



**Meeting #674 Minutes  
August 15, 2018**

Mayor Irvin T. "Butch" Callery called the August 15, 2018 meeting of City of Villa Hills Council (Meeting #674) 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 Callery**  
**G. Bruns**  
**G. Kilburn**  
**M. Koenig**  
**S. Ringo**  
**J. Vaden**  
**G. Waugaman**

**Mary Ann Stewart, City Attorney**  
**Craig Bohman, City Administrator/Clerk**  
**Sgt. Matt Hall, Police Department**  
**Derick Yelton, Public Works Director**  
**Matt Bogen, City Engineer**

A quorum was present.

The first item on the agenda was approval of the minutes of the July 18, 2018 meeting. Motion made by Mr. Bruns, seconded by Mr. Waugaman. A voice vote was taken. Motion carried 5-0, Mr. Kilburn not voting.

**Legislation:**

**2<sup>nd</sup> Reading and approval of draft Ordinance 2018-G**

An Ordinance of The City of Villa Hills amending section 9.23(C) of the Villa Hills Zoning Code to add temporary parking regulations for trailers, mobile homes, recreational vehicles, campers, boats or similar type equipment for a 72 hour period.

- Ms. Koenig asked for clarification what the process was. Mr. Bohman answered that individuals would call or email into the city building and the staff would issue temporary permits that would need to be displayed on the vehicle with the expiration date and PDS would be given the address and scheduled to follow up after the 3<sup>rd</sup> day. He suggested shortening the time period of the notice period and proceeding to citation. Mr. Ringo suggested adding the citation language directly onto the permit stating that failure to remove the equipment in 72 hours would subject the owner to a citation. Ms. Stewart agreed that the warning could be added to the permit and PDS could issue the citation without notice.
- Ms. Koenig followed up asking when PDS would conduct follow-up inspections and Mr. Bohman replied that PDS would be notified immediately upon the issuance of the permit to set up an inspection 3 days later.
- Ms. Vaden inquired if PDS would inspect if the 3<sup>rd</sup> day fell on a Saturday or Sunday. Ms. Stewart replied that the inspection would be on Monday. Mr. Bohman noted that

Mr. Shirley could make a record of the violation and forward that to PDS. Mr. Bohman reiterated that the City does not receive a lot of complaints about recreational equipment in the winter months. Ms. Vaden answered that usually she is proactive about addressing problems but this issue is not a problem that needs to be addressed.

- Mr. Waugaman responded that under current regulations no one can bring in their recreational equipment and if they did the owners could leave it for 10 days before a citation is written. Ms. Vaden inquired how many times over the last 5 years that incident has occurred. Mr. Waugaman noted that there was one complaint last year. Ms. Koenig questioned changing the law for one complaint. Mr. Waugaman described the difficulty facing residents with campers in suing their equipment during mild winters or preparing to travel south during the off season. Ms. Koenig stated that Villa Hills is very generous compared to other cities and most other cities prohibit the parking of the recreational equipment at all times. She suggested limiting the temporary parking to just campers, but Mr. Ringo noted that he knows a neighbor that uses a boat year-round. Mr. Waugaman
- Ms. Koenig stated that it is hard to enforce and is not necessary to make the change for one complaint. She suggested that the one or two people who need to use temporary parking call the city and work it out. Mr. Waugaman noted that doing so forces the residents to break the law. He noted that the permit process at least quantifies the issue because it lets the city know how many people are using recreational equipment in the off season. He stated that he got 15 to 20 calls on this issue last year. Ms. Koenig stated she would like to hear from those residents on this issue.

Mr. Bruns made a motion to vote, seconded by Mr. Kilburn. A roll call vote was taken as follows:

Mr. Bruns	Yes	Mr. Ringo	Yes
Mr. Kilburn	Yes	Ms. Vaden	No
Ms. Koenig	No	Mr. Waugaman	Yes

Motion carried 4-2. This will become Ordinance 2018-7

### **1<sup>st</sup> Reading and discussion of draft Ordinance 2018-H**

An Ordinance of the City of Villa Hills levying an ad valorem real estate tax of 23.0 cents per each one hundred dollars in real estate valuation within the City and providing for interest and penalty charges for late payment; and levying personal property tax of 8.0 cents per each one hundred dollars in valuation of personal property within the City.

- Ms. Stewart gave a first reading of draft Ordinance 2018-H. Mr. Bohman noted that the tax rates are based on the amount budgeted by Council.
- Mr. Ringo clarified that the road tax is a set percentage of the property value and does not need to be included in the ordinance. Ms. Stewart concurred.
- Mr. Kilburn noted that the increase has been budgeted to go into reserves. Mr. Bohman noted the required public hearing will be held at the beginning of the September 12<sup>th</sup> Caucus meeting.

### **1<sup>st</sup> Reading and discussion of draft Ordinance 2018-I**

An ordinance of The City of Villa Hills setting the solid waste fee for tax years 2018-2021, collection and delinquency.

- Ms. Stewart gave a first reading to draft ordinance 2018-I.
- Mr. Ringo inquired why the length of the contract was only for 4 or 5 years and not 10 years. Mr. Bohman replied that the RFP was a collaboration between three cities and 4 years with a 1 year extension was what the group was comfortable with.
- Discussion followed about seeking longer term contracts because prices do not go down and the general lack of competition in the solid waste market.
- Mr. Waugaman clarified that the existing fee had been pretty much unchanged for many years. Mr. Bohman pointed out that the solid waste fee for the city has only risen 25 cents per month since 2010 and that the city has not seen a significant increase in 8 years. Mr. Bohman stated bid this resulted in a 34% increase from \$146.88 to \$197.60, but that new rate was locked in for 4 years and potentially for 5 years. He also noted that several other communities were already paying more than this amount.

There being no further legislation the meeting continued to Committee Reports.

### **Committee Reports:**

#### **Police:**

- Sergeant Hall gave the Police Department report. He stated that the first full month since the merge with Crescent Springs has been a smooth transition. Sergeant Hall reported that there have been 200+ traffic stops, 19 arrests ranging from DUIs to Drug busts and 33 accidents (30 in Crescent Springs, 3 in Villa Hills).
- Sergeant Hall reported that there was a great turnout for Safety Night. There was a K-9 demonstration, fire trucks, SWAT and air care, among other things.
- Sergeant Hall reported that security detail and St. Joseph's festival was going well and that the only issue so far was some trouble from a juvenile which had been addressed.
- Sergeant Hall informed Council about damage caused by a juvenile detainee who had damaged property. The juvenile was charged and will pay for the repairs.
- Sergeant Hall reported that RAD equipment is in and that Officer Emily Horseman will teach the course starting this fall. Mayor Callery asked Sergeant Hall to explain RAD. Sergeant Hall replied that RAD stood for Rape Aggression Defense training and was geared specifically to women to fend off sexual assault.
- Sergeant Hall stated that school is back in session and that Officer Pat Collura is the new Resource Officer.
- Sergeant Hall reported that the department was getting ready for several events including Music Fest, the Tunnel to Towers 5K Run, and the annual 9-11 memorial event.
- Mr. Kilburn asked if this was the first year of having a School Resource Officer in the school. Sergeant Hall replied that it was and noted that the School board is paying half. Ms. Vaden clarified that the SRO has an office. Sergeant Hall confirmed the presence of an office for the SRO and noted upcoming security enhancements with door access.

- Ms. Koenig inquired about K-9. Sergeant Hall responded that the department has started a GoFundMe page to raise money for a canine (K-9) unit. He noted that one officer has reported that he requested a K-9 unit about a dozen times but the units from other cities were not available. Sergeant Hall noted that there is a need for the city to have its own K-9 unit. Mr. Waugaman asked which other cities have K-9 units. Sergeant Hall replied Ft. Mitchell and Ludlow have dogs, but they are not always available. He also noted that having a K-9 unit would help with retention and recruitment because an officer that serves as the handler is locked in for 8-9 years.
- Mr. Kilburn suggested just paying for the dog outright and asked how much it would be. Sergeant Hall replied that the police department wanted to do this without asking taxpayer for more money. Mr. Kilburn replied that if it was a public safety issue the city should just pay for it. Mayor Callery noted that the city has already received some good donations and Sergeant Hall explained a grant opportunity offered by the Ben Roethlisberger Foundation. He reiterated that the police department wanted to see if they could do this on their own.
- Ms. Vaden commented favorably about Chief Allen fostering the passion and growing the skills of the city's young officers. She gave the examples of Officer Dooley and the K-9, Officer Horseman and RAD classes, and the bike officers. She noted that the effort to challenge the young officers to keep them with the city.
- Mr. Kilburn noted that the city should pay for the dog if it's needed for public safety. Mr. Waugaman stated that it would be looked at in the budget process.
- Mr. Bruns pledged to donate \$100 towards the fundraising effort and commented that the city should match the funds so that the fundraising goal would be \$15,000 vs. \$30,000.
- Mr. Waugaman commented that the annual upkeep was much less than the initial outlay. Sergeant Hall noted that the estimate for annual upkeep is about \$2,000.
- Ms. Vaden commented that Chief Allen will do everything he can to find a way to pay for expenses without asking for more money. Mr. Bruns agreed, but noted that the City should be able to find \$15,000. Discussion followed.
- Mr. Waugaman commented that the budget amendment for Police was needed last fiscal because of the start-up expenses in taking over Crescent Springs and noted that all of that money was coming back.
- Ms. Koenig stated that in the 1990's Villa Hills had a K-9. She stated that it was wonderful, the dog was called out a lot, and the kids loved it.

#### **Safety:**

- Mr. Bruns gave the safety committee report. He noted that the monthly report was presented by Chief Allen and there were a lot of questions due to the addition of Crescent Springs' calls to the monthly data. He reported that Ms. Vaden asked about the increase in calls to back-up Fort Mitchell and Chief explained that was a result of Villa Hills now being the closest neighboring PD to Fort Mitchell.
- Mr. Bruns noted that there was a lot of overtime due to having two officers still in the academy. He noted that overtime is being paid for by Crescent Springs.
- Mr. Bruns noted that the committee discussed the new School Resource Officer (SRO) position at the school and the upcoming RAD class.
- Next meeting is September 11<sup>th</sup> at 6:30 in Chambers.

#### **Engineer:**

- Mr. Bogen gave the Engineer report. He noted that the state Environmental Review came back that afternoon with a finding of no environmental or archeological impact

and that the next step was to wait for the issuance of the order to proceed with Right-of-Way acquisition. Ms. Koenig asked how long that would take. Mr. Bogen stated he was told it would take several weeks. Mr. Kilburn asked Mr. Bogen for his opinion if the project was to be completed next spring. Mr. Waugaman noted that the city still needed to go through easement acquisition this fall. Discussion followed about the timing of the project, state approvals, timing of the bidding, and working around the school year to minimize the impact on buses. No consensus emerged on the best target starting date of the project. Ms. Koenig suggested continuing this discussion at the next Public Works meeting.

- Mr. Bogen discussed proposed asphalt replacement program for Villa Marie, Lakeshore, Lake, and Brookview. Estimated cost of the project is \$125,310 and included the removal of the Villa Marie island. Ms. Koenig asked about the cost of full depth on Villa Marie. Discussion followed about if the city should do full depth replacement and asked that this be reviewed at the next Public Works meeting. She noted that the costs of the full depth repair would be offset by not having to come back to the street for several decades. Discussion followed.
- Mr. Bogen reported that Appleblossom is complete.

#### **Public Works Committee:**

- Mr. Kilburn noted that the Public Works Committee report was passed out.
- Mr. Kilburn thanked Mr. Bogen, Governor Bevin's office for helping move the environmental review along, Senator McDaniel and Representative St. Onge for their support, and Mr. Waugaman and Ms. Koenig for taking on Public Works Committee duties while he was away on business. He also thanked the citizens of Villa Hills for the road tax and Mayor Callery for making road work a priority which has resulted in more money being invested in city streets over the last 4 years than at any time in the city's history.
- The next meeting will be held September 12, 2018 at 1 p.m. in the Administration Conference Room at 720 Rogers Road.

#### **Public Works Director Report**

- Mr. Yelton was absent, no Directors report.

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

- Ms. Koenig gave the Events and Beautification report.
- Ms. Koenig reminded the public that Music Fest will be held September 29, 2018 from 5:00 p.m. - 10:30 p.m. with Everyday People Band and Naked Karate Girls performing. She expects that Music Fest will draw a very large crowd. Ms. Koenig noted that parking is available in several locations and that there will be fireworks at 10 p.m. Ms. Koenig asked for volunteers to help with Music Fest and urged volunteers to get in touch with her.
- Ms. Koenig reported that the Villa Hills Civic Club will be hosting a car show on September 22<sup>nd</sup> from 1 p.m. to 5 p.m. and direct those needing more information to contact the Civic Club.
- Ms. Koenig announced that the Haunted Trails event will be the last Saturday in October (October 27<sup>th</sup>).
- Mr. Kilburn provided further information regarding fees for the Villa Hills Civic Club car show and noted that Madonna Manor would also be holding one as well.
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**Finance:**

- Mr. Waugaman presented the June Finance Report.
- Mr. Waugaman noted that questions were submitted by committee members and responded to by Mr. Bohman. Mr. Waugaman reported that \$1,885 was used towards the DefendVH case while all other legal bills cost \$4,375.
- Mr. Waugaman noted that the committee asked questions about wages in the Administration and Public Works departments, the conversion to franchise fee from the telecommunication tax, the Police and Police Interlocal department budgets, and the profit and loss reports from the various road funds.
- Mr. Waugaman presented the balance sheet standing of various designated resources and undesignated fund balances, giving the city a total equity of \$1,586,858. Mr. Waugaman noted that various restricted fund designations and reported an unrestricted fund balance of \$617,447 and net income of (\$162,829). Mr. Waugaman stated that the rainy day fund is the unrestricted fund balance of \$617,447. And noted that the net income combines with the reserve for cash flow to leave \$587,170 and will be replenished after taxes are received.
- Mr. Waugaman stated that committee recommended approval of the July financials.
- The next meeting will be held September 17, at 7:00 p.m. in Chambers.

Mr. Kilburn made a motion, seconded by Ms. Koenig to approve the July financial statements and the finance committee report and post them to the city's website.

- Mr. Kilburn asked if the auditor had any findings in the audit report. Mr. Waugaman replied that the city has not received any finding for the past two years and perhaps three. He noted that usually for a city our size that segregation of duties is an issue but they has compensating controls in place. Mr. Kilburn clarified that the city has not received any suggested changes for the last several years.

**Administration:**

- Ms. Vaden reported that there was no Administration meeting in August and there will also not be one in September. The next meeting will be October 3, 2018.

**Recreation:**

- Mr. Ringo reported that there was no meeting in August. The next meeting will be held in September 13th.

**Fire Authority:**

- Mr. Ringo reported that the Fire Authority meeting has not been held yet. Its meeting will be August 20<sup>th</sup> at 6:00 p.m. at the Firehouse.

**City Attorney Report:**

- Ms. Stewart reported that there was no report this month.

**City Administrator/Clerk:**

- Mr. Bohman noted that there was no Administrator/Clerk report this month.

**Mayor's Report:**

- Mayor Callery had nothing to report.

The next items on the agenda were Old Business and New Business.

**New business:**

- There is no new business.

**Old business:****Municipal Order 2018-I** (passed over during the July meeting)

- Mr. Waugaman reported that the issue was worked out and no further action by Council was needed. He discussed issues with other cities and suggestion to eliminate the rule. Discussion followed about when to bring this back and address the issue. Mr. Bruns made a motion, seconded by Mr. Kilburn to table the issue. A voice vote was taken, all in favor.

**Executive Order 2018-4** (Personnel policy update)

- Mr. Ringo made a motion, seconded by Mr. Kilburn to approve Executive Order 2018-4. A voice vote was taken, all in favor.

The personnel policy update became effective upon adjournment of the meeting.

**Comments:**

- Mr. Bruns stated that children are back in school and reminded drivers to be mindful of this fact. He described an accident today and asked for a diagram to be placed on the city website with the rules on what to do when a bus stops.
- Mr. Kilburn thanked Mayor for his leadership and the citizens for their faith in confidence in what the Council has done together. He also thanked again the Governor's office and Senator McDaniel and Representative St. Onge for their help with the SNK project.
- Ms. Vaden gave a special thank you to Chief Allen and Sergeant Hall for all the work that was done on Safety Night.
- Mr. Waugaman praised Chief Allen on what he has done on his budget and stated that he could not ask for more with how well he managed the first month of the new contract with Crescent Springs.
- Mayor Callery recognized Angela Cook from SD1 and discussed an annual joint meeting for Co-Permittees to review various plans and programs and changes in the storm water management area.
- Steve Schletker from Carpenter's Trace addressed the Mayor and Council regarding the change in the cost for the resignalization of Buttermilk and Collins from \$100,000 to \$134,000. He noted that the funds would be recouped from TIF, but asked what contingency the city has if the city loses the appeal and the improvement was not needed. Mr. Bruns replied that the TIF district is still in place and something is going to go into the development. Mr. Schletker asked again if the city would do the road work if there was no Ashley project. Mr. Waugaman replied that the improvements needed to be done anyway. Mr. Schletker reiterated that if the Ashley project stopped that there would be no funds to recoup the cost from. Mr. Ringo agreed and said that the city would just be taking care of the problem on its own, but noted that the TIF would recover the funds.
- Mr. Schletker discussed the petition that was collected and email address that were submitted and added the emails to the city list serve. He asked if the city had gotten prior permission to add the names to the city email list serve. Mr. Bohman explained that the web application that the city used for mass emails is MailChimp and it has a

simple unsubscribe link at the bottom of every message. Mr. Bohman noted that 177 people used that button following the city's first use of the list. He reminded Mr. Schletker that the DefendVH group gathered the emails from the individuals as a part of the petition and then submitted that list to the city. Mr. Bohman noted that the city has used that expanded list to notify residents of the upcoming safety night and would like to communicate with its residents about other events and things like snow emergencies. Mr. Bohman noted that email addresses are routinely gathered from city events. Mr. Schletker noted that the city did not ask for permission and used city staff time and equipment to upload the data. Mr. Bohman confirmed that staff time and city equipment was used but noted that it was for a city purpose, to communicate with residents. Mr. Schletker stated that he would have preferred the city to accept the petition from residents as a part of the administrative record and not mine the documents for email addresses. Mr. Schkelter stated that he objected to the use of his email address this way. Mr. Bohman stated he would remove Mr. Schletker's email from the list. Mr. Waugaman asked Ms. Stewart if the petition became a public record when it was submitted. Ms. Stewart answered that it became a public record and is open to public use. Mr. Schletker thanked the Mayor and Council for letting him speak.

- Mr. Wenning of Carpenters Trace stated felt that the petition and the email addresses should have been accepted by the Council as a part of the administrative record. He asked if he did an open record request for the email list could he obtain it. Ms. Stewart replied yes.
- Mr. Wenning discussed the zoning issues regarding sheds from last meeting and noted that Council discussed changing the shed rules for one or two people with problems yet rejected a petition with 1,000 resident signatures opposing the new development. He felt that was illogical. Ms. Koenig noted that the issues are not comparable. Mr. Wenning replied that the issues are different but was pointing out the different treatment people are receiving.

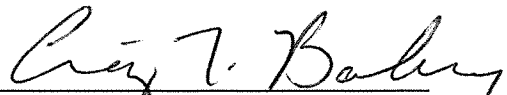
At 7:49 p.m. Mr. Kilburn made a motion, seconded by Ms. Koenig to enter into Executive Session.

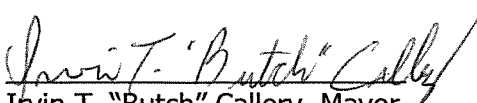
At 9:07 p.m. Mr. Bruns made a motion, seconded by Mr. Ringo to leave Executive Session.

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

Time of Adjournment was 9:08 p.m.

Respectfully submitted,

  
Craig T. Bohman, City Administrator/Clerk

  
Irvin T. "Butch" Callery, Mayor