



**Meeting #671 Minutes
May 16, 2018**

Mayor Irvin T. "Butch" Callery called the May 16, 2018 meeting of City of Villa Hills Council (Meeting #671) to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Council Member Greg Kilburn gave the prayer and led the Pledge of Allegiance. A roll call was taken. Those in attendance:

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

**Mary Ann Stewart, City Attorney
Jennifer Lipson, Deputy Clerk/Finance Clerk
Chief Bryan Allen
Derick Yelton, Public Works Director
Matt Bogen, Assistant City Engineer**

A quorum was present.

The first item on the agenda was approval of the minutes of the Special meeting of April 18, 2018. Motion made by Mr. Bruns, seconded by Mr. Waugaman to approve. A voice vote was taken, Mr. Bruns, Ms. Koenig, Mr. Ringo, Ms. Vaden and Mr. Waugaman approved, Mr. Kilburn abstained. Motion carried 5-0-1.

Presentations:

- Mayor Callery introduced officers Patrick Noll, Bryan Panko and Brian DeWaine. Mayor Callery administered the Oath of Office to officers Noll, Panko and DeWaine. Officers Noll, Panko and DeWaine introduced their guests to the Mayor and Council.

The next item of business was legislation.

Legislation:

- **2nd Reading and Approval of draft Ordinance 2018-C.**
Ms. Stewart gave a second reading to draft Ordinance 2018-C. Mayor Callery stated that this was the same as read at last meeting, with note that last month the draft and a line by line explanation was provided. The only change that has been requested is that the \$18,750 for Miscellaneous in the Contracted Services budget be moved and added to Legal expenses. This will not change the Ordinance itself and is an internal change. Ms. Vaden asked for clarification that was the only change to the amended budget. Mayor Callery confirmed that it was. A motion was made by Mr. Waugaman and seconded by Mr. Kilburn. A roll call vote was taken:

**Mr. Kilburn Y Mr. Ringo Y Mr. Waugaman Y
Ms. Koenig Y Ms. Vaden N Mr. Bruns Y**
Motion carried with 5-1. This will become Ordinance 2018-3

- **1st Reading of draft Ordinance 2018-D.**

Ms. Stewart gave a first reading to draft Ordinance 2018-D.

Mayor Callery then presented his budget message to the Council and Citizens of Villa Hills.

At this point in the meeting (about 7:00 p.m.), Mr. Schletker interrupted the Mayor to inform him that the audience had grown to exceed the meeting room space and requested that council convene at that point, as he felt that the meeting was not legal. He stated people had been coming and leaving for about 10 – 15 minutes.

Ms. Stewart responded to Mr. Schletker that there was nothing on the agenda that would give council a reason to expect a large crowd and nobody had notified City of intent to attend and that the Council needed to conduct regular business to keep the City functioning in its day to day operations. Her opinion was that Council has made reasonable accommodations and that the council needs to be able to conduct the City's business. Several times Ms. Stewart and Chief Allen advised those in the hallway that there was more space before meeting fire code, but it was standing room for that purpose.

- **Draft Municipal Order 2018-D – Authorizing the Mayor to execute the third amendment renewing the Northern Kentucky Governmental Purchasing Agreement to Extend the duration to 2028.**

Ms. Stewart presented draft Municipal Order 2018-D. A motion was made by Ms. Koenig, seconded by Mr. Kilburn. A voice vote was taken. All in favor.

Motion carried with 6-0. This will become Municipal Order 2018-5

- **Draft Resolution 2018-H Accepting the bid of JPS Construction for \$249,889.80 for work to be performed on Appleblossom Drive and authorizing Mayor Callery to sign a contract with JPS for the same.**

Ms. Stewart presented draft Resolution 20178-I. A motion was made by Mr. Waugaman, seconded by Mr. Kilburn. A voice vote was taken. All in favor.

Motion carried with 6-0. This will become Resolution 2018-8

- **Draft Resolution 2018-I Accepting the bid of JPS Construction for \$107,096.90 for work to be performed on Sunglow and Thirs Drive and authorizing Mayor Callery to sign a contract with JPS for the same.**

Ms. Stewart presented draft Resolution 20178-I. A motion was made by Mr. Kilburn, seconded by Mr. Ringo. A voice vote was taken. All in favor.

Motion carried with 6-0. This will become Resolution 2018-9

There being no further legislation, the meeting proceeded to committee reports.

Committee Reports:

Police:

- Chief Allen reviewed the monthly calls and stats for April. He stated that they had 611 calls for service. He announced that they had an 89% closure rate of cases. Chief Allen noted 16 hours of overtime and 90 calls were outside the city, 105 training hours.
- Chief Allen stated that they are getting equipment in and are prepared to take over Crescent Springs on June 27th at 10:00 A.M. The last 3 officers were sworn in tonight. 2 officers are in the academy and anticipate graduation on October 20th. They are currently waiting on the cruisers to come in.
- New SRO program has received several calls from several people in and associated with the school. He is proud of officers, they have exceeded his expectations on making the program work. People are giving nothing but accolades to the officers for the great job that they are doing.

Safety:

- Mr. Bruns gave the monthly Safety Committee report. The meeting was held May 8, 2018. Committee discussions regarded the Chief's monthly police report, KLC audit being completed by police department and received a score of 95%, which keeps status same or better than previously. DARE classes graduated from both Villa Madonna and River Ridge; the SRO officer is going very well at River Ridge; Chief gave status of new hires; question regarding school zone sign being covered on Amsterdam, Chief has contacted state to report it; and clarification of purpose of SRO officers at school is not to discipline students, they are strictly for the safety of the school.
- Safety night discussion – will be August 8th at Tom Braun Field.
- The next meeting will June 12, 2018 at 6:30 in Council Chambers.

Engineer:

- Mr. Bogen gave the Engineer report.
- Mr. Bogen reported that the Buttermilk Pike project was sent to Frankfort for the Environmental Review. Their original time frame of 30 days has come and gone and currently at 7 weeks. Can't move ahead until receive the Environmental approval. Mayor Callery has reached out to Diane St. Onge to see if she can help. She did contact Frankfort to get it expedited any way they can.
- Held bid opening for Appleblossom Drive, and Sunglow/Thirs on April 27th. JPS was lowest and best bid on both projects. JPS did Appleblossom last year, so they are familiar with the layout.
- Mr. Bogen and Mr. Yelton have been working with Riverview Farms regarding a safety issue with the island there and bus ability to make the turn into the area. They are working with HOA for a solution, and Kenton County has brought buses out to let them observe the difficulty to turn the buses in and out a few different ways. Working with Mr. Yelton to come up with a plan to address the issue. Mr. Yelton is meeting with Riegler blacktop next date to get an estimate. Had received a previous estimate and it didn't seem reasonable, so they are getting more estimates for the project.
- Ms. Vaden inquired if there are any other locations that will have the island issue. Mr. Bogen said there are and they will be looking at them throughout the city to see if there are additional issues.

- Mr. Kilburn pointed out that JPS was the lowest and also the best bids for the projects.
- Mr. Bogen advised that the Water District portion of Buttermilk was completed.
- Ms. Vaden inquired on what the turn-around time will be for Buttermilk Pike, after the Environmental approval is received – Mr. Bogen advised 90 days for easements, then RFP will be put out after that – speculation that it is 4-5 months before the work could begin.
- Mr. Mike Case from audience advised Mayor and staff that the parking on streets by the contractors was not safe. He stated that when they parked on Mary, people coming out Mary couldn't see incoming traffic. He also stated that there was a lot of oil marks on the streets from the trucks.

Public Works Committee:

- Mr. Kilburn advised council that the committee met on May 9th at 1:00.
- As mentioned by Mr. Bogen – the Water District portion of Buttermilk project is complete. Awaiting Environmental approval from the state.
- Road Tax = \$547,767 available, of which \$471,967 is committed. \$200,000 budgeted for panels and salt garage.
- Riverview Farms island – Mr. Yelton and Mr. Bogen are working together to come up with a solution. Riverview Farms residents will pay for a portion of the work.
- Next meeting on June 13th at 1:00
- Ms. Vaden asked if the delay with the Buttermilk project will have any affect on the grant received for the project. Mr. Kilburn advised that it will not.

Public Works:

- Mr. Yelton gave the Public Works Report. He stated that the focus has been on cutting grass, cleaning storm drains, park maintenance and equipment maintenance.
- Mr. Yelton advised that they will be doing concrete work on Thirs and Squire Valley, Arden and Armella. The subgrade is good – they will receive an overlay, which will give the streets another 10-15 years.
- Mr. Yelton advised that in addition to the Riverview Farms island, they have also been looking at the islands at Dry Creek, Colina, Villa and Villa Marie – they will all need to be shortened to allow the busses to turn onto the roads.
- The crew has been attending training for OSHA and FEMA.
- Mr. Yelton advised that the building that houses the Police Department and Council chambers has a generator, however the Public Works and Administration buildings do not currently have generators – if power is lost at the Administration building – functions of the city will not be able to take place. This would allow for housing residents who may need electricity to run oxygen or similar medical issues for 2 – 3 days. They are looking for generators – they are looking at cost and for a certified electrician for installing generators.
- Mr. Yelton advised that the second order for signs has been placed.
- Mr. Yelton thanked the Garden Club for the work on the islands.
- Mr. Yelton advised Council that work has begun on replacing curbs on Villa Drive.
- Mr. Case asked about panel replacement and how that works on roads. Each squared off section is considered a panel, one which is damaged and needs replacing will result in entire panel being replaced.
- Mr. Yelton and Mr. Bogen explained that there is a 10-year Road plan, but sometimes streets deteriorate faster than expected and the plan needs to be

revised. Roads should have a 50-year life cycle: 25 years for initial concrete street, 5-10 years for first blacktop overlay, 10 years for second blacktop overlay, then a 3rd overlay, if necessary before a total replacement.

- Villa Drive – curbs repaired some, some were not done correctly and are being redone. Contractor is cutting curbs, putting in rebar, then pouring the new curbs. These new curbs will last years. Approximately 5,200 foot of curb being done.
- Mike Bartels concerned about the safety of River Road. He was assured that calls have been made to the state. The state responds that they do not have the money to pay for it right now.

Events and Beautification:

- Ms. Koenig stated that there were over 80 homes that participated in this year’s yard sale.
- MusicFest will be on September 29th from 5-10 p.m. Bands for this year are “Naked Karate Girls” and “Everyday People”. They are looking for lots of volunteers to help with the event, expecting a large crowd.

Finance:

- Mr. Waugaman presented the April Finance Report. He noted that questions were submitted by committee members and responded to by Mr. Bohman. Mr. Waugaman reported that the committee discussed legal fees and where the City will wind up by end of year due to costs of Sanctuary and spiking legal costs, no answer yet on where that might end up.
- Mr. Waugaman stated there was discussion on the police budget and payback to reserves. Finance committee is ok with how this was structured.
- The budget amendment was discussed – committee is ok with Budget Amendment as proposed.
- Mr. Waugaman stated that there were many rumors about where the City is financially, he gave a detailed breakdown as of April 30,2018:
 - Total Assets - \$2,274,033.49
 - Total Liabilities - \$ 87,231.88
 - Difference - \$2,186,801.61
 - The \$2,186,801.61 is broken down as follows:

▪ Designated Funds for Buttermilk Pike:	\$ 315,000.00
▪ Designated Funds for cash flow:	\$ 750,000.00
▪ Designated Insurance Premium Tax:	\$ 43,004.45
▪ Designated Payroll Tax:	\$ 69,092.34
▪ Undesignated Fund Balance:	\$ 556,180.98
▪ Net Income:	<u>\$ 453,523.84</u>
▪ Total:	\$2,186,801.61
- Mr. Waugaman informed Council that the committee recommended approval of the April 2018 financials.
- Mr. Kilburn made a motion to approve the April Financials and post them on the website, with the breakdown included, seconded by Mr. Ringo. Motion carried by voice vote, all present in favor.
- The next meeting will be held on June 18, 2018 at 7:00 in Council Chambers.

Administration:

- Ms. Vaden reported that the committee did not meet.
- Ms. Vaden advised that they are reviewing the garbage contract, there were not as many cities participating and it is proving to be more challenging
- Personnel policies are still being revamped.
- There was discussion about looking at a longer contract. Some cities are dropping from the bid process because they had an option to opt in for extensions on their current contracts. It was suggested to do competitive negotiations.
- Next meeting is June 6th at 6:30 at 720 Rogers Road.

Recreation:

- Mr. Ringo stated there was no May meeting.
- The next meeting will be Thursday, June 14, 2018 in Council Chambers at 6:30 p.m.
- Negotiations with Civic Club and the Sisters for fields

Fire Authority:

- Mr. Ringo advised that the Fire Authority meeting will not be until Monday, May 21st, so nothing to report.
- Next meeting is May 21st at the Fire House at 6:00 p.m.

City Attorney Report:

- Ms. Stewart gave a status on the personnel policies, anticipates they would have something ready by the June Council meeting.
- Ms. Stewart advised that Franklin Court upheld the Retirement Systems decision in the case vs. Kentucky Retirement Systems. We are proceeding with an appeal. Anticipation is that it will go to the Court of Appeals. There is possibly one other city from Jefferson County also appealing the ruling.

City Administrator/Clerk:

- Ms. Lipson advised that she and Mr. Bohman had nothing to report.

Mayor's Report:

- Mayor Callery had nothing to report.

There was no Old Business or New Business.

Council Comments:

- Mr. Bruns reminded everyone that schools will be out soon and need to watch for children.
- Mr. Ringo thanked everyone for participating in Shadow Night this year. He is already looking ahead for a date for next year, Villa Madonna has agreed to host again. He stated that it was a great night for the students.
- Ms. Vaden appreciated the inclusion of the License Inspector report.

Public Comments:

- Mr. Schletker re-iterated to Mayor and Council that he felt the meeting space was inadequate and does not believe it was held properly.
- Ms. Stewart advised that if the public intended to come and bring a large crowd, they should advise the Mayor so reasonable accommodations may be made. The City can reasonably make accommodations, but they were unaware that more

people were intending to come and there was nothing on the agenda that would suggest a large crowd might attend.

- Council members asked Mr. Yelton what it would take for Public Works garage to be set up for a meeting. Mr. Yelton advised it would take a minimum of 8 hours to set up. They would need to move all equipment out, remove all flammable items and set up tables and chairs for the meeting.
- Audience inquired why not River Ridge or Villa Madonna.
- Ms. Stewart advised that the city had no control over either location and the city accommodations are only required to be made to the city's abilities. The council chambers and public works garage are the locations available at the ready for the city.
- Suggestion was made to run audio to the hallway so those unable to make it into the room can at least hear what is said during the meeting.

- Mr. Case advised members of Council that it was National Police Week and asked if the City can plan an event to meet and honor police officers during the week. He suggested that the City plan something in the future and he would like to help, something like a first responder picnic. He is looking forward to Villa Hills and Crescent Springs being a combined effort for the police department.

- Mr. Kilburn says he doesn't see a time that police officers will be out of schools; with the way things are these days.

- Mr. Bruns reverted back to Safety Committee to remind residents that there have been break-ins in Fort Thomas and Edgewood, with stuff being taken out of cars in other cities. Most of the break-ins are to get valuables that can be seen from outside of the vehicles. Mr. Bruns asked residents to use due diligence and remove all valuables from vehicles and reminded everyone: "SEE Something, SAY Something". The police would rather respond for a false alarm than not receive a timely report and find out someone had witnessed a crime later.

With no further business, Ms. Koenig made a motion to adjourn, seconded by Mr. Ringo. Voice vote was taken. All in favor.

Time of Adjournment was 8:00 p.m.

Respectfully submitted,

Jennifer L. Lipson, Deputy Clerk/Finance Clerk

Irvin T. "Butch" Callery, Mayor