



**Special Meeting
October 3, 2019**

Mayor Heather H. Jansen called the October 3, 2019 Villa Hills Council Special Meeting to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Those in attendance:

Mayor Jansen
R. Baehner
J. Cahill
S. Ringo
C. Stover
S. Thompson

Craig T. Bohman, City Administrator/Clerk

Ms. Wadsworth was absent

A quorum was present.

Presentation on the Short Amsterdam TAP Grant: Nick Hendrix Kenton County Engineer accompanied by Kenton County Administrator Joe Shriver.

Mayor Jansen welcomed Mr. Hendrix and Mr. Shriver. She introduced the members of Council to the presenters. Mr. Bohman read the Special Meeting Notice and Acceptance of Waiver by Council members present into the record.

- Mr. Nick Hendrix, Kenton County Engineer, thanked the Mayor and Council for agreeing to meet. Mr. Hendrix gave a brief history of the Crescent Springs TAP Grant in 2016 and 2017 and the change in Local Project Administrator (LPA) from Crescent Springs to Kenton County. Mr. Hendrix described the 80/20 grant project as installing sidewalk along the south (west) side of short Amsterdam Road that will close an existing sidewalk loop after the Bromley Crescent Spring project is completed. He explained the increase in cost from \$860,000 to \$2,500,000 was the result of design and geotechnical work that were completed after Kenton County took over the grant which was not performed when the project cost was estimated for the original grant application. As a result of the change in the project's estimated cost the grant match for each participating jurisdiction would increase from \$59,000 \$166,000. Mr. Hendrix announced that the Fiscal Court has agreed by resolution to pay for the project upfront and let the two cities reimburse their share of the local match over 4 years once construction begins. Mr. Shriver noted that the payment plan is interest free.
- Mr. Ringo inquired about what portion of short Amsterdam the County owns. Mr. Hendrix replied that the county has the area along Bromley Crescent Springs Road and halfway up the hill between Bromley Crescent Springs Road and Highwater Road.
- Mr. Ringo asked for an explanation as to why he is hearing about Short Amsterdam needing bank stabilization for the first time in nearly 15 years of being on Council. He said that he does not see any of the problems he sees on River Road or Highwater Road on short Amsterdam Road and that he is not

comfortable with the change in the cost for installing sidewalks. Mr. Hendrix agreed that he is also frustrated with the change in cost and believes that the original cost estimate is the cost if one just "pastes" a sidewalk, curb, and gutter on the side of the road. He noted that unfortunately that is not possible with this project as soil or some form of stabilization will be needed on the creek side of the road or retaining walls on the hill side of the road. Mr. Hendrix stated that this is a sidewalk project with a large ancillary benefit of stabilizing the stream bank. He noted the current slope of the stream bank has a 95% chance of failure at some undetermined point in the future. Despite the change in cost Mr. Hendrix stated that this is a fantastic project that closes a sidewalk loop and abate the cost of fixing the road when the bank fails at some unknown point in the future.

- Mr. Ringo replied that he is feeling frustrated, angry, and forced to vote to support this project in order to avoid being irresponsible. He stated he did not see much of a benefit to a sidewalk a few years ago but \$59,000 was not a lot of money. Mr. Ringo clarified that the state will be putting in a sidewalk on Bromley Crescent Springs Road. Mr. Shriver replied that the Bromley Crescent Springs Road project will include an 8-foot wide multi-use path that will hook around and start up short Amsterdam. He stated he shared the same frustration over the cost increase. Mr. Shriver added that a large part of the increase in costs is due to "in lieu of" fees (penalties) for encroaching on an existing stream and the addition of stormwater infrastructure not in the original plan. He agreed that short Amsterdam was not the worse road in the area, but it is not the best either. Mr. Shriver pointed out that for \$166,000 spread over 4 years, each community can close the sidewalk loop, improve stormwater management and prevent road slippage for the foreseeable future.
- Mr. Ringo noted that the problem with short Amsterdam today is the hillside, not the creek side of the road, due to icing with runoff in cold weather. He reiterated that nobody has ever said there was a problem with the road. Mr. Bohman noted that the slope has slipped due to heavy rains off the hillside and a few years in front of that there was a collapsed culvert that was replaced to allow water to get to the creek without going over the road. Mr. Bohman stated he discussed this with Public Works Director Yelton earlier in the day and Mr. Yelton told him the road is fine but that the creek was eventually going to cut into the road.
- Mr. Shriver replied that this is a hazard mitigation project with 80% Federal funding and he is not sure if the project gets done without all three jurisdiction participating. Mr. Ringo reiterated his frustration over feeling forced to fund the project because he did not know about this from inside the city organization nor from Crescent Springs.
- Mr. Baehner clarified that while this is technically a \$2.4 million sidewalk project most of the cost is driven by geotechnical work to stabilize the creek bank. Mr. Shriver noted that the project breakdown includes a large amount of "in-lieu of" fees, right of way acquisition. Mr. Baehner noted that 10% of the cost is for the sidewalk portion. Mr. Hendrix noted that the "in-lieu" fees are \$750,000. Mr. Baehner noted that he shared Mr. Ringo's frustration and feelings of being irresponsible if this is not supported. Mr. Ringo noted that short Amsterdam is an important road because Highwater has significant issues and Buttermilk is congested. Mr. Shriver noted that the rationale for the Bromley Crescent Spring project was the Brent Spence Bridge replacement and the need to move people on a secondary route. Mr. Baehner stated that safety is a concern on Bromley

Crescent Springs Road. Mr. Shriver noted that Amsterdam Road has not come into play because other priorities, such as Highwater and Bromley Crescent Springs Road have come first.

- Mr. Thompson raised concerns about slippage from the hillside of the road and then gives and damages all the new infrastructure on the creek side. Mr. Ringo echoed those concerns due to recent FEMA supported repairs on short Amsterdam. Mr. Hendrix stated that short Amsterdam has the same issues as every road in the county that started out as a cow path, then turned into a gravel road, then paved. He stated adding infrastructure to fix the hillside will result in project creep beyond the scope of the grant. Mr. Hendrix suggested working with the homeowner to remove all the excess soil from the hill side to prevent future slips. Mr. Ringo stated he was surprised that did not occur during the FEMA repair. Additional discussion followed about potential hillside slippage and potential solutions.
- Mr. Hendrix noted all three jurisdictions have strapped budgets and that the local match would equal about a half mile per year or 2 miles of asphalt over 4 years. Mr. Ringo thanked the County for the financing offer and stated that he was bothered that no one from the city had ever mentioned this issue before or included it in the ten-year road plan prior to the sidewalk grant or heard it mentioned over the past 15 years. Mr. Thompson agreed that he is feeling forced to do the project but he noted that there is no way the city could do the project on its own. Mr. Baehner noted that the financing offer helped ease his concerns with the project cost.
- Mr. Cahill asked about the solidity of the numbers and expressed concern about the project increasing to \$4 million dollars and the grant would not increase. Mr. Hendrix reported that recent Highway Department bids are coming in twice the engineers estimate. He attributed the increase to the roaring economy, and the Governor's push to repair 1,000 bridges statewide (which use a lot of concrete). He stated that once the current highway projects are complete in 4 years that concrete prices should come back down.
- Mr. Ringo inquired about the timeline. Mr. Hendrix replied that if both cities support the revised grant application and the state has the money to fund the grant the process would take about 2 years to start construction. Mr. Thompson suggested setting aside the amount over 6 years since the construction is estimated to begin in 2023.
- Mr. Cahill asked what happens if the project is denied. Mr. Hendrix replied that the project would be dropped. He noted that the state will try to fund the grant even with the increased costs because it has already awarded the grant. Mr. Hendrix noted it is easier for the state to step up because grants across the state do come in under budget or get cancelled for various reasons. He hoped that prices will come back in line by the time the project bids several years from now.
- Mr. Ringo stated he is looking at this as a road repair project and the sidewalk is bonus. Mr. Baehner stated that this would be a hazard mitigation project. Mr. Ringo stated that if erosion is an issue it needs to be addressed to keep the road from becoming like Highwater Road. Mr. Hendrix reiterated that even if the project costs came in at \$2.5 million out of the gate he would still recommend the project because of the reduction in liability with future road issues. He reiterated this is a great sidewalk project that closes a sizable loop. Mr. Thompson agreed that runners would like the additional loop.

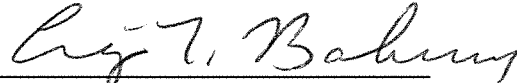
- Ms. Stover inquired about the timing of the Bromley Crescent Springs road project. Mr. Hendrix stated that the County is still acquiring 15 parcels and that construction will be bid in Spring 2020 in two phases to be completed in fall 2021. Additional discussion followed about the timing of the Buttermilk project.
- Mr. Cahill clarified that the city is still on the hook for the geotechnical work that has already been completed. Mr. Hendrix agreed that the city is responsible for \$27,000 already if the project does not move forward.
- Mr. Baehner asked for the next steps. Mr. Hendrix said to send any questions about the project to him and that Council would need to pass a resolution one way or the other on the project. He stated that assuming both cities are still on board, the County would send the revised project costs to Frankfort and work with the state to increase the grant size to match the new project costs. Mr. Cahill asked for clarification on what goes into the resolution. Mr. Shriver stated that the city should reaffirm its support for the project with the adjusted costs, agree to the three-way split of the local match and the four year financing of the city's match.
- Mr. Baehner asked where Crescent Spring is on the project. Both Mr. Cahill and Mayor Jansen (who attended the last Crescent Springs meeting) stated that Crescent Springs had the same sentiments and seemed supportive. Discussion followed on having a resolution at the next Council meeting and having Public Works Director Yelton be able to explain in detail the issues with the creek side of the road.
- Resident Tom Wenning of Carpenters Trace asked if there is data to show if the sidewalk project would stabilize the road. Mr. Hendrix stated that there was such data. Mr. Wenning asked how the city would install new cross drains if there was a retaining wall blocking the outlet. Mr. Hendrix agreed that additional drainage would be added to the road before the sidewalk was installed based on water spread analysis. He further explained that 95% of the stabilization work would be grading and showed Mr. Wenning a set of plans with the grading changes. Mr. Wenning followed up with a question about how far the sidewalk is from the road. Mr. Hendrix replied that the 8-foot sidewalk would be it is 5 ½ feet away from the curb.
- Mr. Ringo asked Mr. Thompson to have the Public Committees review the two areas that Mr. Yelton has issues with to ensure they are stable since this project is few years away. Additional discussion followed about recent wet springs.
- Ms. Stover asked if the project would still go forward without both cities' support. Mr. Hendrix said it would be discussed by the county and remaining city at that time. Mr. Shriver pointed out that Crescent Springs shares the same sentiment as Villa Hills. Mayor Jansen noted that Crescent Springs was discussing how to pay for the project, not if they should participate. She stated that if Crescent Spring dropped out the project is probably dead even though the city could agree to pick up the difference. Mr. Hendrix stated that he could not say what the Fiscal Court would do if one of the cities dropped out, only that the state does not care where the 20% match comes from.
- Ms. Stover followed up with a question about if the state would approve the higher grant amount. Mr. Hendrix stated that the state has an easier time absorbing cost changes because they have a much larger pot of funds. Mayor Jansen said it would be hard to justify spending money in Crescent Springs without their support.

- Mr. Ringo stated that he has gotten over his anger and the city needs to do the right thing and he believes that Crescent Springs will do the right thing as well.
- Mr. Cahill asked how much of short Amsterdam the city is responsible for. Mr. Hendrix and Mr. Bohman stated that the city is responsible for roughly half of the mile-long road.
- Mr. Hendrix and Mr. Shriver thanked Council.
- Consensus emerged to have a resolution at the next meeting
- Mr. Thompson asked for a more detailed version of the minutes and that a spread sheet be included. He also asked for an annual set aside projection for the remaining balance of the larger match over the next 6 years. Mr. Ringo replied about \$16,000 per year would be needed. Mayor Jansen pointed out that \$60,000 has already been set aside for the original grant match.

A motion was made by Mr. Baehner, seconded by Mr. Ringo to adjourn. Motion carried by voice vote, all in favor.

Time of adjournment was 7:30 p.m.

Respectfully submitted,



Craig T. Bohman, City Administrator/Clerk



Heather H. Jansen, Mayor