



**Meeting #689 Minutes
October 16, 2019**

Mayor Heather Jansen called the October 16, 2019 meeting of City of Villa Hills Council (Meeting #689) to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mayor Jansen led the prayer and the Pledge of Allegiance. City Administrator/Clerk Craig Bohman called the roll. Those in attendance:

**Mayor Jansen
R. Baehner
J. Cahill
S. Ringo
C. Stover
S. Thompson
S. Wadsworth**

**Mary Ann Stewart, City Attorney
Craig T. Bohman, City Administrator/Clerk
Bryan Allen, Chief of Police
Derick "Buck" 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 September 18, 2019 council meeting #688. Motion was made to approve by Mr. Ringo, seconded by Mr. Baehner, with an amendment added by Ms. Stover to add Mayor Jansen to the Administration Report on staff interviews. A voice vote was taken, all in favor.

The next item on the agenda was approval of the minutes of the October 3, 2019 Special Meeting. Motion was made to approve by Mr. Thompson, seconded by Mr. Ringo. A voice vote was taken, all in favor. Mr. Thompson thanked Mr. Bohman.

The next item of business was the presentation of the Audit Report by Mr. John Chamberlin with Van Gorder Walker.

- Mr. Chamberlin thanked Mr. Bohman and staff for taking care of the auditors during the audit process.
- Mr. Chamberlin provided the city with an Unmodified opinion.
- Mr. Chamberlin reported that a recommendation for reserves is in the amount of \$1.1 Million. The City has a reserve of \$1.9 Million.
- Mr. Chamberlin stated that city's long-term debt continues to be paid off with \$695,000 remaining.
- Mr. Chamberlin noted an overall surplus of \$244,000. He stated that there is \$155,000 surplus in the General Fund and \$134,000 surplus in the Road Fund.
- Mr. Chamberlin showed sources of revenue and major expense
- Mr. Chamberlin discussed the Governance letter and the Management letter.

- Mr. Chamberlin pointed Council's and the public's attention to the management discussion and analysis section of the audit as a good source to understand what is going on in the city budget.
- Mr. Chamberlin reviewed various financial schedules, the balance sheet, and required financial notes. He reported no issue with the internal controls.
- Mr. Bohman thanked Mr. Chamberlin for his work and praised the auditors for being quick and minimizing disruptions of city staff during their review.

A motion was made to approve the audit report by Mr. Baehner, seconded by Mr. Thompson. A voice vote was taken, all in favor.

The next item of business was legislation.

Legislation:

Ms. Stewart gave a 2nd reading of draft Ordinance 2019-I. This is an Ordinance of the City of Villa Hills amending Chapter 74 of the Villa Hills Code of Ordinances titled Traffic and Parking Regulations.

- Mr. Bohman explained that the draft had been updated to include a list of private streets, change typos in street names, and move one parking restriction not related to fire hydrants to the proper section. He further explained that a 100 foot buffer was proposed around hydrants that are located outside fire lanes. Mr. Ringo noted that fire apparatus are 65 feet to 85 feet long. Mr. Baehner noted that there are two parts to the proposed ordinance, one for the line of sight parking issues raised by the Safety Committee and the other regarding fire hydrants.
- John Gephart from Sierra Drive stated that his concern is that once the fire lane changes, there is no parking on his side of the street. He noted that he has been like this for 17 years and there have been no issues so questioned the need to change. Chief Allen noted that the Fire Department has asked for the update and that the police department has to enforce fire lane restrictions.
- Jim Edkins of Kremer Lane raised concerns about his 90-year old mother. He stated that only family who visits her are affected. He noted that there have been 3 fires in 31 years and there has been no issue as a result of parking on the same side of the street as a fire hydrant. He believes that a 100-foot buffer is ludicrous. He thanked the department for responding to a fire at his home but noted that no one could get around a fire apparatus regardless of which side the fire lane is on.
- Amy Parrott of Deena Drive stated that she spoke for herself and her neighbor Pam. She noted she would only have 10 feet in front of her house and her neighbor Pam would lose all her parking. She went on to note that in Cincinnati it is 10 feet on each side of a hydrant and in Lexington it is 15 feet on each side.
- Shirley Huber of Sierra Drive asked for clarification about the existing 30 feet rule for stop signs. Mr. Baehner explained that the rule was for the parking side only.
- Discussion followed regarding hydrants located outside of fire lanes. Mr. Baehner suggested tabling the matter at this time. Mayor Jansen pulled the ordinance for a future meeting.

Ms. Stewart presented draft Municipal Order 2019-J. This is a Municipal Order of the City of Villa Hills declaring surplus property.

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

This will become Municipal Order 2019-12.

Ms. Stewart gave a reading of draft Municipal Order 2019-K. This is a Municipal Order of the City of Villa Hills accepting the bid of Morton Salt for the purchase of sodium chloride (road salt) at the price of \$75.28 per ton delivered for Fiscal Year 2019/2020 and authorizing the use of Compass Minerals at the price of \$82.78 per ton delivered through the Kenton County Cooperative Purchasing Inter-local Agreement as the backup supplier.

- Mr. Cahill asked how many tons would be ordered. Mr. Yelton replied that 300 tons would be ordered. Mr. Cahill asked how much salt is needed per snow event. Mr. Yelton stated 3 trips around the city was typical and 12 tons per trip was needed.
- Mr. Thompson asked how often we go over 800 tons. Mr. Bohman replied that it has happened only once in the 6 years he has been with the city.

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

This will become Municipal Order 2019-13

Ms. Stewart gave a reading of draft Resolution 2019-R. This is Resolution of the City of Villa Hills supporting the Kenton County Fiscal Court's revision of the Local Participation Agreement (LPA) Grant Application for the proposed sidewalk project along (Short) Amsterdam Road.

- Discussion followed regarding clarification of various provisions and timing of the agreement.
- Mr. Thompson stated he will support the project and suggested that the city save the required match over 6 years.
- Mr. Baehner stated that he felt not supporting this would be a disservice based on the potential road issues that would be addressed by the project. He requested a roll call vote.
- Mr. Cahill inquired if the City Engineer and Public Works Director think there are stabilization issues on Short Amsterdam. Mr. Yelton stated that condition of the shoulders have been documented. Mr. Bogen explained that there are 2 areas with short shoulders that will be issues with erosion due to cross culverts located on the road. Mayor Jansen asked if the City should work on this now. Mr. Bogen stated he did not think the problem would be an issue within two years. Mr. Ringo asked what if the grant is not approved. Mr. Bogen replied that that some stream mitigation would be required. Mr. Ringo asked Mr. Yelton if this was brought up in the last 10 years. Mr. Yelton replied that these issues had not been studied before (the County's grant application).
- Mr. Ringo asked about how long it will take to get word from the state on if the grant is approved. Discussion followed.

A motion was made for a roll call vote to approve by Mr. Thompson, seconded by Ms. Wadsworth. Voting went as follows:

Mr. Baehner	Yes	Ms. Stover	Yes	Mr. Cahill	Yes
Mr. Ringo	Yes	Mr. Thompson	Yes	Ms. Wadsworth	Yes

Motion carried with 6-0. This will become Resolution 2019-18.

The next item on the agenda was committee reports.

Committee Reports:

Police:

- Chief Allen gave the PD Report. He reported on run totals, accidents, crimes, cases, arrests, training, overtime, and K9 activities.
- Chief Allen announced that the department s fully staffed.
- Chief Allen thanked Council for K9 Onyx and noted he is the top K9 in Northern Kentucky.
- Chief Allen whole-heartedly thanked Mr. Yelton, Council, his department staff, Mayor Jansen, and Mr. Bohman for the support he has received over the last several months dealing with family and medical issues.

Safety:

- Mr. Baehner gave the Safety Committee report.
- Mr. Baehner noted that the committee discussed marking curbs for stop sign no parking areas but that the police have reported that they have addressed the issue.
- Mr. Baehner announced Halloween Trick-or-Treat hours are 6 p.m. to 8 p.m.
- Mr. Baehner asked Mr. Bohman to keep an eye on several construction, signage and trespassing issues on the Sanctuary property. Ms. Wadsworth suggested adding private property signage.
- Mr. Baehner reported on the Eagle Scout project’s process and noted that that Mr. Yelton is assisting on the project.
- Mr. Baehner discussed the Colina Dr. cross walk issue and relayed staff concerns about placing a mid-block crosswalk based on the required stopping distances, speed, and other issues. Back and forth discussion followed among Council members. Mr. Baehner stated that the City would continue to investigate the matter.
- Mr. Baehner noted the next meeting will be held November 12th at 6:30 in Chambers.

City Engineer:

- Mr. Bogen presented the City Engineer’s report.
- Mr. Bogen reported that the subcontractor doing work on the Buttermilk Storm Water Project will start in early November and their will be daytime closures.
- Mr. Bogen discussed several cost share (50/50) with SD1. He reported that SD1 declined to participate in the proposed River Watch underdrains as they would be part of the road and not a separate system. Mr. Bogen reported that on Niewahner, the drainage issue between Lake Ledge and Boulder is still under review. He noted that it would be best to do additional drainage work when the road is replaced.
- Mr. Bogen reviewed the Buttermilk signal easement issue. He stated that an easement of 97 square feet is needed and that he would call the City’s legal staff for follow-up.
- Mr. Bogen noted that the road assessment RFP is being drafted and described the timeline for the RFP. Discussion followed about the data collected and the cost. Resident Amy Parrott inquired about ownership of the data. Mr. Bogen said the data

was the city's. Mr. Thompson urged Council to agree to participate. Consensus emerged to proceed.

Public Works Committee:

- Mr. Thompson gave the Public Works Committee report.
- Mr. Thompson noted that Lakeshore and Lake Court will be worked on next year.
- Mr. Thompson noted that the Buttermilk stormwater project will begin November 4th. Discussion followed about the cost and timing of the 3 phases of the project.
- Mr. Thompson noted that Amsterdam Road remains one lane with periodic closures due to the signal malfunctioning.
- Mr. Thompson noted that Planning and Development Services has submitted a proposal to inspect all city sidewalks. He stated that this will be reviewed by the committee for a recommendation. Ms. Stover asked if the taxes and fees paid by the city would cover that project. Mr. Thompson replied that it would not and noted that it would be a better use of Mr. Yelton's time not to conduct the inspections.
- Mr. Thompson noted that the Public Works Department is busy preparing for winter.
- Mr. Thompson asked Mr. Bohman to update the 10-year road plan.

Public Works Director Report:

- Mr. Yelton gave the Public Works Director's report.
- Mr. Yelton described the repair that is needed on Amsterdam Road. Mr. Yelton stated that the department has spent \$100,500.00 this fiscal year on concrete panel replacement.
- Mr. Yelton noted that the new dump truck was expected to arrive by winter. He reported that the City has 300 tons of salt on hand and plows would be installed soon.
- Mr. Yelton stated that work on crack sealing will start next week and it is expected to cost between \$15,000 and \$20,000.
- Mr. Yelton noted that staff make some adjustments on the bases on the ball fields.
- Mr. Yelton noted that they are working with the Athletic Director at Villa on upgrading the bleachers for safety.
- Mr. Yelton stated that the department has trimmed brush along the roadways for the upcoming Winter and street lights for visibility.
- Mr. Yelton reported that a waterline was replaced at Franzen Field and he thanked Kings & Sons for their help on the project by providing some equipment.
- Mr. Yelton stated that Ice and Snow training will be held by Kenton County Public Works and that staff will be attending. There will also be a hillside slippage training at the City of Edgewood.
- Mr. Yelton thanked the Garden Club, Public Works staff, Administration staff and Mr. Slusher for all of their assistance.
- Mr. Baehner asked about a reduced speed ahead sign on Highwater that was covered by foliage. Mr. Yelton replied he would check on it.

Events and Beautification:

- Ms. Wadsworth gave the Events and Beautification Committee report.
- Ms. Wadsworth noted the Special Meeting that was held on Oct. 7th to discuss Haunted Trails with volunteers.
- Mayor Jansen thanked Events and Beautification for their work on Music Fest.
- Ms. Wadsworth thanked Mrs. Karen Borros for her work on the Music Fest committee.
- Next meeting is November 11th at 6:30 in the Admin Conference Room.

Finance:

A motion was made by Mr. Cahill, seconded by Mr. Thompson to approve the September financial report subject to audit adjustment memos. A voice vote was taken all in favor.

- Mr. Cahill gave the Finance Committee report.
- Mr. Cahill Noted that the committee reviewed the audit report and asked questions that resulted in changes that were reflected in the audit report presented to Council.
- Mr. Cahill discussed LED lights and noted that the proposal from Duke has a 14 year break even period.
- Mr. Cahill reported the committee recommended starting the Franchise Fee paperwork with a 0% rate. He noted that a rate could be added later. Mayor Jansen noted that the agreements would have language that would allow a rate up to 5% to be set by Council. Mr. Bohman explained that there are constitutional provisions that require franchises and most cities charge a fee for the right of private companies to place business equipment in the Right of way. He noted that there has been a lot of work in the city's right of way over the past several years and more is coming as people continue to move toward mobile devices as their main way of receiving internet and TV. Mr. Bohman explained that most of the other Kenton County cities have already entered into franchise agreement with the telecommunications companies with fees ranging from 1.5% to 3% and that Villa Hills is the last city to start moving on Franchise agreements and should not leave money on the table and establish some rules for these companies to follow.
- Mr. Baehner noted that the entities that are exempt from the city's property tax would pay the franchise fee. He stated this was an equitable way to raise revenue without constantly going back to voters with the property tax.
- Ms. Stewart noted that the franchise agreements would be with Duke for gas and electric, and telecommunications companies for wireless and fiber franchises. She noted that most franchises are for a period of 10 years and the terms would be the same for each. Ms. Stewart stated that it would take about 5 months to implement a franchise.
- Mr. Bohman asked Council to keep in mind an equity issue with Cable franchises that have a 3% fee to the city and 2% to TBNK so other franchises should be similar at least to the fee collected by the city. He also noted the 1.3% state telecommunications tax that is able to be credited against local franchise taxes.
- Mr. Baehner noted that a new firehouse is needed and the city has to find a way to pay for it. He stated he wanted to give residents an opportunity to weigh in before final passage. MS. Stewart noted there would be two readings.
- Mr. Cahill discussed a new investment policy and asked that it be on the next month's council meeting agenda.
- Mr. Cahill stated that the next meeting will be held Monday November 18, 2019 at 7:00 p.m.

At 8:30 Ms. Wadsworth left the meeting room. The quorum was at 5.

Administration:

- Ms. Stover gave the Administration Committee report.
- Ms. Stover discussed Administrative positions and the committee recommended revisiting Mr. Bohman's and Ms. Lipson's job title and duties with possible changes. She noted that neither Mr. Bohman nor Ms. Lipson requested this change.

- Ms. Stover noted that the committee is in favor of changing out the lights to LED but that they are concerned about the cost.
- Regarding Franchise Fees, Ms. Stover stated that the average monthly cost for the 3% Duke fee is \$5.15 per month per home.
- Mr. Baehner asked if it would be possible to break the City down into sections when changing over to LED lights. MS. Stover noted that Crescent Springs is doing that. Mr. Bohman noted that the city has previously looked at using the savings in the street light bill to cover debt service but the updated costs exceed the savings that would be realized so another source of revenue would be needed. He also noted that it would take a year for the credit to be applied to the city's bill.
- Mr. Ringo asked if we are moving too fast because technology is still changing.
- Mayor Jansen noted that there are companies that can replace them cheaper but they will not have maintenance responsibilities.
- Discussion followed about Crescent Springs' experience with partial replacement of street lights.

At 8:40 Ms. Wadsworth returned to the meeting. Quorum back at 6.

Recreation:

- Mr. Ringo gave the Recreation Committee report.
- Mr. Ringo applauded the partnership between Public Works, Ron King, and the Civic Club that cut the cost of the waterline at Franzen from \$2200 to \$800 with donated dirt from Sanctuary. He noted that the same thing happen at the Villa ball fields.
- Mr. Ringo noted that the fields will be closing soon for the Winter. Franzen Field will close October 19th and Villa Field will close on the 21st. He also noted that Public Works will winterize the fields.
- Mr. Ringo discussed updates to bleachers.
- Mr. Ringo noted there will be no November meeting. The next meeting will be held on December 12 which is the annual field draw for ball teams.

Fire Authority:

- Mr. Ringo noted that they had not met yet this month and that the next meeting will be held on October 21, 2019.
- Mayor Jansen discussed the Fire House Subcommittee and announced that the NKADD staff will facilitate the Subcommittee meetings.
- Mr. Ringo noted that the next meeting of the Firehouse subcommittee will alternate between city buildings on the 3rd Monday of the month at 6:30.
- Mr. Ringo noted that the committee is a Mayors' committee from both Villa Hills and Crescent Springs.

City Attorney:

- Ms. Stewart reported that the city intervened in the 2727 Vera Cruz bank foreclosure and the mortgage company's lawsuit against the city was dismissed.

City Administrator/Clerk:

- Mr. Bohman reported that tax collections were strong and reminded residents of the various methods of payment and the due date.

Mayor's Report:

- Mayor Jansen reported on Music Fest. It was a good event enjoyed by all.
- Mayor Jansen noted that several officers participated in "Heros' Day" at local schools.
- Mayor Jansen stated that the Police were wearing pink shirts underneath their uniform shirts in observance of Breast Cancer Awareness Month in October.

Old Business/New Business: There was no old business. No new business was brought forward.

Comments:

- Mr. Ringo raised concerns about heavy traffic on Collins Road during Villa going to school and inquired if the City should have an officer directing traffic. He noted that Villa has never asked us. Chief Allen stated that he will have officers look into the issue. Chief Allen noted that while it's an everyday occurrence it is only for about a 15 minute period.
- Ms. Stover suggested asking the school to stagger start times of the elementary and high school. Discussion followed.

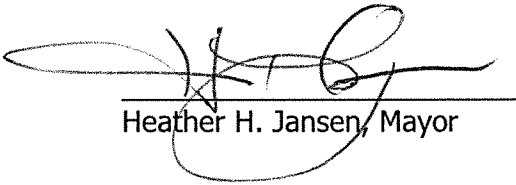
At 9:05 a motion was made by Mr. Baehner, seconded by Mr. Ringo to adjourn. A voice vote was taken, all in favor.

Time of adjournment was 9:05 p.m.

Respectfully submitted,



Craig T. Bohman City Administrator/Clerk



Heather H. Jansen, Mayor