



**Caucus Meeting
September 13, 2017**

Mayor Irvin T. "Butch" Callery called the September 13, 2017 City of Villa Hills Caucus meeting to order at 6:36 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky immediately upon the closure of a public hearing on the proposed 2017 tax rates. Those in attendance:

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

Bryce Rhoades, Assistant City Attorney
Craig T. Bohman, City Administrator/Clerk
Sergeant Matthew Hall

A quorum was present.

The first item on the agenda was legislation.

- **2nd Reading and approval of Draft Ordinance 2017-F** An ordinance of the City of Villa Hills, in Kenton County, Kentucky levying an ad valorem real estate tax of 22.2 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 a personal property tax of 6.1 cents per each one hundred dollars in valuation of personal property within the City. Mr. Rhoades gave a second reading to draft ordinance with an amendment changing the written expression of the tax rates to 22.2 cents per \$100 and 6.1 cents per \$100. He noted this change does not affect the calculated rates. Mr. Kilburn made a motion to adopt as amended, seconded by Mr. Waugaman. A roll call vote was taken as follows:

Mr. Bruns	Aye	Mr. Ringo	Aye
Mr. Kilburn	Aye	Ms. Vaden	Aye
Ms. Koenig	Aye	Mr. Waugaman	Aye

Motion carried 6-0. This will become Ordinance 2017-4

- **1st Reading and discussion of Draft Ordinance 2017-A1 An ordinance of the City of Villa Hills, Kenton County, Kentucky, amending the table of contents, Title VII, and Title IX of the City of Villa Hills Zoning Code by adding new definitions and sections regarding solar energy panels.**

Mr. Rhoades gave a first reading to draft Ordinance 2017-A1. Mr. Bohman noted that the two draft ordinances had been in front of Council previously during authorizations to send them to the Kenton County Planning Commission which reviewed and provided favorable recommendations for both. Mayor Callery noted both passed 18-1.

Discussion followed on possible reasons why each no vote occurred. Discussion also followed regarding emerging solar technologies and the future applicability of the proposed regulations. Mayor Callery stated he wanted to move forward with the regulations in case the new Sanctuary development wanted to incorporate solar into the development.

- **1st Reading and discussion of Draft Ordinance 2017-G An ordinance of the City of Villa Hills, Kenton County, Kentucky, amending Title IX section 9.24(C) of the City of Villa Hills Zoning Code to extend the allowable period of driveway parking of trailers, mobile homes, campers, boats, recreational vehicles, or similar type equipment and correcting a spelling error.**

Mr. Rhoades gave a first reading to draft Ordinance 2017-G. Ms. Koenig stated that the zoning section on campers, boats, recreational vehicles and trailers did not specify that the equipment had to be parked on a paved surface when stored in the rear yard. Mr. Bruns noted that the requirement to park such equipment on a paved surface is in a different section. Discussion followed about the need for the requirement and avoiding grass growing up around stored equipment.

With no additional legislation, the meeting moved to discussions.

Discussion of draft Ordinance 2017-E Rental License and Inspection program.

- Mr. Bohman explained the draft legislation is a combination of several cities' rental registration ordinances. He stated that the proposed draft would require a license for each rental unit which would be free and would not require an inspection before the unit could be rented. Mr. Bohman noted that there would be triggers which would cause an internal inspection of a rental unit to occur and exceptions for advance notification to the property owner in regards to safety issues. Mr. Bohman asked for Council guidance on how to address Airbnbs and other similar property sharing platforms.

Mr. Ringo suggested that the registration be entirely on-line in order to minimize staff time since no money would be coming to the city for administration of the list. Others agreed. Mr. Bohman noted that while the license is free, there is a requirement to obtain a business license which is not free. Ms. Vaden reiterated that the regulations are meant as a protection for the community and inspections are complaint based. She noted that there would be a fee for inspections. Mr. Bruns expressed concern about charging landlords for frivolous complaints. Discussion followed regarding who to charge for inspections caused by frivolous complaints and prohibiting anonymous complaints. Mr. Bohman suggested adding a penalty for filing frivolous complaints.

Mr. Kilburn suggested making information about code violations easier to find on the city's website. Mr. Bohman replied that some of the codes adopted by the city are proprietary, like the international property maintenance code, and may not be easily available to the public. Discussion followed about how residents should find the information they need on zoning or code enforcement issues.

Ms. Vaden thanked Mr. Bohman for working on the proposal and noted that Administration Committee reviewed 5 different ordinances and selected parts to keep the registry manageable.

Mr. Waugaman inquired about the number of Airbnbs in the City. Discussion followed regarding the number of possible hosts and efforts by the Visitors and Convention Bureau to work with Airbnb to collect the transient room tax which does not address the other zoning and business license issues. Consensus emerged to keep Airbnbs and other sharing platforms covered by the registry and amend later if needed.

With no further comments or questions on the draft ordinance, the meeting proceeded to General Discussion

General Discussion:

- Mr. Kilburn stated that the city foreclosed on one property with \$11,000 in code enforcement fines, but has not done likewise on several properties that owe more than \$11,000. He raised an issue of fairness and asked Council to discuss when the city should foreclose on properties with significant code enforcement fines. A lengthy back and forth discussion followed among all members of the Council and staff regarding the minimum fines needed to foreclose, the accumulations of fines under new state statutes, notifications, due process, the applicability of the circumstances surrounding the property in foreclosure to others, a potential amnesty program, the length of time liens have been applied without payment, good faith attempts to comply, aggregating liens on multiple properties with the same owner, the joint code enforcement inter-local agreement, and Planning and Development Services' reimbursement though fine liens.

Consensus emerged to have the City Attorney's office send letters to property owners with code enforcement fines in excess of \$5,000 and provide 30 days for the owners to contact the city with a plan to abate the violations and pay the fines with failure to do so resulting in the city taking possible legal action.

- Mr. Ringo asked Mr. Bohman to clarify how the compensating rate adjusts for new property in the city. Mr. Bohman replied that when a piece of property is developed the value of the new assessment is held out of the calculation of the compensating rate the first year it is on the tax role, so that the rate is set based on property value changes on property that was on the city roll a year ago. Mr. Ringo noted that the property would not be held out the second year. Mr. Bohman replied that was correct. Mr. Ringo reminded the public that the city would need to adjust the property tax rate in the future on a regular basis to account for growth in order to keep up with the increasing cost of services. Discussion followed about the value of new property dropping the tax rate over time as expenses increase, how building rates impact the tax rate, commercial tax base, and frequency of needed rate adjustments.

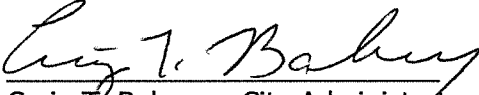
- Mr. Bohman informed Council that Catholic Health Initiatives, owner of Madonna Manor is finalizing the purchase of several acres on the east side of the monastery property and would be seeking a zone change for land they are purchasing as well as the 5 acres on the back of their property where the old nursing home was located. He anticipated the zone change would be from Institutional to R-2. Mr. Ringo inquired if the height limit was 5 stories and Mr. Bohman stated he would have to research the height restrictions for an R-2 zone. Discussion followed about height restrictions and the transfer of Madonna Manor
- Mayor Callery asked Ms. Koenig about Music Fest. Ms. Koenig reminded the public that Music Fest would be from 5:00 p.m. to 10:30 p.m. on Saturday September 23rd and announced fireworks had been added at the end of the event.

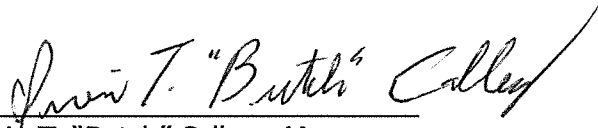
With there being no further discussion or comments;

A motion was made by Mr. Waugaman seconded by Mr. Kilburn to adjourn. Motion carried voice vote all in favor.

Time of adjournment was 7:59 p.m.

Respectfully submitted,


Craig T. Bohman, City Administrator/Clerk


Irvin T. "Butch" Callery, Mayor