



**Meeting 664 Minutes  
October 18, 2017**

Mayor Irvin T. "Butch" Callery called the October 18th, 2017 City of Villa Hills Council meeting #664 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 and Mayor Callery led the Pledge of Allegiance. A roll call was taken. Those in attendance:

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

**Mary Ann Stewart, City Attorney**  
**Craig Bohman, City Administrator/Clerk**  
**Bryan Allen, Police Chief**  
**Dave Whitacre, City Engineer**

A quorum was present.

The next item on the agenda was approval of the minutes of meeting #663. Motion made by Mr. Kilburn, seconded by Mr. Waugaman to approve. A voice vote was taken, all in favor.

**Presentations:**

- Mayor Claude Christensen Sadieville, past president from the Kentucky League of Cities, presented Mayor Callery with the 2017 Elected City Official Award.
  - Mayor Christensen addressed the deep meaning behind the Elected City Official award and commended Mayor Callery for his service. He also discussed the challenges and rewards of being a small town mayor. Mayor Christensen praised Mayor Callery's many accomplishments and stated that Mayor Callery is the best of the best.
  - Mayor Christensen shared a video from the Kentucky League of Cities Conference about Mayor Callery's award.
  - Mayor Christensen introduced Jeff Mando from Adam, Stepner, Woltermann, and Dusing the award's corporate sponsor, then with Mr. Mando, presented the award to Mayor Callery.
  - Mayor Callery announced the \$1,000.00 donation from Adams, Stepner, Woltermann, and Dusing to a non-profit of his choice would go to River Ridge Elementary School Family Resource Center.
  - Mr. Mando commented that he has worked with local government leaders for over 25 years and his firm was happy to point out the unsung heroes and dedicated public servants who often go unrecognized. Mr. Mando congratulated Mayor Callery.

- Mayor Callery acknowledged Council and staff, stating he wanted to share the award with them. He introduced his wife Joyce, his children, their spouses, grandchildren, and longtime supporter, Pat Lance. Mayor Callery thanked everyone for the recognition. Council members congratulated Mayor Callery.

The meeting proceeded to the next presentation, the annual audit report.

- John Chamberlain of Van Gorder Walker CPA presented the annual audit report.
  - Mr. Chamberlin thanked Mayor Callery, the city's accountant David Baker, and staff for assistance with the audit. Mr. Chamberlin noted that the report was gone over in detail with the finance committee.
  - Mr. Chamberlin announced that the city received an unmodified opinion in that there were no issues with compliance or with segregation of duties.
  - Mr. Chamberlin reported that \$914,000 is needed in unrestricted cash and reported that the city had \$1.7 million in restricted and unrestricted cash. He noted that long term debt is up slightly due to leases of police cruisers and a dump truck.
  - Mr. Chamberlain showed a graph depicting the various categories of how the city spends tax payer dollars. He described some audit adjustments and reviewed various pages of the audit report.
  - Mr. Chamberlin reported that the city had \$3.8 million in revenue, \$3.6 million in expenses, and had \$230,000 more in revenue than expenses overall and came in \$94,000 under budget in expenses in the general fund.
  - Mr. Chamberlain described the position of the various funds of the city and described the unfunded pension liability which is required to be reported in the audit report. Mr. Kilburn commented that the city is not responsible for paying for the \$1.4 million pension liability. Mr. Chamberlain clarified that the pension portion is not payable by the city.
  - Mayor Callery thanked Mr. Chamberlin for his presentation.

With no further presentations, the meeting proceeded to legislation.

**Legislation:**

- **2<sup>nd</sup> Reading of Ordinance 2017-E Rental License**  
 An Ordinance of the City of Villa Hills, in Kenton County, Kentucky creating Chapter 154 of the Villa Hills Code of Ordinances and establishing a new rental license and safety inspection program. Mr. Metzger gave a second reading to draft Ordinance 2017-E and noted two minor changes by limiting tenant information to those over 18 and removing the requirement for the self-inspection form. Mayor Callery commented that he and staff meet with the Greater Cincinnati and Northern Kentucky Apartment Association and they suggested the changes and thought the ordinance was a good one. Motion made by Mr. Kilburn, seconded by Mr. Waugaman. A roll call vote was taken as follows:

Mr. Bruns     Aye  
Mr. Kilburn   Aye  
Ms. Koenig    Aye

Mr. Ringo     Aye  
Ms. Vaden     Aye  
Mr. Waugaman Aye

Motion carried 6-0. This will become Ordinance 2017 – 7.

• **Consideration and approval of draft Municipal Order 2017 – P**

A Municipal Order of the Villa Hills City Council authorizing an application to the Kenton County Planning Commission for a text amendment to amend section 9.23 (C) of the Villa Hills Zoning Code to add temporary parking regulations for trailers, mobile homes, recreation vehicles, campers, boats, or similar type equipment and add permit requirements for the storage/parking of trailers used for business purposes.

- Mr. Metzger gave a reading of Municipal Order 2017-P. Ms. Koenig expressed concerns that it did not go through a committee for review and did not know why this was being revisited. Mr. Bohman replied that the item was placed on the agenda and in the packet at the request of a Council member. Mr. Ringo stated he did not see a problem with the proposed changes and asked Ms. Koenig if she had issues with the proposal. Ms. Koenig stated that this is a mistake to allow year round parking of trailers in the front yard/driveway and that the 72 hour-in/48 hour-out rule was unenforceable. Ms. Vaden noted that this proposal would not get Administration committee approval. Discussion followed. Mr. Waugaman clarified that the proposal allows for usage and temporary parking. Mr. Ringo noted that current rules do not allow any usage at all outside of the allowable parking period. Mr. Waugaman agreed. Ms. Vaden noted that legal staff previously said that temporary parking is unenforceable. Additional discussion followed. Ms. Koenig reiterated that the proposed rule is unenforceable. Mr. Waugaman pointed out that current rules would allow a camper to stay for 20 days due to inspection, notice, and due process issues. Mr. Kilburn pointed out that there are not many complaints about such equipment outside the allowable time period. Mr. Bohman confirmed that there are few complaints received by staff.
- Mr. Kilburn made a suggestion to allow residents to notify the city with an email, call, or stop in to let us know it's here to be moved within 72 hours. He noted that since parking the vehicles is a privilege, the city can demand this step. More discussion followed.
- Mayor Callery noted that the Planning Commission will review and provide the city with a recommendation. Mr. Bohman clarified that the draft order only authorized the application to the Kenton County Planning Commission for their review and recommendation. Ms. Koenig asked if there was a cost for the application and Mr. Bohman replied it was a little over \$200. Ms. Vaden asked legal staff for clarification about the proposals enforceability and Mr. Metzger replied that enforcement would be difficult. Mr. Waugaman noted the increase use of such equipment and replied that Villa Hills is unique and does not have to follow other cities. Ms. Koenig expressed concern that if no other cities have this kind of rule that there is a reason and is concerned the new rule will be

abused. Ms. Koenig stated she will not support this proposal. Mr. Waugaman defended the proposal.

- Mayor Callery asked for a motion. Mr. Kilburn made a motion, Mr. Waugaman seconded to amend the proposal to his suggestion to have residents contact the city and provide 72 hours for loading and unloading. Mr. Ringo clarified residents should notify the city, and noted current rules do not allow such equipment in the city at all between November 2<sup>nd</sup> and March 31st. Discussion followed regarding enforcement. Mr. Ringo noted that if enforcement was an issue, the rule could be changed.
- A roll vote on Mr. Kilburn's amendment was approved 4-2. Mr. Kilburn made a motion to approve **Municipal Order 2017-P as amended**, seconded by Mr. Ringo. A roll call vote was taken as follows

Mr. Kilburn	Aye	Ms. Vaden	Nay
Ms. Koenig	Nay	Mr. Waugaman	Aye
Mr. Ringo	Aye	Mr. Bruns	Aye

Motion carried 4-2. This will become **Municipal Order 2017-16**.

With no further legislation, the meeting proceeded to committee reports

### **Committee Reports:**

#### **Police:**

- Chief Bryan Allen presented the monthly police report. He noted that the calls for service volume is about the same as last year. Chief Allen stated that the case solve rate is about 94%. He pointed out that citations and warnings are spread throughout the city and not concentrated in a single area.
- Mr. Kilburn inquired if the new speed sign is reducing speeding on Amsterdam. Chief Allen replied that it was, data from the sign showed most cars traveling below 5 MPH over the speed limit. Mr. Kilburn followed up about the other side of Amsterdam. Chief Allen replied that he is still working on Amsterdam. Chief noted that speeding has been reduced from 1 in 4 cars to 1 in 10 cars.
- Mr. Ringo inquired about the twelve calls for domestic issues and two calls for drugs. Chief Allen noted that calls are up. Mayor Callery pointed out that there are multiple calls to one place. Chief Allen also noted domestic calls also include verbal parent/child arguments.

#### **Safety:**

- Mr. Bruns gave the Safety committee report. He stated that the committee discussed RFP response to Crescent Springs, the new traffic pattern at River Ridge is working well, some suggested improvements for Music Fest lighting for safety purchases, and discussed body camera issues. He noted that the difficulties were arising because the company that provided the software and the company that made the hardware have split which has caused issues with retention and retrieval. Mr. Bruns described incidents where having the body cam video has been helpful. He noted that Axon body cameras are needed as a replacement and already proved themselves in other communities. The money for them is already in the budget and the committee recommended the new cameras. Mr. Kilburn supported getting the cameras and reinstated his position

that if the cameras show that officers violate the rules the, the fullest charges should be brought against the officer, but if the cameras show that a citizen complaint against an officer is false, to pursue charges of filing of a false report. Ms. Vaden commented that it was no fault of the Chief that the body cam company has failed to keep their promise. Mr. Waugaman asked how old the current cameras are, Chief Allen replied that they are over 2 years old and needs to be upgraded. Discussion followed. Chief Allen said the department will test the Axon body cameras.

### **Engineer:**

- Mr. Whitacre gave the Engineers report. He stated that 19 streets have been repaired and a 20<sup>th</sup> street will be completed soon. Mr. Whitacre reported that Lauren Drive is the smallest street with the biggest issues with ground water and sprinklers. He noted that Villa Drive is the oldest and most challenging street projects, as well as one of the largest. Mr. Whitacre described the curb and base repairs that were needed on Villa Drive. Mayor Callery stated that people are happy with the repair work on Villa. Mr. Kilburn asked how much it would cost to do Villa Drive in concrete. Mr. Whitacre estimated \$344,000.
- Discussion turned to the issue of poor signage during street projects. Mr. Whitacre estimated that it would take 3 weeks for 19 streets with multiple crews, but due to the work load it would be difficult to coordinate with signage. He stated that the bid specs would be amended to include language requiring dates on signage and how long in advance they needed to be posted.
- Mr. Whitacre reported that Appleblossom Drive will be completed in 2-3 weeks.
- Mr. Whitacre asked for the Riverview Farms island project be delayed because it is difficult to do the project while the busses are running.
- Mr. Bruns noted that a lot of asphalt is being done this year and asked if they will be doing concrete next year. Mr. Whitacre noted that Buttermilk Pike, Sunglow from Buttermilk to Lillian, the second phase of Appleblossom and the next section of Valley Trails are in the road plan as concrete replacements. Mr. Kilburn commented that there will be fewer projects next year, but they are more expensive.

### **Public Works:**

- Mr. Kilburn passed out the committee report, noting his items were covered in the Engineer's report. He thanked Mr. Waugaman for chairing the meeting. Next meeting is November 8<sup>th</sup> at 1:00 p.m. in the Administration Conference Room.
- Mr. Yelton gave the Public Works Director's report. He stated that the crew has finished up the panel replacements, inspected the bridge straps on the Rogers Road bridge. Mr. Yelton stated that notches were placed on the piers to be able to record any movement.
- Mr. Yelton noted the crack sealing and backfill restoration is underway on the streets worked on during the construction season. He reported that the 1<sup>st</sup> order of the new street signs are in.
- Mr. Yelton reported that one dump truck is set-up for snow removal. He said that the city has 225 tons of salt on hand and will order more to fill the storage unit.
- Mr. Yelton stated that staff has started to winterize the ballfields and irrigation lines.
- Mr. Bruns inquired about the "flagger ahead" signs, noting that they stayed up and suggested that they come down daily. Discussion followed. Mr. Yelton

replied that the signs were pulled. Mr. Bruns expressed concern that if the signs remain up when flagging is not occurring, drivers will ignore the signs and it will cause safety issues for the crew.

- Mr. Kilburn asked to check the straps on the Rogers Road bridge be inspected every 6 months. Mr. Waugaman suggested adding rebar to the footers if needed and pinning an additional wall in if needed. Discussion followed about the condition of the bridge.
- Mr. Bruns asked about the timeline for the water line project on Buttermilk. He expressed concern about getting the project complete before the Buttermilk Pike replacement. Mr. Whitacre stated bids would go out in November. Mr. Ringo clarified if the water district project is during the winter and Mr. Whitacre confirmed that would be the case.

#### **Events and Beautification:**

- Ms. Koenig gave the Events and Beautification report.
- Music Fest was great with a good crowd, fun music, and great fireworks. She thanked many volunteers, including the Vadens, the Stoltzs, the Koenig family, St. Joseph Men's Holy Name Society, the Crescent Springs Villa Hills Fire Department, the City of Crescent Springs, Jennifer DePompei, Little Red School House and the Villa Hills Public Works and Police Departments. She also thanked all the event sponsors by name and congratulated Rose Wilson on 45 years. She also gave a special thanks to Karen Borrows. Mr. Kilburn thanked Ms. Koenig and everyone for the event.
- Ms. Koenig reminded the public about Haunted Trails. There will be pumpkin decorating, hayrides, warm drinks, and a bon fire. It will take place at the Civic Club. Dixie Heights Drama Class will staff the event from dusk (6:45) to 10:00 p.m.
- Ms. Koenig announced that Christmas in the Park will be held December 2<sup>nd</sup>.
- Mr. Bruns expressed concern about Haunted Trail not being well promoted. Ms. Koenig asked if Mr. Bruns could get the event on the Fire Department message sign. Mr. Bruns replied he would.
- Next meeting is November 6<sup>th</sup> at 6:30 p.m. in the Administration Conference Room.

#### **Finance:**

- Mr. Waugaman presented the Finance Committee report. Questions submitted and answered included issues such as wage discrepancies when compared to budget, legal expenses, accrual reversals, and the booking of the property taxes. He noted that the committee recommended approval of the financials.
- Mr. Kilburn made a motion seconded by Mr. Bruns to accept the financials subject to audit adjustments.
- Next meeting is November 13<sup>th</sup> at 7:00 p.m. in Council Chambers.

#### **Administration:**

- Ms. Vaden reported that the Administration committee did not meet.
- Next meeting is November 1<sup>st</sup> at 6:30 in the Administration Conference room.

**Recreation:**

- Mr. Ringo gave the Recreation Committee report.
- Mr. Ringo noted that the fields are closing as of Wednesday October 18<sup>th</sup> for winterization and the seasonal employee term ends on October 31, 2017.
- Mr. Ringo reminded the public about the annual Field Draw to be held Thursday December 14, 2017.
- The next meeting is November 9<sup>th</sup> at 6:30 in Council Chambers.

**Fire Authority:**

- Mr. Ringo gave the Fire Authority report. He noted the monthly run numbers and the number of calls to date. Mr. Ringo informed the Mayor and Council that ambulance runs are up due to increased calls to Madonna Manor.
- Mr. Ringo noted that the FEMA grant for new digital radios that was applied for was not awarded. He stated that the denial came following the three hurricanes and may have impacted FEMA’s budget. Mr. Ringo stated that the grant would be resubmitted next year.
- Mr. Ringo reported that the audit was presented by Rankin and Rankin and received an unmodified opinion.
- Mr. Ringo stated that staff from the Fire Department met with Madonna Manor to discuss procedural issues with ambulance runs to the facility.
- Mr. Ringo inquired if the city had heard if Madonna Manor was proceeding on their next phase of development which is rumored to include two story apartments. Mr. Bohman replied that PDS has been in contact with the city about a proposal for expansion onto the portion of the property where the old facility was located.
- Mr. Ringo reported that the bids for the new ambulance is scheduled for Monday.
- Next meeting is November 20<sup>th</sup> at 6:00 p.m. at the Firehouse.

**City Attorney Report:**

- Mr. Metzger brought the Mayor’s and Council’s attention to the need to approve an insurance company settlement regarding a case. Mr. Kilburn made motion to approve the insurance company’s settlement of **13-CI-1371**. Seconded by Mr. Waugaman. A roll call vote was requested by Ms. Koenig.

Mr. Ringo	Aye	Mr. Bruns	Aye
Ms. Vaden	Abstained	Mr. Kilburn	Aye
Mr. Waugaman	Aye	Ms. Koenig	Nay

Motion carried 4 ayes, 1 nay and 1 abstention.

**City Administrator/Clerk:**

- Mr. Bohman reported that 24% of taxes have been collected to date vs. 20.5% this time last year, including \$110,000 in road tax which closes the gap noted in the public works committee report.
- Mr. Bohman pointed out the new projector system used during the meeting that would be available for future meetings.
- Mr. Bohman brought Council’s attention to the memo in the council packet regarding a request for relief from code enforcement fines to finalize the sale of a problem property to new owners. He explained that the city will keep 4 of the

9 liens and that the fine payable would cover both PDS and the city's costs along with a punitive element. Discussion followed. **Resolution 2017 – Q Waive certain code enforcement liens on 740 Heather Court.** Mr. Kilburn made a motion seconded by Mr. Waugaman. Voice vote carried. All in favor.

Motion carried 6-0. This will become **Resolution 2017-19.**

**Mayor's Report:**

- Mayor Callery gave the Mayor's report. He announced that the official hours of Halloween will be from 6:00 p.m. to 8:00 p.m. on October 31<sup>st</sup>.
- Mayor Callery showed Council and the public the APA Special Merit Award that PDS and the city was honored with as a result of the small area study conducted for the St. Walburg/Sanctuary development project.

There was no old business or new business.

**Comments:**

- Mr. Bruns asked the public to be mindful of children at Halloween and after the clocks fall back and the darkness lasts longer.
- Mr. Kilburn thanked Mr. Bohman and the City Attorney for their work on delinquent code enforcement fine.
- Mr. Ringo mentioned the insurance settlement and noted that council is elected to do tough work and minimized business risk which was accomplished with the settlement.
- Mr. Waugaman congratulated Mayor Callery for settling the case and noted that it was a business decision to cut losses.

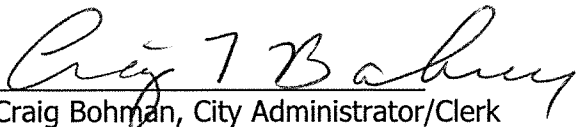
**Public Comments:**

- Mr. Roy Turvey on River Road praised Mayor Callery for his service and work in Covington and presented papers to the Mayor to discuss and work with him on at a later date.
- Seth Thompson thanked everyone for the road work being completed quickly on Deerfield Drive.
- Mr. Bruns brought Council's attention to the recognition/proclamation that Denise Schickling, owner of Crestville Drugs, received at Music Fest.

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

Time of Adjournment was 8:23 p.m.

Respectfully submitted,

  
Craig Bohman, City Administrator/Clerk

  
Irvin T. "Butch" Callery, Mayor