

**Caucus Meeting
September 14, 2016**

Mayor Irvin T. "Butch" Callery called the September 14, 2016 City of Villa Hills Caucus meeting to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mayor Callery asked City Administrator/Clerk Craig Bohman to take the roll. Those in attendance:

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

**Lee Metzger, Assistant City Attorney
Craig T. Bohman, City Administrator/Clerk
Chief of Police Bryan Allen**

A quorum was present.

The first item on the agenda was discussion of potential legislation

Potential Legislation:

Yard Sale regulations.

- Mr. Bohman explained that the zoning code makes yard sales illegal, only allowing garage sales from inside the garage. He noted that this is contradictory to common practice and the city's twice a year yard sale event. He presented a proposed text amendment that allowed for yard sales within the front yard during daylight hours for no more than two consecutive days in a calendar week. Mr. Bohman suggested that this text amendment be held until a second text amendment is ready. Mr. Waugaman inquired if the planning commission would require the payment of two fees for amending different sections of the zoning code. Mr. Bohman replied that he would confirm with Planning and Development Services that the proposal to charge a separate fee for each section being amended has not taken effect yet. Mr. Bruns asked if there was a limit on the number of yard sales one could hold. Mr. Bohman replied that the limit would be two days during the calendar week.

Trailers, RVs, Campers, and Boats.

- Mr. Bohman opened the discussion proposed text amendments regarding trailers, recreational vehicles and boats by noting that there are competing drafts and the issue has been discussed for the past 4 months in the Administration Committee. A handout that included the Administration Committee draft that prohibited trailers except in enclosed spaces, a draft from Mr. Waugaman which allowed year round front driveway parking for loading/unloading, maintenance, and equipment in use if moved every 72-hours, and a spreadsheet of other communities' treatment of recreational vehicles, boats, campers and trailers. An

hour of back and forth discussion followed with the comments of those present summarized as follows:

- Mr. Waugaman noted that a lot of people in Villa Hills have campers, boats, RVs, and trailers and should be able to bring them to their property anytime they are using them. He also expressed support for businesses, such as landscapers and grass cutting businesses that use utility trailers most of the year. He opposed efforts to tighten restrictions and supported a year round exception for owners to park such equipment in their driveway to the extent they were actively using them. Mr. Waugaman pointed out that only a few people violate the current parking restrictions, therefore additional restrictions were unwarranted. He also supported having the enforcement of the storage/parking of such equipment brought in house and taken out of the hands of the city's contracted zoning administrator, Planning and Development Services of Kenton County. He reiterated that more and more recreational equipment is being purchased by residents. Mr. Waugaman reminded his colleagues of the public outcry about 15 years ago when a ban on such equipment was proposed.
- Ms. Vaden proposed extending the time campers, boats and RVs could be in the front driveway from April 1st through November 1st. She questioned how violations would be enforced internally and how enforcement would continue if the city did away with the part-time inspector position. She noted that the last caucus meeting consensus emerged to extend the allowable time for parking such equipment in the driveway and to treat trailers differently. She opposed allowing people to store such equipment in their driveways or allowing 2 such pieces of equipment in the driveway at the same time.
- Mr. Bohman, responding to questions about enforcement, noted that the manner of enforcement of any ordinance would be best handled through executive order or policies as the manner of enforcement could change more frequently than the code itself and keeping that out of the ordinance would prevent having to pay fees to change. He explained that if the enforcement was brought in house, the city would follow the same procedures and fine schedule as PDS and city staff would have to present violations to the Joint Code Enforcement Board. In responding to questions about the number of violations, Mr. Bohman noted that in a typical year there are no complaints about boats, only one or two complaints about campers, but 2 or 3 complaints per month about trailers. He clarified with Mr. Metzger that the issue with Mr. Waugaman's draft is the use exception and the issue with the Administration Committee draft is the prohibition of trailers outside of enclosed spaces. Mr. Bohman explained that the complaints on trailers occur because some people are using them for additional storage space or they formerly had

businesses which they no longer operate and the trailer sits in the driveway and never moves.

- Ms. Koenig noted that 99% of people follow the rules, but a few abuse the rules by moving the vehicle then bringing it back. She believes that Villa Hills is generous by allowing parking in the front driveway for several months. She questioned how staff would determine the difference between storage and use. She proposed treating trailers separately from campers, recreational vehicles, and boats and require a permit from the city for parking outside of the April 1st to November 1st period. She opposed efforts to create an exception for active use, citing abuse of the current regulations. Specifically, she did not want trailers allowed in the driveway, stating they should be in enclosed spaces like the garage or in the rear yard. She supported extending the time campers, boats, and RVs are allowed in the front driveway to include all of October and the month of April. She opposed allowing more than one piece of such equipment in the driveway at the same time. In absence of an agreement to treat trailers separately, Ms. Koenig stated she wanted to keep the current regulations with no changes.
- Mr. Bruns expressed concern about prohibiting trailers outright. He noted that the proposed restrictions on trailers tie the hands of people with small trailers due to the abuse of a few. Mr. Bruns did not have an issue with breaking trailers out from other recreational vehicles but did not want to treat trailers differently than recreational equipment. He suggested contacting violators and urging them to remove their items if there are complaints. Mr. Bruns expressed support for personal freedom and wants the city to be as least restrictive as possible. However, he noted that if complaints are occurring then the issue should be addressed. He noted that prohibiting the parking of such equipment on the street and in the driveway was problematic.
- At the Mayor's suggestion, Mr. Metzger pointed out concerns with both drafts. First, in regards to the Administration Committee draft he noted that the ban on trailers in the driveway at all times was problematic. Second, Mr. Metzger noted that Mr. Waguaman's draft allowing equipment to stay in the driveway as long as it was in use and moved every 72 hours would allow individuals to game the system and use the driveway for storage. He noted that both drafts agree on extending the time that such equipment is allowed in the driveway from the current May 1st until October 15th to April 1st to November 1st.

- Mayor Callery noted that two council members were absent and suggested staff work up a draft based on comments from the discussion. Discussion followed about extending the dates and regulating trailers. Mr. Metzger offered to assist Mr. Bohman in drafting such legislation.

With no further questions or comments about potential legislation, the meeting proceeded to the next item, the proposal from Planning and Development Services to conduct sidewalk assessments

- Mr. Bohman reminded the Mayor and Council that the city instituted a sidewalk inspection program last year and this past spring and it turned out to be much more labor intensive than anticipated. He reported that he approached PDS for a proposal to take over the inspection of the sidewalks and provide inspection data that staff would then use to send out letters and follow-up for compliance. Mr. Bohman noted that PDS would perform the work over the winter during good weather and the proposal was for \$11,000 and that he was working with PDS to reduce the scope of the proposal or divide the proposal over several years to reduce the cost to about \$8,000. He noted that this was an unbudgeted expense and was confident that department heads could manage their budgets to the point to squeeze it in. Mr. Waugaman thought that the budget could absorb the whole amount and asked his colleagues to keep in mind the costs of having staff do the inspections and weigh that against PDS' proposal. Mr. Bruns and Ms. Vaden expressed concern about spending taxpayers' dollars on an outside agency when staff already performed the same task. Mr. Waugaman noted that the first pass did not include pictures or descriptions of the bad sidewalks. Mr. Bruns stated he felt that Public Works staff could do the inspections. Discussion followed. Mayor Callery stated the cost could be negotiated down and that he supported the proposal because it would save time and money.

With no further questions of additional potential legislation, the meeting proceeded to General Discussion.

General Discussion:

- Ms. Vaden inquired about the publication of the curfew ordinance so the police department could begin enforcement. Mr. Bohman stated he thought it may have already published and would check on the date and let the Chief know.

With there being no further general discussion items, the meeting proceeded to executive session. Mr. Metzger stated that an executive session was needed to discuss pending or threatened litigation.

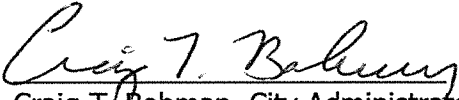
At 7:43 p.m. Ms. Koenig made a motion, seconded by M. Vaden to enter executive session. Motion carried by voice vote all in favor.

At 7:58 p.m. Ms. Koenig made a motion, seconded by Ms. Vaden to leave executive session. Motion carried by voice vote all in favor.

With there being no further business, Mayor Callery adjourned the meeting.

Time of adjournment was 7:59 p.m.

Respectfully submitted,


Craig T. Bohman, City Administrator/Clerk


Irvin T. "Butch" Callery, Mayor