

**THE RECORDER WAS USED TO TAKE NOTES FOR TONIGHT'S MINUTES. DUE TO THE POOR ACOUSTICS IN THE BASEMENT THE RECORDER IS VERY DIFFICULT TO UNDERSTAND. PLEASE TAKE THIS INTO CONSIDERATION WHEN READING THE MINUTES. THEY ARE NOT AS ACCURATE AS I WOULD PREFER.**

The December 2020 meeting of the Bromley Council began at 6:30 p.m. with a pledge to the flag.

**ROLL CALL**

Officers answering to roll call: Mayor Denham, Attorney Vocke, Mike Kendall, Dianne Wartman, Nancy Kienker, Dave Radford, Tim Wartman and Gail Smith. All members are present.

**MINUTES**

The October 2020 minutes were approved on a motion by Smith with a second by Radford. Roll call: all aye. The motion carried. (There was no November 2020 meeting due to COVID-19).

**NO CITIZEN REPORT**

**PDS REPORT**

PDS is putting together a committee to survey the current situation and come up with a more efficient way to assist small cities in an attempt to cut cost. They are finding that it may be better to be more reactive as opposed to proactive. Bromley recently became proactive and our costs increased. We can drop back from proactive to help save money and we can choose which matters are to be pursued. The Mayor has a copy of their report. Something will be set into place around February. Smith is afraid that we may be sliding back again to the way blighted matters were handled in the past.

**POLICE REPORT**

This report is available in the office for review.

Park Hills Police (PHP) have caught several semi drivers passing through Bromley. Traffic signs prohibit semis from using Bromley/Crescent Springs Road. Smith saw one semi driver going the wrong way on Shelby Street.

**FIRE DEPARTEMENT REPORT**

This report is available in the office for review.

**HALL COMMITTEE REPORT**

Dianne is working with a company to put a gate on the ramp at the front entrance to the City building. The company has been paid half of the costs up front.

**ROAD AND LIGHT COMMITTEE REPORT**

Radford reports that the Pleasant Street Curb Project is complete.

The company is to paint the curbs at the apartment building located at Shelby and Pleasant (paid for by the property owner).

SD1 obtained an open-road permit from the City to do some work on West Oak. They may save some of the cable car tracks from this project for the City. The project may get pushed back until past January.

Radford reports that the speed limit monitoring sign was not working properly today or yesterday. It may be that there was not enough sunlight to keep it working. This unit will be housed until March, per the Mayor.

A low-end estimate for a more permanent speed-monitoring sign like the ones being used in Villa Hills is \$2,000.00. Villa Hills has offered to assist Bromley in mounting these types of signs if they are purchased. There will be no cost for labor. The only charge will be for materials.

Kendall moves that Radford purchase two permanent speed-monitoring signs to start this project. Tim seconds (Road Fund account is to be used, per Smith-\$5,000.00). Roll call: all aye. The motion carried. Possible locations will be Pike Street (by our entry sign and facing incoming traffic) and Bromley/Crescent Springs Road.

Radford told Kienker that he is not comfortable doing a concrete patch in the alley west of Main Street and off of Kenton. Radford may contact Ideal for some input on the matter.

#### **NO LICENSE OR PUBLIC WORKS REPORTS AT THIS TIME**

#### **ATTORNEY REPORT**

The Attorney read Ordinance 10-1-20 for the second reading. This ordinance amends the time frame for live entertainment (no live music before 4 p.m. nor after 10 p.m. Sun. thru Thurs. and no live music before 4 p.m. nor after midnight on Fridays and Saturdays). Smith moves to accept this ordinance reading. Kendall seconds. Roll call: all aye. The motion carried.

The Attorney read a summary of Resolution No. 12-1-20.

This resolution approves the transfer of control of Cincinnati Bell, Inc. and Cincinnati Bell extended Territories, LLC to Red Fiber Parent LLC and RF Merger Sub, Inc.

Smith moves to accept this resolution. Radford seconds. Roll call: all aye. The motion carried.

The Attorney has had no response to the complaint filed in October against Bromley Fire Department. The attorney will follow up with the Attorney General's office regarding this matter.

The Attorney has taken care of the annual letter to our auditors as is done around this time of the year.

The Attorney is working on the Barnes property, Shelby Street, regarding many years of delinquent taxes. He is hoping that the owner of the tax bills will convey the information at no cost to the City.

Mr. Vocke is also working on three foreclosures.

#### **WAYS AND MEANS COMMITTEE REPORT**

Smith reports that approximately \$27,000.00 was received from the CARES Act program. These funds can be used only to pay the fire department and nothing else.

Smith filed for a safety grant and a mulching mower was purchased with the funds.

\$54,000.00 has been collected for taxes.

The general fund: income=\$82,000; expenses=\$16,000.

Road fund checking: \$85,000.00.

**NO PARK AND PLAYGROUND REPORT/ NO INSURANCE AND GRANT REPORTS**

Nancy Kienker is moving from Bromley. She has, due to this situation, submitted her resignation from City Council. This resignation was read and accepted by Mayor Denham.

Since there is currently a vacant Council seat due to Kienker's resignation, Kendall moves that Dianne Wartman remain on City Council (her term was to end at the end of December 2020) taking Kienker's vacant seat and filling her term. Smith seconds. Dianne Wartman accepts the new position. Roll call: all aye. The motion carried.

**MAYOR REPORT**

The Mayor stated that we will be moving into the new year with many challenges ahead. His hope is that the Council makes some movement on some things, the Main Street Project being one of those movements.

Smith moves to accept all committee reports. Kienker seconds. Roll call: all aye. The motion carried.

**OLD BUSINESS**

Tim asks if Shane Hamant will be doing our snow removal this winter. The Mayor stated that, if not, he will speak with Ludlow's City Administrator regarding this matter.

Radford received a text from Shane Hamant who has agreed to do Bromley's snow removal for this winter under the same contract terms, so, per Radford, he will proceed with Hamant's services.

Kendall gives a report on the Main Street Project, which was discussed at great length.

The first part of Kendall's report is laid out clearly in Attachment A (pages 1 and 2).

Bromley did put out for bids recently and three bids were received. They were for: \$170,000.00; \$165,000.00 and \$170,000.00.

Please refer back to Attachment A to see why Kendall is proposing that the City take the wall at 305 Main Street out of the State Project and do the repairs ourselves. According to recent discussions with the State it is their stand that Bromley is responsible for the wall now anyway so, if this is the case, Bromley can repair the wall at a much cheaper cost if we do not have to follow the State guidelines for the repair work.

Please look at Attachment "C" pages 1-6 which provides a description of the wall repair process with photos from GeoStabilization International (GSI). The State WILL NOT allow the grant money to be used for this type of repair so Bromley would be completely responsible for the cost of the job.

With \$187,817.00 left in the State budget see Attachment "B" which shows a list of five options presented by Kendall and the balance of State funding left over (shown to the right of each option). For example, if option one is selected you would deduct the cost (\$138,397.00) from the State money remaining (\$187,817.00) leaving \$49,420.00 in State funding money. Options 2 and 3 each include the cost of repairing the storm water line (\$53,865.00) which runs behind several properties on the southeast corner of Moore Street at Main Street (The City pays ½ of that cost and SD1 pays the other ½ or \$26,932.50-shown on both Option 2, and Option 3).

This is the portion of the repair work that Smith is opposed to. It is her belief that SD1 should pay for the entire cost of the repair work of this line. When Bromley entered into an agreement with SD1 years ago SD1 agreed to maintain any problem below the ground and the City was to do repairs above the ground.

According to Radford, SD1 went through litigation and every storm drain was turned over to a stormwater system leaving SD1 with no responsibility for any stormwater drain.

Kendall said if the City did not do something soon the repair costs will continue to grow, as has been the case through this whole process.

Radford suggests that the City use some of the funds to replace sidewalks since existing sidewalks and drainage problems are causing problems with the curbs. Smith stated that current ordinances make the sidewalks the property owner's responsibility. The Attorney stated that the City can approve that sidewalk work be done without taking that responsibility away from the property owner.

After more lengthy discussion Tim Wartman moves that the City accept Option II as proposed by Kendall (Attachment B-page 1) at a cost of \$165,330.00 leaving a State balance of \$22,488.00). Kendall seconds the motion. Roll call: Mike Kendall-yes; Dianne Wartman-recuse; Kienker-cannot vote as she has resigned; Dave Radford-present, but not voting; Tim Wartman-yes; Gail Smith- no because of the SD1 fee involved. The motion carried 2 ayes and 1 no.

**No action will be taken on the repair of the wall at 305 Main Street until the Attorney approaches the owners of the property (Roseberrys) and tries to get them to take some responsibility for the wall.**

The Mayor stated that no Christmas decorating will be done at the park this year due to COVID-19.

**NEW BUSINESS**

The Mayor will be Bromley's representative on the Planning and Development Council with Kendall as the Alternate.

Greg Rehtin will continue to represent Bromley on the TBNK Board.


**NO COMMUNICATIONS**

**BILLS**

Smith moves to pay the bills with the correction of Radford's salary (already been amended). Tim seconds. Roll call: all aye. The motion carried.

Smith moves to adjourn. Radford seconds. The meeting adjourned at 7:37 p.m.

MAYOR 

CLERK 

**ATTORNEY VOCKE SWORE INTO OFFICE THE NEWLY ELECTED AND NEWLY APPOINTED COUNCIL MEMBERS FOR THE TERM BEGINNING IN JANUARY 2021. GAIL SMITH; TIM WARTMAN; DAVE RADFORD; MIKE KENDALL; AND DIANNE WARTMAN. REAGAN FRANCE WAS UNAVAILABLE TO BE SWORN INTO COUNCIL TONIGHT. SHE WILL BE SWORN IN PRIOR TO JANUARY 2021 BY THE CLERK WITH WITNESSES.**

## Main Street Report

11  
Attachment A  
Page 1

First sheet: What you have here is a Estimated cost Comparison between 2017 to 2020 along with current bids received.

The most glaring issues ar the 305 Main street wall and the New and replacement sidewalk estimates.

We will talk about the wall in a minute. The primary reason for the sidewalk portion of the project is 104% Over the 2017 Estimate is the cost of concrete today and perhaps in conjunction with a low estimate by Berling.

You can also see that the cost of the Wall and just the sidewalk portion totals **\$465,617**. We were only given **\$303,000** for the whole project. Remember the new estimate on the sidewalk portion of the project is **\$304,067**, that alone is **\$1,000** over the money given to us by the State. We currently have **\$187,817.00** left in our budget so you see we are short.

Now lets talk about the wall at 305 Main and 411 Main. During the design phase, the State requires that the Engineer identify Right Of Way lines on the drawings. This is what brought these two walls into the picture. The State wanted these included in the project so the City would not have to pay for them.

The State assigns ROW maintenance responsibilities in the following manner: The State will maintain the portion of the back side of the curb from one side of the road to the back side of the curb on the other side of the street. The remaining portion of the right of way is the Cities responsibility.

Now that the costs have swollen as they have, Mike and I along with Palmer decided to set up a meeting with the state to express our concerns. Our initial goal was the see if the State would come up with enough funding to get everything done. You can guess what that answer was.

As with everything, we have good news/bad news. The primary reason the cost of the wall at 305 Main Street in due to the design criteria required by the State since they were paying for it. We then asked permission to take the walls at 305 and 411 out of the project due to the extreme cost and impact on the original intent for the earmarked funds.

What does that mean!

Unfortunately it means that we now have the responsibility of that wall. I will get to that after we get a little further along.

We are still short funds to complete everything primarily due to the cost of the concrete. We then requested that the State allow us to develop options to get the most bang for \$187,817 we have left.

Some good news, since we have already paid for the lighting, it is ready to go as soon as Duke gets the word. More good news, the State gave us permission to decide on the options.

NOW hand out the options sheet.

the options and have a discussion about the handout.

Now lets go back the the wall.

Now that we have the responsibility of the wall and given it's current condition, we need to do something as soon as possible.

We could put it out for bids for design build. This option may present a much cheaper and will take a little time to get this done, we would want to have any proposal review by Palmer due to the unstable conditions of the hill as well as the house. We can not allow the guy down the street unless he has the credentials.

Another option would be to hire a company from the list of State contractors who do this type of work. Plamer took the initiative contact a company called GEO Stabilization International to look at the wall and give us an estimate for replacing the wall.

Hand out the Estimate. Go over the estimate. Hand out the pictures.

Now go over the Estimate for a temporary fix and discuss.

**\$187,817.00**

Options	Work to complete	Cost Est.	State funding remaining
<b>Option 1</b>	Install Lighting conduit	\$8,390.00	
	Install only the new sections of sidewalk		
	North East side – Boone to Moore	\$62,387.50	
	South West side – Moore to Highwater	\$67,620.00	
	***This includes the wall at 101 Moore		
	<b>Total</b>	<b>\$138,397.00</b>	<b>\$49,420.00</b>
<b>Option 2</b>	Install Lighting conduit	\$8,390.00	
	Storm Water – SD1	\$53,865.00	
	Install only the new sections of sidewalk		
	North East side – Boone to Moore	\$62,387.00	
	South West side – Moore to Highwater	\$67,620.00	
	***This includes the wall at 101 Moore		
	Minus SD1 share	\$26,932.50	
	<b>Total</b>	<b>\$165,330.00</b>	<b>\$22,488.00</b>
<b>Option 3</b>	Install Lighting conduit	\$8,390.00	
	Storm Water – SD1	\$53,865.00	
	Replace existing Sidwalks Pike St to Boone	\$131,432.35	
	Minus SD1 share	\$26,932.50	
	<b>Total</b>	<b>\$166,754.85</b>	<b>\$21,063.00</b>
<b>Option 4</b>	Install Lighting conduit	\$8,390.00	
	Replace existing Sidwalks Pike St to Boone	\$131,432.35	
	<b>Total</b>	<b>\$146,825.00</b>	<b>\$40,993.00</b>
<b>Option 5</b>	Install Lighting conduit	\$8,390.00	
	Replace wall at 305 Main St.	\$161,550.00	
	<b>Total</b>	<b>\$169,940.00</b>	<b>\$18,268.00</b>

Sheet1

Date	Engineering Firm	Description	Estimated Cost	Date	Engineering Firm	Current Cost Estimate	Contractor	Bid	Over/Under
10/01/17	Berling	Storm Line 50/50 Cost Share SD1	\$45,240.00	10/01/20	Palmer	\$54,120.00	Lonkard	\$44,832.50	17% Under Est.
10/01/17	Berling Note: Design not Approved by the State	305 Main Street Wall	\$38,000.00	10/01/20	Palmer Note: approved by the State	\$100,750.00	Prus	\$161,550.00	60% Over Est.
10/01/17	Berling	411 Main Street Wall	No Estimate	10/01/20	Palmer	\$25,375.00	Prus	\$22,050.00	13% Under Est.
10/01/17	Berling	101 Moore Street Wall	\$16,000.00	10/01/20	Palmer	\$20,300.00	Prus	\$21,650.00	6% Over Est.
10/01/17	Berling	Replacement/New 5' Sidewalks Note: Conduit not included	\$149,199.00	10/01/20	Palmer	\$304,067.10 Note: This includes conduit installed		No Bids	



November 25, 2020

Mr. Mike Kendall  
City of Bromley  
226 Boone St.  
Bromley, KY 41016

Subject: Estimate for Retaining Wall Replacement, in Bromley, Kentucky

Dear Sir:

**Project Notes**

Our stabilization proposal addresses a slide area at 305 Main St. in Bromley Kentucky. The retaining wall supporting an above the road slope at this location is failing. The site is 70 LF in total. The GPS coordinates for the site are **N39.082478, W84.5594**. This proposal is only for the work noted.



FIGURE 1 – TYPICAL VIEW OF 305 MAIN STREET



Attachment C  
Page 2

305 Main St.

### Slide Repair

Once on site, our forces will begin by removing the existing wall, excavating and shaping the slope beginning approximately 8 to 10-ft off the edge of pavement, creating a 0.5H:1V slope. All excavated material will need to be hauled off site to a dump site provided by the city.

Our forces will then install up to 30-ft Self-Drilling Soil Nails into the embankment face from Sta. 0+00 to 0+70. We are proposing up to a 7-ft tall wall between Sta. 0+00 to 0+70. The 7-ft tall 70-ft long wall will receive an 8-in reinforced shotcrete surface treatment.

We will also install up to 20-ft Self-Drilling Soil Nails into the slope for drains.

### Items Furnished by Client

The eastbound (near) lane and sidewalk area of this road will need to be closed for our proposed work. Our contract calls for us to do our specialty work and your forces to perform all other items, as applicable, such as paving, sidewalk repair, striping, guard rail work, etc.

### Cost – Based on LF Estimated

LF	QTY	Unit	Line #	Item		Unit Price	Price	Notes
	1	EA	127	Mobilization	--	\$ 7,830.00	\$ 7,830.00	Mob.
70	35	EA	101	30 FT Drilled or Launched Soil Nail	--	\$ 793.00	\$ 27,755.00	Nails
70	490	SQFT	117	8 in Shotcrete	--	\$ 28.30	\$ 13,867.00	Facing
70	140	LF	164	Horizontal Drains	--	\$ 26.15	\$ 3,661.00	Drains
70	490	SF	126	Excavation	--	\$ 11.00	\$ 5,390.00	Wall Removal/Excavation
						<b>TOTAL</b>	<b>\$ 58,503.00</b>	

Please note the quantities and project limits are based on the surface information gathered and the information provided during our recent site visit. Pricing may need to be adjusted for changes to project limits over time.

Additional details will be provided in a P.E. stamped proposal and drawings once a Delivery Order is issued, per our Master Agreement MA 605 1800000279.

Per our Master Agreement, our work is based on a 75-year design life and includes a 5-year warranty.



Attachment 3  
Page 3

305 Main St.

**Schedule**

Barring unforeseen delays, this site will take approximately 1 week to complete.

Please let us know if you have any questions or comments on this proposal.

**GeoStabilization International**

*Justin Anderson*

**Justin Anderson, M.S., P.E.**

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*Matt Williams*

**Matt Williams, B.S., P.E.**

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*Dylan Jones*

**Dylan Jones, M.S., E.I.T.**

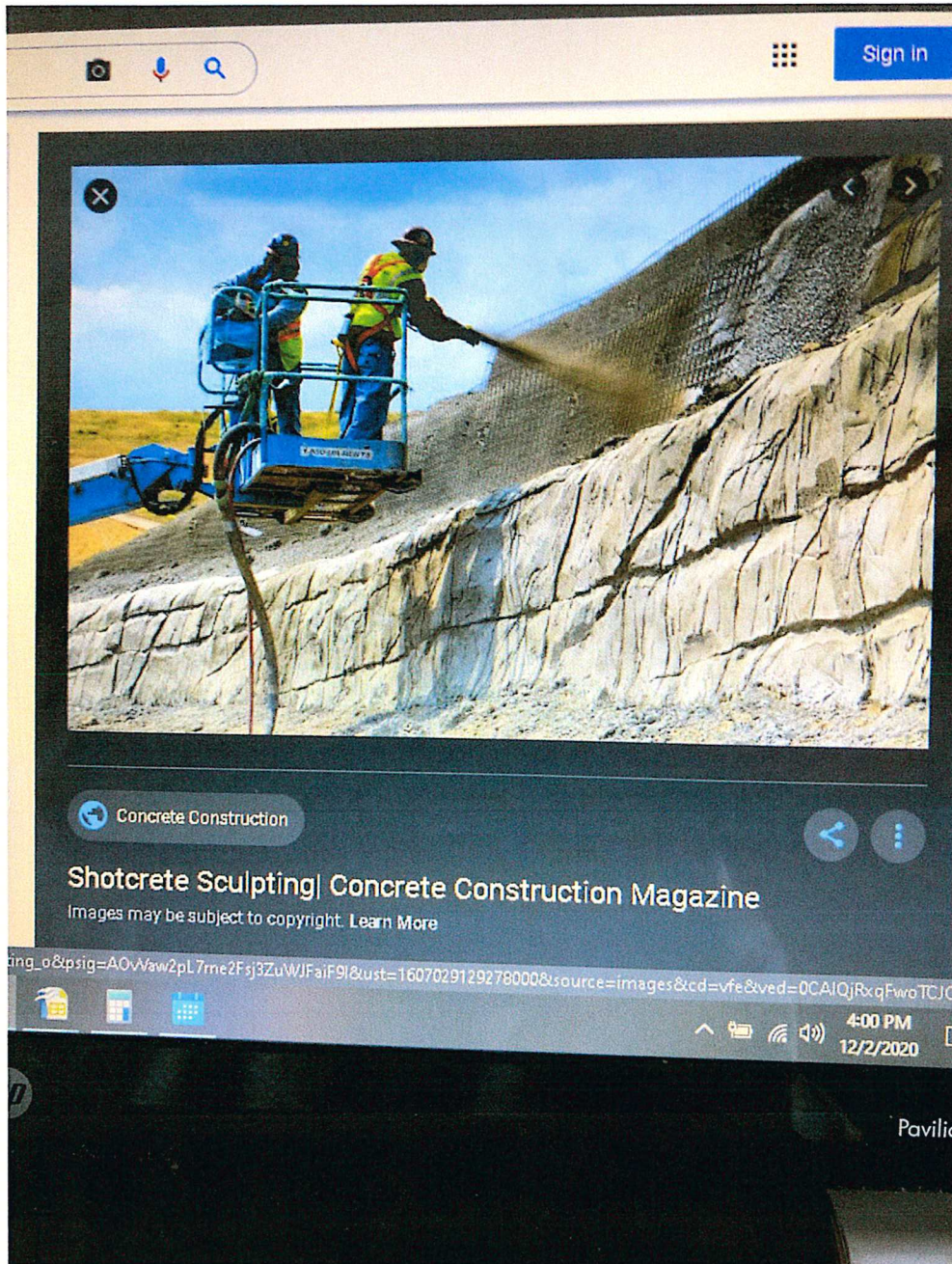
[dylan.jones@gsi.us](mailto:dylan.jones@gsi.us) | 859.248.2985

Accepted by: \_\_\_\_\_  
(Signature)

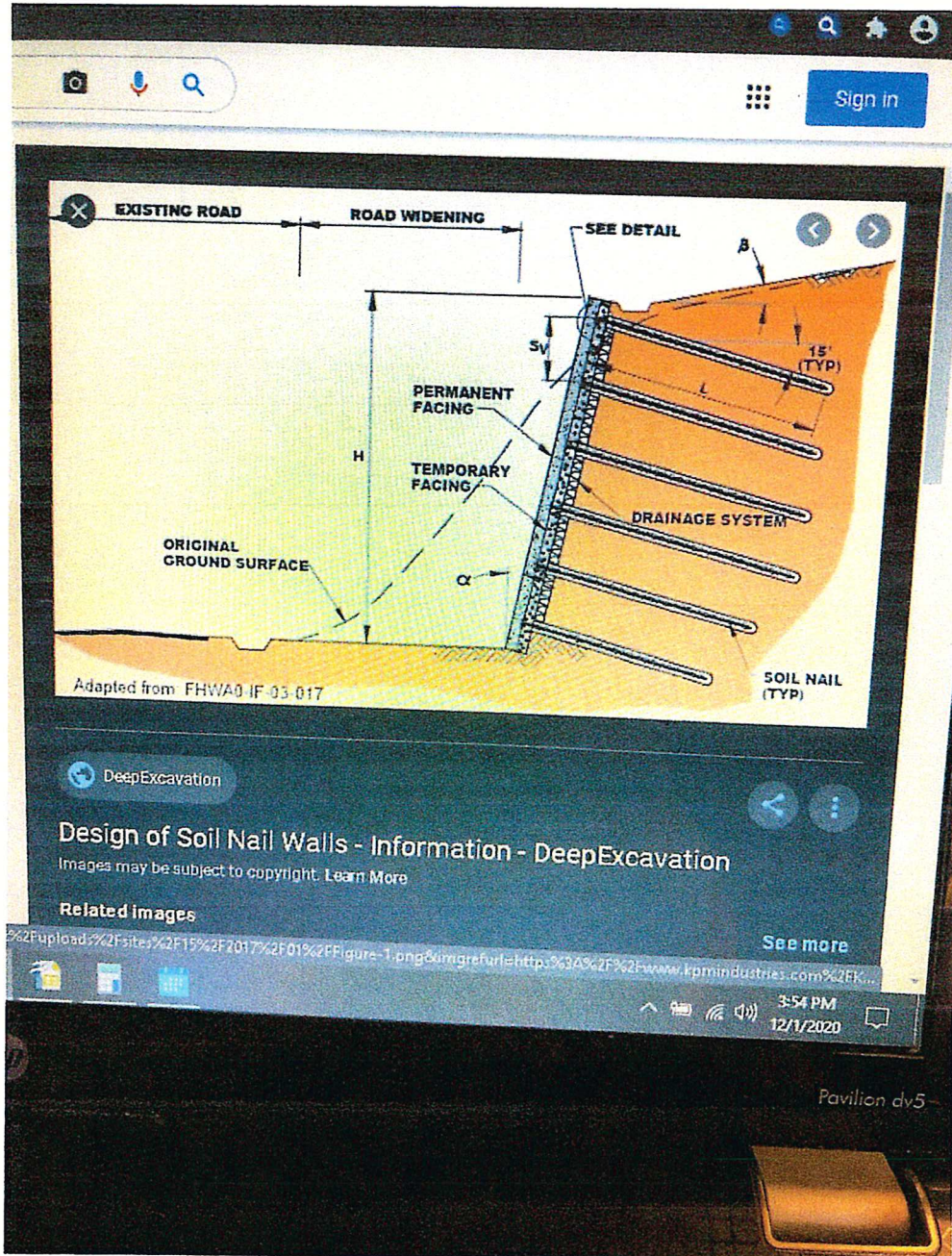
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Attachment C  
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Attachment <sup>H</sup> E <sup>C</sup>  
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Attachment C  
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