



**Meeting 665 Minutes
November 15, 2017**

Mayor Irvin T. "Butch" Callery called the November 15, 2017 City of Villa Hills Council meeting #665 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:

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| Mayor Butch Callery | Mary Ann Stewart, City Attorney |
| G. Kilburn | Craig Bohman, City Administrator/Clerk |
| M. Koenig | Sergeant Matthew Hall |
| S. Ringo | Derick Yelton, Public Works Director |
| J. Vaden | Dave Whitacre, City Engineer |
| G. Waugaman | |
| G. Bruns (arrived at 7:00) | |

A quorum was present.

The next item on the agenda was approval of the minutes of meeting #664. Motion made by Mr. Waugaman, seconded by Mr. Ringo to approve. A voice vote was taken, all in favor.

Legislation:

- Ms. Stewart gave a first reading of **Ordinance 2017-H, Updating the sign regulations in the Villa Hills Zoning Code**. She stated PDS has been preparing drafts to update each city's zoning code to be consistent with the US Supreme Court ruling in *Reed vs Gilbert, AZ*. Mr. Ringo asked for what changes were required by the court order. Ms. Stewart explained the Supreme Court ruling noted that "content neutral" was not enough because the new ruling requires jurisdictions to explain the need for size and location restrictions to avoid constitutional issues and gave several examples. Ms. Koenig inquired about enforcing sign rules in the right-of-way. Mr. Bohman replied that encroachment permits enforced by city staff deal with the right-of-way and PDS would enforce zoning code restrictions. Ms. Koenig stated all signs in the right-of-way need to be pulled by staff. Mr. Ringo noted that the new sign regulations do not change the rules, but simply adds reasons and finding for the rules.

With no further legislation, the meeting proceeded to committee reports

Committee Reports:

Police:

- Sergeant Matthew Hall presented the monthly police report. He explained that the high number of calls in Bromley is due to traffic enforcement on River Road. He stated that violations occur in the city, but the safest place to make the stop is in Bromley. Sergeant Hall reported that there were 4 traffic accidents and half involved alcohol. He noted that all cases that were opened last month were closed with charges or arrests, and informed the Mayor and Council that the first charges of Fentanyl possession in the city was issued in October. Sergeant Hall reported that he and Officer Powell attended a 40-hour crisis intervention training by the state in order to be able to deal more effectively with individual with mental health or addiction issues.
- Sergeant Hall drew Council's attention to the new Axon body camera and noted they were twice the size of the older Wolfcom cameras. He explained several of the advantages of the Axon camera over the Wolfcom camera and thanked Council for their support of the new cameras.
- Sergeant Hall noted Crescent Springs voted to approve the proposal from Villa Hills. He described efforts by the department to prepare to provide police service to Crescent Springs.

Safety:

- Ms. Vaden gave the Safety Committee Report. She noted that in addition to the items discussed in the monthly police report, the committee also discussed the data obtained by the electronic speed signs. Sergeant Hall noted that signs have had an effect in that 80% of the drivers on Amsterdam have slowed down to 30 MPH. Mayor Callery inquired if any of the stops in Bromley are related to speeding on Amsterdam Road. Sergeant Hall responded that those stops are the result of speeding on River Road. Ms. Vaden noted most of those violations occur by TransMontagne. Mr. Waugaman asked if the officers are writing tickets near the location where the incident with the bus occurred earlier in the year. Sergeant Hall responded he has not seen an increase of tickets in that area.

Engineer:

- Mr. Whitacre reported that road work is done, including Apple Blossom. The only thing left is the stripping on Prospect Point Drive which should be completed on the next good weather day. He explained several of the minor change orders that were needed to complete the projects.
- Mr. Matt Bogen reported that the Water District's main replacement process was awarded to Rose Excavation and project must be completed in 100 days. Assuming a December 1st start date, the project would be completed mid-March. Mr. Bogen noted that the geo-technical report for the Buttermilk Pike project was received and would be used to determine street design. Mr. Kilburn asked when the city's RFP for the Buttermilk Pike project would go out. Mr. Bogen replied that it is expected to go out by January. Mr. Kilburn asked a follow up on when our construction would start in mid-April. Mr. Whitacre replied that would be a later than that because asphalt plants are still closed at that time and the subgrade is likely still wet in the spring.

Public Works:

- Mr. Kilburn gave the Public Works report. He thanked Mr. Waugaman for chairing the committee in his absence. He reported available funds are roughly \$819,000 with \$707,000 incurred, leaving about \$112,000 available. Mr. Kilburn noted that roughly \$430,000 in invoices have been submitted for the streets that were overlaid and the invoice for Appleblossom has not yet been submitted. He stated that Len Riegler Blacktop did an excellent job on the overlays. Mr. Kilburn reported that it was a lot of work and thanked staff and the citizens for giving the city the resources to do the work. The next meeting will be at 1 p.m. on December 13th at 720 Rogers Road.
- Mr. Yelton reported that road projects are 99% complete including panel replacement by staff. He noted that all winterization is complete and lawn equipment is in storage. Mr. Yelton stated that the two large dump trucks are ready for snow and small dump truck is still being used to clean storm drains to help with snow melt.
- Mr. Yelton reported that 81 of the new street signs poles have been installed including 44 street name poles and 37 stop sign only poles.
- Mr. Yelton thanked Wayne Slusher for his work on the ball fields and noted hopes he comes back next year.

Events and Beautification:

- Ms. Koenig gave the Events and Beautification report. She stated that the Haunted Trails event went great even though the rain the day before prevented the use of a longer trail. Ms. Koenig reported that over 600 guests took the tractor hayride. Ms. Koenig thanked the many volunteers and sponsors including Alex Koenig, Jerry Fischer, Alex Steel, Hayden Skinner-Fine, Kyle Rose, Jacob Bruns, Karen Burros, Charlie and Jean Stoltz, students from Dixie Heights High School, Turkeyfoot Middle School, and Saint Joseph School, the Villa Hills Public Works staff, the Tewes Farm, Larosa's Pizza, and *The Hills and Springs Magazine*.
- Ms. Koenig reminded the public about the next event, Christmas in the Park, on Saturday December 2nd. It will include train rides, carolers, cookies, hot chocolate, and crafts. The Mayor asked if Mr. and Mrs. Claus will be there. Ms. Koenig said yes.

Finance:

- Mr. Waugaman presented the Finance Committee report. He noted that questions were submitted by committee members and responded to by Mr. Bohman. Mr. Waugaman reported that the committee discussed the high postage due to sending out the tax bills, the high computer tax software costs for the annual subscription for property tax software, the transfer from reserves was for engineering costs for the Buttermilk Pike grant, and the high utilities as a result of an increase in County 911 fees from \$65 per parcel for the 5 city owned parcels to \$435 - \$530 per parcel. Mr. Waugaman noted that there is a timing issue with the accruals, but a review showed that they are all being reversed properly. He informed Council that the committee recommended approval of the financials.
- Mr. Kilburn made a motion to approve the October financials and post them to the city's website, seconded by Mr. Bruns. A voice vote was taken, all in favor.

Administration:

Ms. Vaden reported that there was no meeting in November. The next meeting will be December 4th at 6:30 p.m. at 720 Rogers Road.

Recreation:

- Mr. Ringo gave the Recreation Committee report. Mr. Ringo noted that planned meeting with the Longhorn Association for the upcoming field draw was rescheduled.
- Mr. Ringo thanked Villa Hills Soccer Club for closing out their schedule and removing their equipment on time which allowed the fields to be prepped for the winter. He also thanked Wayne Slusher for his work as the seasonal groundskeeper.
- The next meeting is December 14th at 6:30 p.m. in Council Chambers for the annual field draw for practice and game slots for next year.

Fire Authority:

- Mr. Ringo reported that the Fire Authority meeting will not be until next week.
- Mr. Ringo stated that 82% of the amount owed in subscriptions from the unincorporated area was collected thanks to the Fiscal Court adding the fee to the County tax bill.
- Next meeting will be November 20th at 6:00 p.m. at the Firehouse.

City Attorney Report:

- Ms. Stewart reserved her report for executive session.

City Administrator/Clerk:

Mr. Bohman commented that about \$600,000 in property taxes and waste fees remained uncollected but noted that about \$200,000 was from 1 mortgage escrow company that has not paid yet. He estimated that the city would collect about 95% of the taxes and fees owed by the end of the month which is normal. Mr. Bohman reminded taxpayers that failure to pay by November 30th would result in a 15% one-time penalty and 6% per year interest.

Mayor's Report:

- Mayor Callery gave the Mayor's report. He announced that the \$1,000 award for receiving the Kentucky League of Cities Elected Official of the Year award would be presented to the River Ridge Family Resource Center next week followed by his visit to the 5th grade class.
- Mayor Callery said that he would present a proclamation on Tuesday to Villa Madonna Academy in honor of their designation as a Blue Ribbon School.

There was no **Old Business**.

New Business:

- Mr. Kilburn brought The Mayor and Council's attention to recent news stories that murderer Carlos Faulkner, who pled guilty to the brutal killing of Leslie Briede in Fort Wright 25 years ago, is up for parole because the law at the time did not include a life sentence without the possibility of parole. He noted that the

law was changed due to this case and now includes the sentence of life without the possibility of parole. He noted that the Kentucky Parole Board is taking public comment about the case. Mr. Kilburn made a motion to approve a resolution to oppose the parole of Carlos Faulkner at any time, seconded by Mr. Ringo. A voice vote was taken, all in favor.

This will be Resolution 2017-20

Council Comments:

- Mr. Kilburn thanked the Mayor and Council for their support and help with his absences due to his work schedule. He also thanked Cardinal Engineering and the Public Works staff for their work during the recent construction season.
- Ms. Vaden noted she has received many positive comments on the new street signs. She also praised Officer Dooley for handing out candy and talking with trick-or-treaters on Halloween on one side of the city and the Fire Department for passing out candy on the other side. Ms. Vaden also recognized Officer Krull for raising money for Shop with A Cop.
- Mr. Waugaman noted that he has also received positive comments about the new street signs and inquiries from residents in other cities on how their community can get similar signs.

Public Comments:

- Seth Thompson of Deerfield inquired about the radio station property and mentioned The River City News article about the property being for sale. He stated that the comment in the story by the real estate agent that bothered him was that Villa Hills needs to "catch-up" with Crescent Springs in terms of commercial development. Mr. Jones stated he does not feel that Villa Hills needs to catch up with Crescent Springs in that regard. Mr. Waugaman responded that the comment is a reflection on the author of the story and is speculation.
- Steve Schletker of Carpenter's Trace thanked the Mayor and Council for their work. He stated that he is working with a group from Carpenter's Trace and realized the sister's property must sell to fund their retirement and that the neighbors do not oppose that. Mr. Schletker asked Council for consideration for surrounding property owners including screening, to mitigate the impacts of the proposed mixed use on existing properties. Mr. Ringo inquired about what the residents want and noted that typical developments would have backyards up against the existing backyard. Mr. Schletker replied that keeping most of the existing stand of trees would probably be satisfactory as would screening from noise and light from the development. He asked that residents be allowed to provide their input on the development. Mr. Waugaman clarified if the residents on Carpenters Trace would accept having residential backyards abut their property. Mr. Schletker stated it would depend on the types of housing and how many trees stayed. He pointed out that the Stillbrooke subdivision wiped out the onsite trees. Mr. Bruns asked what the distance is from the houses to the tree line. Mr. Schletker replied about 30 feet. Mr. Bruns stated that as long as the trees were reasonably close to the property line the developer would probably work with the adjoining property owners. Mr. Bruns followed up and inquired if Carpenter's Trace has talked with residents on Lauren and Stonewood. Mr. Schletker stated they have only talked with Carpenter's Trace. Mr. Ringo suggested getting with residents on Lauren Drive and Stonewood. Mr.

- Waugaman commented that a lot of effort has put into the development process and all the questions being asked by residents have already been asked during the year and half small area study. Mr. Schletker stated that Carpenter's Trace residents are reasonable in their expectations and desire to be participants in the process. Mr. Bruns replied that resident concerns are his concerns as well.

A motion was made to go into Executive Session at 7:29 p.m. by Mr. Kilburn, seconded by Mr. Waugaman per KRS 61.810(C) pending litigation and 61.810(G) developer discussions on siting a business. Mayor Callery asked for a roll call.

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

Motion carried 6-0. Council entered Executive session.

At 9:11 p.m. a motion was made by Mr. Kilburn to leave Executive Session, seconded by Mr. Waugaman. A voice vote was taken motion carried all in favor.

Mr. Kilburn made a motion to approve **Municipal Order 2017-Q Authorizing an application for a text amendment to the PUD zone** with amendments, seconded by Ms. Koenig. Mr. Kilburn read the changes to be incorporated into Municipal Order 2017-Q. A roll call vote on the municipal order as amended was taken as follows:

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

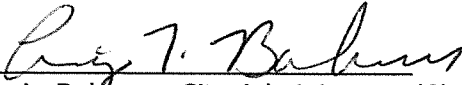
Motion carried 6-0. This will become **Municipal Order 2017-17**.


Following the vote Mayor Callery went to adjourn the meeting at which several council members objected with points of order. Council then discussed changing the caucus meeting on December 13th to a special meeting and cancelling the regularly scheduled council meeting on December 20th. Mr. Bruns made a motion, seconded by Mr. Waugaman to make the change. A voice vote was taken. All in favor.

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

Time of Adjournment was 9:15 p.m.

Respectfully submitted,


 Craig Bolman, City Administrator/Clerk


 Irvin T. "Butch" Callery, Mayor