



**Meeting 655 Minutes
January 18, 2017**

Mayor Irvin T. "Butch" Callery called the January 18, 2017 City of Villa Hills Council meeting #655 to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Greg Kilburn gave the prayer and 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
Dave Whitaker, City Engineer
Chief of Police Bryan Allen
Buck Yelton, Public Works Director

A quorum was present.

Presentations:

Emi Randall, Director of Planning at Planning and Development Services opened the presentations of the Villa Hills study land use plan – not a zoning regulation which typically are put in place after the land use is adopted. She compared it to a cook book, where the land use is the chapters (chicken or beef dishes), but the zoning is the actual recipe. She equated the vote to approve the study as if an author was sending an outline to the publisher for its approval.

Ms. Randall described the current land use as "Other Community Facilities" which includes uses such as schools, libraries, cemeteries, municipal buildings, hospitals or a prison.

Ms. Randall provided some background on the sisters of St. Walburg Monastery's decision to conduct a study. She described the areas involved in the study:

- Area 1 – 85 acres to the west of the Monastery and Villa Madonna Academy;
- Area 2 – 30 acres containing the WCKY radio towers;
- Area 3 – An area on the east side of VMA containing the Montessori School;
- Area 4 – An area in the back of the Madonna Manor property set for expansion; and
- Area 5 – Area containing St. Walburg Monastery, Villa Madonna Academy, and Tom Braun Fields.

Ms. Randall explained the taskforce time line which started last year and included public meetings and comments, key person interviews, developer interviews, and plan revisions. She noted that the city website had a page that contained information regarding the site for most of the past year making information available to the public.

Chris Schneider, Assistant project manager for the study from Planning and Development Services, described the forming of the plan and its separate parts including the Direction 2030 guiding principles, the Plante Moran Cresta study by the sisters, the market study, the transportation study, existing conditions, and fiscal impact analysis.

James Fausz, Project Manager for the study from Planning and Development Services described the plan's recommendations. He noted that they are built on research, public input, and taskforce consideration. Mr. Fausz stated that they are a list of what is possible but not what is required. He explained the plan incorporated some guiding principles which include a variety of housing types, styles, and densities, active transportation, commercial and office uses that support the local community, amenities open to the public and traditional neighborhood design. Mr. Fausz noted that transportation improvements and the commercial/office use were the most considered items by the taskforce.

Mr. Fausz noted that the market study suggested small scale neighborhood focused businesses that act as an amenity to the community. He noted that while commercial uses would be allowed, they would not be required.

Mr. Fausz stated that the market study, public comments, and developer interviews focused on the need for a variety of housing not commonly available in Villa Hills with varied sizes and price points in order to appeal to everyone from first time homebuyers to empty nesters. He also noted the transportation recommendations that suggest connections from Prospect Pint Drive and Niewahner.

Mr. Fausz reported that the Land Use recommendations are to change areas 1 & 2 to mixed use which would require a combination of 3 of 5 possible uses or 3 different densities of housing, areas 3 & 4 to residential areas to match the rest of the Madonna Manor property, and to keep area 5 the same (Other Community Facilities).

Mr. Fausz concluded the presentation by reiterating that the plan only addresses land use, not zoning, and thanked all who participated in the study.

Mayor Callery recognized Sister Mary Catherine Wenstrup, Prioress of the St. Walburg Monastery to address the Council and audience. Sister Mary Catherine thanked the City, taskforce members, and PDS for their help on the plan. She informed the public that the sisters are selling a portion of their land to fund their retirement and the decision to sell was not made lightly. Sister Mary Katherine stated that the Community supports having the study added to Direction 2030 as the study is the result of professional advice and consensus of what is possible on the site. She noted that the plan had several positive features:

1. The study provides a vision for community;
2. It includes a diversity of housing styles and costs, especially those attractive to seniors and first time homebuyers;
3. It recommends green infrastructure, including proper storm water management;

4. The plan contains optional amenities conducive to a civic spirit and sense of community.

Sister Mary Katherine concluded by discussing the work and future of the religious order. She noted the sisters remain committed to Benedictine values of prayer, unity, serving Christ and the community, hospitality, and life-long education regardless of their numbers or age, and intend to remain a faithful presence as long as the religious community is present.

Mayor Callery invited council members to speak.

Mr. Waugaman reminded the public that the sisters are selling for their retirement. He noted that the city has nothing to do with the timing of the selling of the property or who the sisters sell to. Mr. Waugaman noted that the sisters are very gracious in coming to the city and being mindful of the community. He reminded the public that they could have sold the land without discussing it with anyone. Mr. Waugaman described the taskforce timeline and noted that the report is a more detailed study of the area for inclusion in the comprehensive plan. Mr. Waugaman noted that the plan does allow the property to be all residential with mixed densities. He explained the purpose of the plan is to update the comprehensive plan and is necessary before any zoning change can take place.

Ms. Vaden noted it has been a steep learning curve over the last few weeks as she has read the plan for the first time having not been a member of the taskforce. She stated she was excited about the plan and how it lays out a deliberate, thoughtful plan in a prayerful community oriented way. Ms. Vaden said she looked forward to seeing how this plan changes the city for the better.

Mr. Ringo read a statement. He thanked the sisters for opening their heads and their hearts by involving the city and the community in the process. He noted that the sisters could have sold to an institution, as the land is currently zoning, which would have not been in the financial interest of the city or the community. He noted that he has been a member of the taskforce from the beginning and has seen and heard all the evidence produced for the study. Mr. Ringo stated that the commercial component of the plan has been minimized by market forces. He noted that this is first in a series of next steps and that the Council will consider over the next two years as the property is sold and developed. Mr. Ringo stated his preference that the commercial components of the plan should be located in center of the site or the back of the development along the ridge overlooking the river and away from the three existing residential borders. He stated that he believes the plan maximizes the benefits to the sisters and to the community and Council's involvement on the zoning component with ensure its best use.

Mary Koenig thanked the sisters and recalled in the past when other properties sold and the city had no input. She noted it was good for the city to be involved. Ms. Koenig stated she is excited, believes that the plan is unique, and looks forward to working with everyone to ensure the property develops.

Mr. Bruns stated that the sale of the property is bittersweet, that he hates to see the property go. He expressed appreciation for all the things the sisters do for the community like the ball fields and does not think people understand how much the

sisters have done for the community. He stated he is a staunch supporter of whatever the sisters want to do with the property. Mr. Bruns closed by stating it was the sisters that laid the foundation for the city and what it has become.

Mr. Kilburn thanked the sisters and noted that he would miss having them as a neighbor as the land to be developed is behind his home. Mr. Kilburn stated that he does not believe that having commercial on Amsterdam Road is in city's interest, but that attempting to modify the plan at this time may hurt the city's interest later. He stated he is cautiously supporting the current plan and will work the Mayor and Council to address concerns when zoning is considered.

Mayor Callery invited any taskforce members present to speak. Taskforce member Geno Sund of Rosewood Drive thanked the Mayor for allowing him to serve on the taskforce and noted that plan is a good plan overall and that all the plan elements were adopted unanimously. He stated that the only part of the plan that troubled him was the density. Mr. Sund believed adding 1,000 units would cause unforeseen problems, but he also stated that he did not believe the site would reach that level of density. He stated that the plan does accomplish two important goals, it gives the sisters a broad range of proposals to consider so they can maximize the sale of their property, and it retains council control of the final zoning to ensure that the development meets the needs of the community. Mr. Sund encouraged Council to vote for the plan. No other taskforce members provided comments.

Mayor Callery invited public comments on the plan. No members of the public rose to address the Mayor or Council on the plan.

Mayor Callery explained that the city first found out about the potential sale was when the sisters asked him to stay behind after a meeting about the ball field contract two years ago. He stated the desire to do this the right way and thanked Planning and Development Staff for their help.

City Attorney Mary Ann Stewart read the summary of draft Municipal Order 2017-A **An order adopting the Villa Hills study and authorizing an application to be submitted to the Kenton County Planning Commission for its inclusion in the Direction 2030 Comprehensive plan.** Motion made by Ms. Koenig, seconded by Mr. Waugaman for approval. 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

This will become Municipal Order 2017-1

Mr. Bruns requested a two-minute recess at 7:13 p.m. Mayor Callery recessed the meeting. Mayor Callery called the meeting back into session at 7:15 p.m.

The next agenda item was the approval of minutes #654. Mr. Kilburn made a motion to approve the minutes seconded by Mr. Bruns. A voice vote was taken. All in favor.

The meeting proceeded to the next agenda item, legislation.

Legislation:

Consideration and approval of draft Municipal Order 2017-B

Ms. Stewart read Municipal Order 2017-B amending the 2015 Villa Hills Police Department Rules and Regulations by updating updated FTO program guidelines. Chief Allen explained the amendment was required by the inclusion of new accreditation standards and changing the hybrid Filed Training Officer & Police Training Officer to FTO only. Ms. Vaden asked to hold off for a month and take this to the Safety committee. Chief Allen said that he would need the policy in place by March. Ms. Vaden noted that a revised version was provided after the packets were sent out and requested more time to review before voting.

Consideration and approval of draft Municipal Order 2017-C

Declaring Selected Police Department Service Weapons as Surplus Property
Mr. Bruns made a motion to approve as amended, seconded by Mr. Waugaman. A voice vote was taken. All in favor.

This will become Municipal Order 2017-2

Consideration and approval of draft Resolution 2017-A

Making various committee appointments
Motion by Mr. Kilburn seconded by Mr. Waugaman. Ms. Vaden inquired if Fire Authority appointments are made separately. Mayor Callery responded they were appointed separately. A voice vote was taken. All in favor.

This will become Resolution 2017-1

Consideration and approval of draft Resolution 2017-B

Appointing Councilmember Gary Waugaman as the city representative to the Planning and Development Services Council for a 1 year term ending December 31, 2017 and appointing Mayor Callery as the alternate.
Mr. Kilburn made a motion to approve seconded by Mr. Ringo. A voice vote was taken. All in favor.

This will become Resolution 2017-2

With there being no further legislation, the meeting proceeded to committee reports

Committee Reports:

Police:

- Chief Allen presented the monthly police report. He noted that there was a 94% closure rate. He noted 48 hours of training, 10 hours of overtime usage, and 2 open cases for thefts.
- Chief Allen presented the Annual Report, reporting the annual call numbers by type and noted that crime is down from last year, including call volume. He reported that overtime is low for the 4th year in a row. Chief Allen discussed the reasons for case closures, maps of call location, and training totals.

- Mr. Ringo inquired about the call volume being down by 4,000 from last year (a 40% reduction). Chief Allen noted that it's a combination of fewer self-initiated calls, fewer dispatched calls, and crime is lower. He stated that in essence the city got lucky. Chief Allen believes that the city's typical call volume is 6700 to 8300 and considers the 10,000 calls last year as an aberration.
- Mayor Callery noted Sgt. Wright is retiring March 31st. Chief Allen confirmed and noted that the city is in the process of hiring a new officer to replace Sergeant Wright's position and is also in the process of promoting an officer to Sergeant in April.
- Ms. Vaden inquired about a 200-call discrepancy in call numbers on a list and those on the bar graph. Chief Allen noted KY OPPS had a higher number and that is represented in the bar graphs.

Safety:

- Mr. Bruns reported that Chief Allen gave both his monthly and annual report and that Sgt. Wright is retiring. Mr. Bruns reported that the committee was informed about the trade-in/surplusing of weapons to buy new ones. He discussed the Angel program brought to the committee's attention by Ms. Vaden regarding following up with opioid overdose victims. Mr. Bruns reported that Mr. Proffitt expressed the need to repaint the crosswalk at Palomino and that Ms. Koenig inquired about the proposed digital radios which was responded to by Chief Allen. Mr. Bruns reported that Mr. Nienaber suggested the need to install flashing crosswalk signs and other solar powered lighted street signs. Discussion followed on the cost.
- The next meeting is February 14th, 2017 at 6:30 p.m. in Council Chambers.

Engineer:

- Mr. Whitacre followed up on a concern by Ms. Vaden that some of the recent asphalt streets are cracking. He explained the cracking is due to expansion/contraction of underlying concrete panels due to temperature changes. He discussed neighboring cities have added fibers to the asphalt which may help reduce the cracking. Mr. Whitacre reported that adding the fibers to the asphalt mix adds 14% to the cost. He noted that several streets in neighboring communities were overlaid using the fibers and time would needed to review the impact as the fibers are a new product on the market. Mr. Bruns asked about an older product, fabric sheets that were laid down between concrete and new asphalt. Mr. Whitacre reported that the fabric caused a lot of problems with water absorption and peeling of asphalt and has not been used in about 15 years. Mr. Waugaman asked which local cities used the fibers. Mr. Whitacre replied West Chester has a test site but local cities used it this past summer and are trying to get a list from the vendor.
- Mr. Bruns noted that the annual freeze-thaw cycle was about to begin. Mr. Whitacre noted that the city spends the most on pothole repair in March. Discussion followed about the timing of pothole repairs and the amount of salt used so far this season.

Public Works:

- Mr. Kilburn passed out the Public Works January 11th report. He noted the next meeting is February 8, 2017 at 1:00 p.m. in the Administration Building conference room.

- Mr. Kilburn brought forward draft **Resolution 2017-C** approving the proposal of RM Fencing for \$10, 975 for fencing of the Public Works Yard. Mr. Waugaman made a motion to approve, seconded by Ms. Koenig. Mr. Ringo confirmed that the item is budgeted. Ms. Vaden asked why the fence was taken down 10 years ago. Discussion followed that no one understood why the fence was removed at that time and the need for a fence. A voice vote was taken, all in favor.

This will become Resolution 2017-3

- Mr. Kilburn noted the bids are in on the decorative sign poles and asked Mr. Bohman what the result of the bids are in. Mr. Bohman said that he was unable to review the bids in depth due to work on the small area study report and would be available at the next meeting. Ms. Koenig asked that the Event and Beautification Committee have input on the final selection along with the Public works Committee. She also asked for the committee to consider using poles 10 to 11 foot poles. Mr. Kilburn noted that signs will be installed this spring.
- Mr. Yelton gave his Director's report. He noted that the Niewahner and Rosewood slab jacking is complete. Mr. Yelton thanked the Water District for their prompt responses to numerous water main breaks in the city. He informed Council that the city has ordered 185 tons of salt, used 75 tons so far, and had 225 tons on hand. Mr. Yelton reported that he sent letters to some residents for items in the Right-of-Way that interfere with passing plows. Mr. Yelton reported that preparations for the fencing are underway.
- Mr. Ringo asked about Water District issued referenced in the written public works report. Mr. Bohman explained that the city has \$100 encroachment fee and the Water District has asked for relief from the fee due to the number of cuts they make for main breaks. He noted that Cincinnati Bell and Duke Energy has made arrangements on how to process the permits and that staff will work out a solution with the Water District.
- Ms. Vaden asked about the progress on the new salt garage. Mr. Kilburn replied that he was not going to publicly discuss the project.
- Ms. Vaden asked about the Fiopics box that was located on Wesley. Mr. Yelton replied that the box was buried.
- Mayor Callery commended The Public Works Department for their prompt response to freezing rain conditions and that the public noticed how quickly they were out.

Events and Beautification:

- Ms. Koenig reported that the committee did not meet.

Finance:

- Mr. Waugaman presented the Finance Committee report.
- Mr. Waugaman reported that that the committee met on January 16th. He reported that questions about the monthly financials were submitted by the committee, replied to by the City Administrator/Clerk, the answers reviewed, and discussed. Mr. Waugaman brought Council's attention to questions about the costs of computer work performed by NKOL, that Mr. Baker's contract was extended, That Homestead exemption refunds were discussed, the difference in the price of the replacement wall in the PD parking lot versus the insurance

payment. Mr. Waugaman stated that the committee recommended approval of the November financials and posting them on the city's website.

- Next meeting is February 13, 2017 at 7:00 p.m.
- Mr. Kilburn made a motion, seconded by Mr. Ringo, to accept the December 2016 financials and post them on the city's website. Motion carried by voice vote all in favor.

Administration:

- Ms. Vaden had nothing to report.

Recreation:

- Mr. Ringo reported that there was no Recreation Committee meeting this month.
- Next meeting is February 9th at 6:30 p.m. in Council Chambers.

Fire Authority:

- Mr. Ringo gave the Fire Authority report. He gave the monthly run numbers.
- Mr. Ringo noted annual report from FD has been sent out by e-mail and offered to have the Fire Chief at the next meeting. He noted that 58 runs were made to the expressway due to the constructions projects and was an all time high.
- Mr. Ringo provided basic statistics on the service area covered by the Fire Department and the amount of fire loss incurred last year.
- New fire truck under construction and is due February 15th.
- Mr. Ringo reported that the Fire budget is underway. Hope to have for March.
- Mr. Ringo informed Council that the Fire Authority took bids for auditing services and that Rankin and Rankin had the low bid which will save a couple thousand dollars over the current contract. He also reported that the Fire Authority has contracted with a debt collection service and turned over 11 residents and 2 businesses in the unincorporated section of the service area that has not paid their stipends to the Fire Authority.
- Next meeting is February 20th at the Fire House at 6:00 p.m.
- Mr. Bruns asked about the Quick Response Team. Mr. Ringo noted that Ms. Vaden asked the Fire Authority to look into the program. He noted that there have been no heroin overdose calls in Villa Hills involving residents. Mr. Ringo reminded Council of the Quick Response Kenton County program that the Judge-Executive sent out information and he noted that the program is expensive and that it would drain resources because it would take a police officer and a paramedic out of service to respond to a heroine call. Mr. Ringo did not believe the program was right for Villa Hills due to the low number of overdoses in the city. Mr. Bruns reiterated that there have been no OD's by residents in Villa Hills, but there have been 2 by visitors. Ms. Vaden stated that Kenton County is conducting a pilot program and found that 40% of the victims are actively overdosing at the time the city responds and she believes that the city needs the program in place since the calls in the area are on the city's edges.

City Attorney:

- Ms. Stewart stated an executive session was not needed and noted that a decision in one spiking case had been received in the case involving former Chief Goodenough. She reported that the Administrative Law Judge ruled against the city and that exceptions to the ruling were being prepared to be filed. Ms. Stewart noted the other larger case is still waiting for a ruling.

City Administrator/Clerk:

- Mr. Bohman had no items to report.

Mayor's Report:

- Mayor Callery reported he has spent 3 weeks working on the small area study and had nothing further to report.

Old Business/New Business:

- There was no old business.
- There was no new business.

General Announcements and Council Comments

- There were no additional comments from Council members.

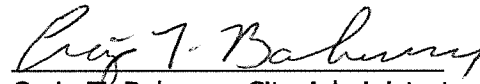
Public Comments

- There were no public comments.
- Mayor Callery pointed out a guest Boy Scout attending the meeting. Mr. Jacob Schuter told Council he was attending tonight in order to get his Citizenship in the Community Merit badge. Ms. Koenig asked which school he attended and Mr. Schuter replied that he was home-schooled. Mayor Callery thanked Mr. Schuter for attending. Mr. Bruns told Mr. Schuter to let the city know if he needed assistance in any way.

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

Time of adjournment was 8:01 p.m.

Respectfully submitted,


Craig T. Bohman, City Administrator/Clerk


Irvin T. "Butch" Callery, Mayor