address that. Mr. Bohman noted that some property owners are very astute in their use of the administrative hearing process to delay compliance and enforcement. He reported that at the last Code Enforcement board meeting Villa

Hills had more properties in front of the board than any other city. Mr. Bohman informed Council that the city is participating in a pilot program with PDS where they enforce the city's garbage and nuisance code as well. He stated that the more complaints that are pushed to PDS, the more standardized the response will be. Mr. Bohman acknowledged the frustration expressed by residents with the slowness of the process and noted that he gave testimony at the Code Enforcement hearing regarding a property on Wesley that has been an issue. Mr. Bohman stated that the Code Enforcement board did not fine the property as much as the city was requesting, however the resident still received nearly \$2,000 in fines. Mr. Bohman reiterated to the public that the city cannot under almost any circumstances, unless health and safety are involved, go onto private property and address issues against the will of the property owner. All the city can do is seek fines to force compliance and once the fines get high enough look at foreclosing on the property.

- Ms. Vaden noted the number of campers and RVs still in driveways even though October 15th is the deadline to remove the vehicles. She inquired if Public Works or the Police Department turn those in. Mr. Bohman noted that he will turn items in if he sees them while he is driving around and that Ms. Bradford will write violations for properties she sees while in the city investigating on-going cases but that the other city staff are too busy with other tasks and have not been assigned the job of looking for code violations. Mr. Bohman reiterated that the previous Council was adamant that they did not want a "Big Brother" approach to code enforcement so the system is set up as a reactive complaint-based system. If a complaint is made, it will be investigated, but the city relies on its good citizens to forward issues to the city's and PDS's attention. Discussion followed regarding the differences around "storing" or "using" RVs and campers in the driveway.
- Ms. Vaden expressed concern about the cost and need for an 8th full-time officer. She noted that the concerns do not have anything to do with the part time officer offered the full-time position. She noted that he is a good and capable employee. Ms. Vaden noted that the report from the chief showed very little overtime and stated that the change to an 8th full-time officer came out of the blue and the information she saw did not support the change. Ms. Vaden noted that 1 full-time employee is more costly than 2 part-time employees and that one full-timer works 8 hours less than 2 part-timers do during a typical work week. Mayor Callery stated that city tried to find another part-timer. Ms. Vaden expressed concern over the quickness of the change without discussion and reiterated that the concern is based on funding and that she supports the officer in question and the department. Mr. Waugaman noted that scheduling was an issue with part-timers, that Chief could make it work but it was difficult. Ms. Vaden noted that Chief has done an excellent job. Mr. Waugaman noted that Mayor Callery discussed having an 8th officer during his mayoral campaign when the time was right, so there should not be a surprise with this decision. Ms. Vaden stated that based on the reports provided at Safety meetings over the last year and the low use of overtime, there was no indication that a change was needed. Mr. Bohman offered to take the blame for the surprise factor by noting that he and Chief Allen were confident that they could find a part-timer to replace Officer Ward when he left in July, but was unable to do so. In order to buy time for the extended search, scheduling "tricks of the trade" were used that would buy time to search for a part-timer but could not be used indefinitely and

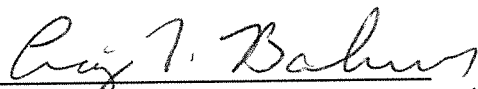
would require the city to claw back some time from the remaining part-timer making the situation worse. In November those tactics hit their limit and without a qualified part-timer to fill the void, the City had to act in order to prevent a staffing shortage upon Specialist Wendeln's retirement. Mr. Bohman noted that staffing matrixes show the city needs 7.5 officers to patrol and with a part-time position vacant the city needed to act quickly. The City only had budgeted 280 hours of overtime in the PD budget but a part-timer works 1,100 hours in a year. There was not enough overtime available to compensate. He noted that the city advertised twice for part-timers and the applicants where not that good. When the remaining part-time officer offered to go full-time, the administration accepted that solution as the best way to staff the department at the lowest cost available. Mayor Callery stated that the city also called three retired officers and asked if they would be interested in working part-time they declined. Ms. Vaden asked if part-timers would be considered if a full time position became vacant in the future. Discussion followed regarding the pros and cons on using part-timers and the impact on the current and next budget. Mr. Bruns stated he was thankful that the discussion about the need to have more than 7 officers was verified by this discussion. Mr. Ringo noted that part-timers place the city at their mercy since they may leave for full-time work elsewhere. Mr. Bohman noted that half of the city's current force started as part-timers and that the "experiment" with part-timers worked well for the city. Mr. Bohman stated that he would not be afraid to recommend hiring part-timers again if enough qualified part-time applicants applied for the next vacancy because he believes the experience the city has had with part-timers has worked out well. Mr. Waugaman discussed the difficulties in hiring and retaining part-timers. Mayor Callery stated he wanted the 8th full-time officer because the part-time officer offering to move up is well qualified. Discussion followed regarding the perception of the qualifications of full-time and part-time police officers. Mr. Bruns discussed the difference that allow part-timer to work well for the fire service. Additional discussion followed.

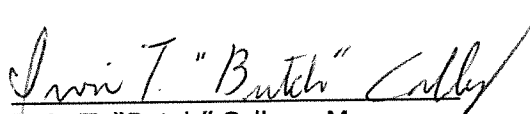
- Mr. Waugaman thanked voters for passing on ballot question. He stated that the decision was very wise and would get the roads fixed.
- Mayor Callery appreciated the efforts of council, especially Mr. Ringo and Mr. Waugaman, and staff regarding their effort to educate the public on the ballot question.

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

Time of adjournment was 8:29 p.m.

Respectfully submitted,


Craig T. Bohman, City Administrator/Clerk


Irvin T. "Butch" Callery, Mayor