

**Meeting #677 Minutes
November 28, 2018**

Mayor Irvin T. "Butch" Callery called the November 28, 2018 meeting of City of Villa Hills Council (Meeting #677) 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.

Mayor Callery announced that Municipal Order 2019-N concerning the employment agreement with the City Administrator/Clerk had been pulled from the agenda and referred to the Administration Committee.

A roll call was taken. Those in attendance:

Mayor Callery
G. Bruns
G. Kilburn
M. Koenig
S. Ringo
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

Ms. Vaden arrived at 6:45 p.m.

A quorum was present.

The first item on the agenda was approval of the minutes of the October 18, 2018 meeting, #676. Motion made by Mr. Kilburn, seconded by Mr. Bruns. A voice vote was taken, motion carried all in favor.

At the request of Mr. Bruns, Mr. Bohman read the Special meeting call and waiver of notice form all councilmembers present.

The next item on the agenda was a presentation by Chief Allen to Officer Patricia Dietz for appointment as a Police Officer, Detective J.J. Bird for appointment to Sergeant and Officer Emily Horseman to Detective.

Mayor Callery Administered the Oath of Office to Officer Dietz, Sergeant Bird and Detective Horseman.

Mayor Callery announced that discussion on the Fire Department future needs was pulled at the request of the Fire Department.

The next item on the agenda was legislation.

Legislation:

- Ms. Stewart gave the 1st reading of Ordinance 2018-J, an Ordinance of the City of Villa Hills, in Kenton County, Kentucky adopting the 2018 S-5 Supplement to the City of Villa Hills Code of Ordinances, as recently prepared by the American Legal Publishing Corporation.
 - Ms. Stewart noted that this is process taken every couple of years to update the City's official Code of Ordinances to reflect changes in state law and ordinances passed since the last codification.
- Ms. Stewart gave the 1st reading of Ordinance 2018-K, an Ordinance amending section 30.37 of the City of Villa Hills Code of Ordinances revising the schedule for council committee meetings; and establishing meeting dates for January 2019.
 - Mr. Kilburn noted that the incoming chair of the committee, Councilmember-elect Seth Thompson has noted a typo in the draft ordinance that needs to be amended regarding his committee meeting time. Mr. Bohman noted additional changes were pointed out by Councilmember-elect Cathy Stover for Administration and that he noticed a change that was needed in the January dates.
 - Mr. Bruns stated Councilmember-elect Rod Baehner is fine with the Safety Committee meeting times.
- Ms. Stewart gave the 1st reading of Ordinance 2018-L, and Ordinance of the City of Villa Hills, in Kenton County, Kentucky, amending the City's budget and Ordinance 2018-4 by amending Revenues, Contracted Services, Administration, Police, and the Capital Fund Budgets. This amended budget ordinance is enacted pursuant to KRS 91a.030(10) For The Fiscal Year beginning July 1, 2018 and ending June 30, 2019, by estimating revenues and resources and appropriating funds for the operation of city government and providing that no monies shall be expended by or on behalf of the City of Villa Hills except in accordance herewith.
 - Mr. Bohman noted that the changes are needed because the new solid waste garbage contract amount was not approved when the budget was adopted, changes with staff require updates to personnel costs in benefits and the retention and recruitment program funds were distributed and need to be allocated to the proper departments.
 - Mr. Kilburn asked if the accountant has reviewed. Mr. Bohman replied he had not. Mr. Ringo asked that the Finance Committee review the proposed amendment. Mr. Bruns requested a recommendation from the committee

Ms. Vaden arrived at 6:45 p.m. Council quorum at 6 members present.

- Ms. Stewart read for consideration and approval draft Municipal Order 2018-J, a Municipal Order of the City of Villa Hills, in Kenton County, Kentucky, accepting the bid of Morton Salt for the purchase of sodium chloride (road salt) at the price of \$79.05 per ton delivered for Fiscal Year 2018/2019 and accepting the bid of Compass Minerals at the price of \$82.78 per ton delivered as the backup supplier.

Mr. Kilburn made a motion to approve, seconded by Ms. Koenig.

- Mr. Kilburn noted that the Public Works Committee recommended the contracts noting that the price increases are reflective of the current market.

- Mr. Burns noted that the price is in line with what the State is paying for road salt this year.

A voice vote was taken, all in favor.

This will become Municipal Order 2018-9.

- Ms. Stewart read for consideration and approval draft Municipal Order 2018-K, a Municipal Order for the City of Villa Hills, in Kenton County, Kentucky, accepting the bid of Motorola Solutions, Inc. for the purchase of digital radios in the amount of \$98,081.00 and authorizing Mayor Callery or his designee to sign and order for the same.
 - Mr. Bohman explained that the bid price is from the multi-jurisdiction bid put out by the NKADD and reflects the best and final offer price submitted by Motorola.
 - Mr. Waugaman inquired about the trade in of the current radios. Mr. Bohman noted that was the next piece of legislation.

Mr. Bruns made a motion to approve, seconded by Ms. Koenig.

- Mr. Ringo asked if this order included all radios for both the Police and Public Works. Mr. Bohman confirmed the purchase covered both. Discussion followed about purchase of the radios for the fire department.
- Mr. Kilburn asked Chief Allen if this had his recommendation. Chief Allen stated he recommended the Motorola radios due to the location of their repair facility, the closeness of the bid prices, and familiarity with the company.
- Ms. Stewart also noted that County Emergency Management is asking for cities to move forward with purchasing radios. Chief Allen concurred, noting that getting our order in after the larger departments would delay our order.
- Mr. Ringo noted the Fire Department also selected Motorola.

A voice vote was taken, all in favor.

This will become Municipal Order 2018-10.

- Ms. Stewart read for consideration and approval draft Municipal Order 2018-L, a Municipal Order Declaring Surplus Property.
 - Ms. Stewart pointed out that this order surpluses the analog radios for trade in and surplus the green street signs that have been replaced by the new decorative signs.

Mr. Bruns made a motion to approve, seconded by Mr. Ringo. A voice vote was taken, all in favor.

This will become Municipal Order 2018-11.

- Ms. Stewart read for consideration and approval draft Municipal Order 2018-M, a Municipal Order of the City of Villa Hills, in Kenton County, Kentucky, activating the Sanctuary Village Local Development Area.

Mr. Kilburn made a motion to approve, seconded by Mr. Waugaman. Mr. Kilburn explained that this will start the clock on the Tax Increment Financing District (TIF).

- Mr. Bruns questioned if it was prudent to start the clock now or wait until the development starts. Mr. Waugaman commented that it did not matter since the TIF would run for 30 years starting it now would not effect it. Mr. Bruns agreed that the a few months would not make a difference.
- Mr. Ringo noted the ongoing appeal and pointed out that some of the TIF district was outside the actual development. Mr. Waugaman noted that the other areas are strictly Right-of-Way. Mr. Ringo confirmed that there would be no taxes generated at this time for the TIF.
- Mr. Waugaman replied that if no development occurs on the site then the TIF would not generate any funds. Mr. Ringo questioned why the TIF should be started now when that starts the 30 year clock, stating that the city should wait until the development is generating revenue. Mr. Waugaman replied if what goes on the site is ultimately tax exempt it would not matter. He noted that the TIF clock had to start within 2 years of adoption of the district. Mr. Ringo pointed out that starting it now reduces the amount of time that taxes can be set aside. Ms. Koenig stated that the Council started the TIF and they needed to finalize it. Discussion followed.

A voice vote was taken, all in favor.

This will become Municipal Order 2018-12.

- Ms. Stewart read for consideration and approval draft Municipal Order 2018-O, a Municipal Order for the City of Villa Hills, in Kenton County, Kentucky, reappointing Thom Vollmar and Michael Molony to the Villa Hills Board of Ethics.

Mr. Waugaman made a motion to approve, seconded by Ms. Koenig. A voice vote was taken, all in favor.

This will become Municipal Order 2018-13.

- Ms. Stewart read for consideration and approval draft Municipal Order 2018-P, a Municipal Order for the City of Villa Hills, in Kenton County, Kentucky, granting a Permanent Easement of an approximate 0.082 acre portion of 719-A Rogers Road to 2583 Parkwood Court.
 - Mr. Bruns inquired if the property owner placed landscaping in the area already. Mr. Bohman responded that the property owner had attempted to place landscaping in the area but it was mowed over by city staff. He explained that the easement was needed because surplus property and subdivision regulations prevent the parceling and sale of the area. Mr. Bohman noted that the easement would be maintained by the property owner. He pointed out that the previous owner installed a patio all the way to

the property line which prevents the landscaping from being placed on private property.

- Ms. Koenig stated that all the residents around Rigney Park were offered the opportunity to do the same thing and only this property owner responded.
- Mr. Ringo verified that the city will no longer have maintenance responsibility for this area. Mr. Bohman confirmed that was correct.

Mr. Kilburn made a motion to approve, seconded by Ms. Koenig. A voice vote was taken, all in favor.

This will become Municipal Order 2018-14.

With no further legislation, the meeting proceeded to Committee reports.

Committee Reports:

Police Report:

- Chief Allen gave the Police Report.
- Chief Allen announced that reported numbers are back following the inability to report after the CAD failure. He stated that burglaries are up and accidents are down. Chief Allen stated that there is a 90% closure rate on cases. He discussed the number of courtesy notices issued. Chief Allen reported that there were 208 hours of overtime due to shift coverages. He noted 62 hours of training last month.
- Ms. Vaden inquired about the impact of lost data due to the CAD crash. Chief Allen replied that the CAD system lost 4 weeks of data. He explained that the data needs to be mined out of the corrupted file and that takes time. Mr. Waugaman noted that the same thing happened in Ohio. Mr. Kilburn followed up to clarify that none of the case reports were lost. Chief Allen noted that the case files were not impacted, just the ability to get reports.
- Mr. Ringo inquired about the Ft. Mitchell call volume. Chief Allen replied that stops that start in Crescent Springs are reported as Fort Mitchell if the stop happens on the east side of the interstate. He stated it was the same issue with calls being reported in Crescent Springs for stops from Buttermilk or Collins.
- Chief Allen announced that Officer Pat Collura, the School Resource Officer obtained a United States Lacrosse grant for 30 soft sticks and he is starting a Lacrosse program at River Ridge Elementary School.
- Mr. Kilburn asked if everything was going alright with the SRO program. Chief Allen replied that the program is going great and everyone loves Officer Collura and he is loving the job. Mr. Burns noted that his niece reports that Officer Collura likes to give fist bumps. Ms. Vaden joked that this might lead to workers compensation issue since he gives so many.
- Mr. Kilburn noted that teachers through Kenton County School District are happy that Kenton County Schools put School Resource Officers in all the schools and he hopes that they never have to put their skills to use. He commended the City for always supporting safety at all the schools. Chief Allen noted that VHPD also teaches DARE at River Ridge Elementary and Villa Madonna Academy.
- Chief Allen announced another RAD (Rape Aggression Defense) class meeting on January 15 & 17 and January 22nd & 24th and Officer Horseman will lead the class. The class is available to 20-25 people. Mr. Bruns encouraged those interested to look for more information on the City and VHPD Facebook pages.

- Chief Allen described a drug operation to remove meth conducted on Terra Cotta in Crescent Springs. He noted that the presence of such activities in Crescent Springs drives theft in Villa Hills. He commended the officers that took part in the operation and noted that the Kenton County SWAT team executed the arrest warrants and it went off flawlessly. Mayor Callery noted that there are letter of commendation for the officer involved.
- Chief Allen announced enhanced traffic enforcement during the holidays and as a result of federal grant, and urged everyone to use rideshare services to avoid driving while drunk.
- Chief Allen stated that the department is still working on the K-9 and that it will be brought forward in January. Mr. Bruns asked what kind of dog the city is looking to purchase, noting that he believes that a bite dog is more appropriate, especially in light of the size of some of the facilities in Crescent Springs. Chief Allen noted that a dog can search the large facilities in half the time of the officers, but it needs to be able to protect itself and its handler. Chief Allen explained that he will start looking for a dog in February and with training won't be out until June or July.

Safety Report:

- Mr. Bruns gave the safety report.
- Mr. Bruns reported the committee discussed the monthly report, the results of the shooter drill at Beechwood Schools, discussed new officers and the purchase of the digital radios.
- Next meeting will be held December 11, 2018 at 6:30 p.m. in Chambers.

Engineer Report:

- Mr. Bogen gave the Engineers Report.
- Mr. Bogen discussed the Buttermilk Pike SNK project and that Palmer Engineering is contacting affected property owners for easement acquisition. Mr. Bogen reported that he is working with KDOT on detour and phasing for the project in order to get the State's approval.
- Mr. Bogen stated that Brookview ran into some weather delay issues but the project is complete. He noted that extra base work was needed and that the final cost is \$37,230.
- Mr. Bogen announced that the Riverwatch change order was pulled by the committee due to concerns over weather.
- Mr. Bruns inquired about the engineer estimate for the Buttermilk Pike timeline. Mr. Bogen replied the project would have an April/May 2019 start date and will finish up in August with restoration work to follow. Mr. Ringo clarified that the roadway would be usable by the start of the next school year.

Public Works Report:

- Mr. Kilburn gave the Public Works report.
- Mr. Kilburn thanked Ms. Koenig, Mr. Bohman, and Mr. Waugaman for finalizing the salt bids. Mr. Kilburn gave an update on Brookview and the resident he spoke with is happy with the work. He noted that Brookview was the last street in Amsterdam Village to be milled and overlaid.
- Mr. Kilburn noted that River Watch has been deferred until the spring for a decision by the new Council.
- Next meeting will take place on December 12, 2018 and invited Seth Thompson to the next committee meeting.

- Mr. Kilburn thanked Mr. Bruns, Mr. Ringo and Mr. Waugaman for the Road Tax, and thanked Mr. Callery for his confidence to handle the committee. Mr. Kilburn stated that he enjoyed the Public Works Committee.

Public Works Director Report:

- Mr. Yelton gave the Public Works Director Report.
- Mr. Yelton noted that Bluegrass did an excellent job on Brookview and that the decorative yard sign will be installed next week.
- Mr. Yelton noted that the staff winterized the grass gutting equipment, put it in storage and winterized the fields.
- Mr. Yelton commented on the recent ice storm. He thanked the Police Department and Fire Department in helping to get around downed power lines.
- Mr. Yelton noted a few of the new street signs had misprints. He stated he is working with Eagle Sign on corrections.
- Mr. Yelton noted that between Morton and Compass Minerals the city has 1400 tons of road salt on contract and have 300 tons on-hand.
- Thanked the Fire Chief Jeff Wendt, Wayne Slusher and the Villa Hills Garden Club for all of their assistance throughout the year. He thanked the Villa Hills Civic Club, their President Bob Ulrich and Mr. Ringo for helping with the debris collection site following the ice storm last week.
- Mr. Yelton thanked Roy Piercefield from Ford Lumber for wood used during city events like Haunted Trails and Christmas in the Park.
- Mr. Kilburn thanked Mr. Yelton for all of his work and called him a "Kentucky Gentleman", a true friend and has held contractors accountable.
- Ms. Vaden questioned about how many street signs were left to install. Mr. Yelton replied that there were around 80 yet to be installed.
- Ms. Koenig urged Mr. Yelton not to forget about the speed humps on Sunglow and Kenridge during the Buttermilk project. Mr. Yelton replied that he will work with the new Council and the Police on that issue.

Events and Beautification Report:

- Ms. Koenig gave the Events and Beautification report.
- Haunted Trails on October 27th had 650 people ride the hay wagon and hundreds of children decorated pumpkins. She noted that \$112 was raised for the K-9.
- Ms. Koenig thanked Mike Koenig, Jennifer Vaden, Karen Borros, Jean and Charlie Stoltz, Carson Rogers, Alex Koenig and the students from Dixie Heights High School, Turkeyfoot Middle School, and Saint Joseph, Jerry Fischer Cindy Koenig, Arianna Loschiavo, Tewes Farm, and Villa Hills Public Works employees Corey Schalk and Matt Loschiavo.
- Ms. Koenig announced that Christmas in the Park is this coming Saturday, December 1, 2018 5:30 p.m. to 8:30 p.m. Ms. Koenig noted that the Mayors Welcome and Tree lighting would be at 5:30 p.m. and Santa would arrive at 5:40 p.m. She noted that Children's choirs will sing at 6:00, crafts will be in Shelter 2 and train rides will also be available. Ms. Koenig noted that the event will include Nativity animals, S'mores, fire pits, the Villa Hills' train display, and cookies, hot chocolate, coffee and hotdogs.

Finance Committee Report:

- Mr. Waugaman gave the finance report.
- Mr. Waugaman stated that Committee questions were answered by City Administrator/Clerk Bohman.
- Mr. Waugaman reported the legal fee breakdown for the month as \$8,693 for the Spiking Appeal and \$595 for all other legal expenses.
- Mr. Waugaman presented the balance sheet standing of various designated resources and undesignated fund balances, giving the city a total net equity of \$3,212,645. Mr. Waugaman noted that various restricted fund designations totaling \$1,224,112 and reported an unrestricted fund balance of \$524,703 and net income of \$1,463,830.
- Mr. Waugaman stated that the Committee recommended the October financials for approval.
- Next meeting is December 17th at 7:00 p.m. in Council Chambers.

Mr. Kilburn made a motion to approve the October Financials seconded by Mr. Ringo. Motion carried by voice vote all in favor.

Administration Committee Report:

- Ms. Vaden stated that there was not an Administration Committee meeting held last month.
- Next Administration Committee meeting will be held on December 5th at 6:30 p.m.
- Mr. Ringo noted that in light of the Mayor's announcement that the employment agreement was to be discussed at the next Admin Committee meeting if it would make sense to move the meeting to Chambers. Mr. Bohman noted that the meeting can be moved if the space cannot hold the crowd.

Recreation Committee Report:

- Mr. Ringo noted that there was no committee meeting in November.
- Mr. Ringo explained the Villa Hills Civic Club lease is due to expire at the end of the year and stated that they were in negotiations at this time. Mr. Ringo reported that the Civic Club attorney keeps rewriting the agreement in ways that do not reflect the points agreed upon by the Civic Club Board and the City.
- Mr. Kilburn stated that he is willing to defer this to the new council. He thanked Mr. Ringo for working on the lease so hard. Mr. Ringo asked for a 6 month extension due to snow removal. Mr. Kilburn asked the City Attorney if the City could do that and Ms. Stewart replied yes.
- Mr. Waugaman commented that he has seen all of the agreements signed between the club and the city and every draft being sent over for the next lease keeps getting worse. Mr. Ringo stated he will not recommend an extension if there is no benefit to the city. Mr. Kilburn stated he is disappointed and called for no one sided agreements. Discussion followed.
- Mr. Ringo stated that the annual field draw will take place on December 13th in council chambers.

Fire Authority Report:

- Mr. Ringo gave the Fire Authority report.
- Mr. Ringo reported that the new Villa Hills Mayor and Council attended and received an orientation.
- Mr. Ringo reported monthly run numbers.

- Mr. Ringo stated that there have been some Ems billing issues.
- Mr. Ringo thanked Bob Ulrich and the Villa Hills Civic Club for providing space for debris from the recent ice storm.
- Mr. Ringo announced that Shop with a Cop will take place on December 12, 2018 at 5:00 p.m. and asked for volunteers.
- Mr. Ringo stated that the next meeting will be held December 17th at 6:00 at the Firehouse.
- Mr. Bruns noted that on December 2, 2018 from 10:00 a.m. to 2:00 p.m. The Fire Department will be bagging groceries for donations to the Shop with a Cop fund. He noted that more money was still needed for Shop with a Cop for this year.

City Attorney Report:

- Ms. Stewart noted that the City had an unemployment hearing earlier in the month and the City won. She reserved the remainder of her comments for Executive Session.

City Administrator Report:

- Mr. Bohman reminded the public about the penalty and interest that will be applied after November 30th and noted there are multiple ways to pay such as using the lock box which is the PO box address on the tax bills, paying at the Clerk's window during business hours, using the drop box at the City Administration building after hours, paying at the Crescent Springs Heritage Bank, and new this year, paying online on the city's website. He noted that the city is 88% collected

Mayor's Report

- Mayor Callery thanked the police again for the great work they did on the Terra Cotta drug bust.

Council Comments:

- Mr. Bruns urged residents to lock their car doors and to not leave valuables in sight. He noted that the Police Department is doing the best they can but residents are not helping.
- Mr. Kilburn thanked the current Council, Mayor Callery, Derick Yelton and Matt Bogen for their work. He congratulated the candidates who won the election and told them he does not expect to pay for any of the road improvements on Amsterdam and Collins (due to the TIF). Mr. Kilburn stated he hopes that he has the good fortune to serve with everyone again. He thanked the public for allowing him to serve. Mr. Kilburn noted he will not miss worrying about if the kids in our schools are safe. He said he was proud to pass on a city in great financial shape and with a good Police and Public Department and citizens willing to take on the needed road repairs with tax funding.
- Mr. Ringo asked if wants to meet on December 19th. Consensus emerged to hold the regularly scheduled December Council meeting.

Public Comments:

- Amy Schwarber of 650 Lakeshore Park noted that she sent an email to Mayor and call of Council with her concerns regarding the proposed employment contract. She thanked Mayor Callery for his reply agreeing to review the matter further. She asked that the four points listed in her email be discussed by Council before the vote. Ms. Schwarber stated that the only other person who responded to her email was Ms. Vaden and it was done in a defensive and offensive manner insinuating that her concerns were from people that were deceitful and lacked integrity. Ms. Schwarber stated she was offended by those comments. She noted that discussions about contracts need to be total compensation packages not just salary and everyone needs to understand the package and ensure it is fair for a city of Villa Hills' size.
Ms. Vaden thanked Ms. Schwarber for her comments and noted that she took offense to Ms. Schwarber' s comments about the current Council in her email. She noted that the City has been transparent to the point of being detrimental to the city. Ms. Vaden pointed out that she was quoting Ms. Schwarber own words in reply. Back and forth between Ms. Schwarber and Ms. Vaden ensued. Mayor Callery thanked both for their comments.
- Tim Sogar, 2579 Sierra Drive noted during the election that many of the incumbents ran on a platform of fiscal responsibility and stated that the proposed employment agreement is not fiscally responsible. He stated that approving such a contract would be the wrong way to leave office.

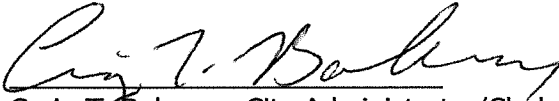
At 7:52 Mr. Kilburn made a motion to enter into Executive Session to discuss pending or threatened litigation pursuant to KRS 61.810(c) which was seconded by Ms. Koenig. A voice vote was taken, all in favor.


At 8:56 a motion was made by Ms. Koenig, seconded by Mr. Bruns to leave Executive session.

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

Time of adjournment was 8:57 p.m.

Respectfully submitted,


Craig T. Bohman, City Administrator/Clerk


Irvin T. "Butch" Callery, Mayor