



**Meeting #691 Minutes  
December 18, 2019**

Mayor Heather Jansen called the December 18, 2019 meeting of City of Villa Hills Council (Meeting #691) 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**  
**Matt Bogen, City Engineer**

A quorum was present.

The first item on the agenda was approval of the minutes of the November 20, 2019 council meeting #690. Motion was made to approve by Mr. Baehner, seconded by Ms. Stover. A voice vote was taken, all in favor.

The next item on the agenda was discussion and first readings of proposed franchise agreements.

- **1<sup>st</sup> reading and discussion of draft Ordinance 2019-M.** This is an Ordinance enacting title V, Chapter 52 of the Codified Ordinances of the City of Villa Hills Adopting Small Cell Tower Design Guidelines.
  - Ms. Stewart gave a first reading and explained Draft 2019-M.
  - Discussion followed noting the design standards are similar to what other cities have.
- **1<sup>st</sup> reading and discussion of draft Ordinance 2019-N.** This is an ordinance establishing a Non-Exclusive Franchise for the use of the Public Rights of Way for the purposes on installation, maintenance, upgrade, repair, and removal of poles, cable, optical fibers, wires and electrical conductors, conduits, subways, manholes, and other facilities and fixtures of a telecommunications (Non-cable Television) system.
  - **Ms. Stewart gave a 1<sup>st</sup> reading of Draft Ordinance 2019-N** and explained the Franchise Process and the reasons a city would institute a Franchise to protect roads.

- Discussion followed about the fairness of setting different rates for different types of utilities, the inclusion of a rate range in the franchises to give the city options to change the rate during franchise agreements, and the timeline for adoption of franchise agreements, which should take about 4 months.
- Mr. Ringo distributed an updated draft letter to the Public Service Commission to raise the issue about LED replacement in the current rate case. Mr. Ringo stated there is no downside to sending a letter and that Duke would be forced to resolve the issue before the case can close. Ms. Stover stated she would support sending the letter.

Ms. Stover made a motion, seconded by Ms. Wadsworth to approve sending the letter to the Public Service Commission as amended. Motion carried by voice vote, all in favor.

- **1<sup>st</sup> reading of draft Ordinance 2019-O.** This is an Ordinance of the City of Villa Hills establishing a Non-Exclusive Franchise for the Use of the Public Streets, Alleys, and Other Public Grounds of the City for the Transmission and Distribution of Natural Gas Through and for Consumption within the City, and Providing the Terms Thereof.
  - Ms. Stewart gave a first reading to draft Ordinance 2019-O.
- **1<sup>st</sup> reading of draft Ordinance 2019-P.** This is an Ordinance of the City of Villa Hills Establishing a Non-Exclusive Franchise for the Use of the Public Streets, Alleys, and Other Public Grounds of the City for the Transmission and Distribution of Electricity Through and for Consumption within the City, and Providing the Terms Thereof.
  - Ms. Stewart gave a first reading to draft Ordinance 2019-P.
  - Mr. Ringo inquired about the process the city will use to determine the rate to put into the agreements. His concern was that the timing needed to get the proposed franchise through the Public Service Commission process. Mr. Bohman stated that the rate would be adopted separately by municipal order and incorporated into the franchise agreements with the responding utilities. Mr. Ringo followed up on how the city would decide the rates needed. Discussion followed about receiving a recommendation from the Finance Committee. Mr. Bohman noted that in addition to cost, there are equity issues with the cable franchise and a credit opportunity with telecommunications companies.

The next item of business was legislation.

### **Legislation:**

- **2<sup>nd</sup> reading and approval of draft Ordinance 2019-J.** This is an Ordinance of the City of Villa Hills amending Section 30.37 of the City of Villa Hills Code of Ordinances Revising the Schedule for Council Meetings.
  - Ms. Stewart gave a second reading to draft Ordinance 2019-J to change the location of the Finance Committee meetings.
  - Ms. Wadsworth made a request to amend the Ordinance to also include changing the date of Event & Beautification Committee meetings from the 2<sup>nd</sup> Monday of the month to the first Monday of the month. Ms. Stover made a

motion, seconded by Mr. Baehner, to approve with the requested amendment. A roll call vote was taken as follows:

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

**Motion carried 6-0. This will become Ordinance 2019-10**

- **Consideration and adoption of draft Municipal Order 2019-L.** This is a Municipal Order of the City of Villa Hills declaring surplus property. (Held over from last meeting)
  - Mr. Bohman explained that a location was found to store the old council chamber chairs for use when the overflow set-up is needed and in the course of looking for such space, staff located other items that need to be surplus and he requested that the order be amended to surplus the other items.

A motion was made to approve as amended by Mr. Ringo, seconded by Ms. Wadsworth. A voice vote was taken, all in favor.

**Motion carried 6-0. This will become Municipal Order 2019-16**

- **Consideration and adoption of draft Municipal Order 2019-O.** This is a Municipal Order of the City of Villa Hills approving an Investment Policy for the City of Villa Hills.
  - Mr. Cahill made a motion to table at this time, seconded by Mr. Baehner. A voice vote was taken, all in favor.
- **Consideration and adoption of draft Municipal Order 2019-P.** This is a Municipal Order of the City of Villa Hills approving the reappointment of Mick Burke to the Villa Hills Board of Ethics.
  - A motion to approve was made by Mr. Baehner seconded by Ms. Stover. Voice vote was taken, all in favor.

**Motion carried 6-0. This will become Municipal Order 2019-17**

- **Consideration and adoption of draft Resolution 2019-S.** This is a Resolution of the City of Villa Hills accepting the proposal of Planning and Development Services for sidewalk and curb inspections.
  - Mr. Bohman explained the proposal and the 4-year inspection cycle. Mr. Thompson added that contracting this out is a better use of staff time and that funding for sidewalks is already in the budget and will cover the roughly \$4,000 cost. Discussion followed regarding the use of the \$10,000 line item for sidewalks. Mr. Cahill inquired if the proposed restructuring at PDS would impact this contract. Mr. Bohman replied that since the project is at 100% of PDS's cost there should be no impact.

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

**Motion carried 6-0. This will become Resolution 2019-19.**

- **Consideration and adoption of draft Resolution 2019-T.** This is a Resolution of the City of Villa Hills making appointments to the Events and Beautifications Committee.
  - Ms. Wadsworth inquired about removing a member who does not attend. Mr. Bohman suggested that unless there are issues with obtaining quorum to leave the person on the committee.

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

**Motion carried 6-0. This will become Resolution 2019-20**

The next item on the agenda was committee reports.

**Committee Reports:**

**Police:**

- Chief Allen gave the Police report.
- Chief Allen gave the monthly run numbers, citations, accidents, training, and case closure rates. He also provided status on K-9 usage and training.
- Mr. Baehner inquired about overtime. Chief Allen replied that it was about 72 hours due to trainings and Christmas in the Park.
- Chief Allen informed Council that he will bring 5 new policies to Council that are required by accreditation.
- Chief Allen reported that officers Bolton and Dewaine received DUI awards and Officer Krull received the Seat Belt Awareness award from the state and that the department received a Platinum Safety Award from AAA.
- Chief Allen thanked the public for their support of the Shop with Police and Fire and Council for volunteering. He also thanked everyone for supporting "Stuff the Cruiser" stating four cruisers full of items were collected.

**Safety:**

- Mr. Baehner gave the Safety report.
- Mr. Baehner reported that Unit 131 is back in service. He noted that Chief Wendt reported that Narcan use is down. Mr. Baehner reported that the radar trailer is in use. He stated the committee accepted the compromise to install about ten \$156 rolling stop notices on problem intersections on a rotating basis, Mr. Baehner reminded Council that EMTs are available for any City event and that all Chief Wendt needs is an invitation. Discussion followed regarding having EMTs present at city events.
- Mr. Baehner thanked Safety Committee members and Ms. Stover for all their support and work this year.
- Next meeting will be held on January 14<sup>th</sup> at 6:30 p.m. in Chambers.

**City Engineer:**

- Mr. Bogen presented the City Engineer's report.
- Mr. Bogen reported that the work on Buttermilk is paused for the Holidays. He stated that the Palomino drainage Program is complete but SD1 declined to provide additional

funding even though unexpected work was needed. Mr. Bogen discussed the drainage issues on Niewahner and suggested waiting until the road is replaced in a few years to add additional storm water infrastructure. Mr. Bogen reported that Geotech will take core samples on several streets.

- Mr. Bogen reported that the Buttermilk signal project has been closed out.
- Mr. Bogen provided information about the road assessment RFP by the county and that cost will likely be under the \$8,200.00 estimate projected by the County Engineer.
- Mr. Bogen reported on the latest condition of the Rogers Road bridge and that it will continue to be monitored. He noted the next state inspection is next year.
- Mr. Cahill inquired about taking core samples all along on Riverwatch. Mr. Bogen replied that the samples would only come from the areas where drainage is a concern to check for undermining.

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

- Mr. Thompson gave the Public Works Committee report.
- Mr. Thompson reported that the State put in a temporary patch on Amsterdam down by the sewer plant and a permanent repair is expected to be bid in the spring.
- Mr. Thompson noted that the 10-year road plan is on the City website.

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

- Due to Mr. Yelton's absence, Mr. Thompson gave the Public Works Director Report.
- Mr. Thompson noted \$22K in crack sealing has been completed. He reported that the final grading on the Palomino project will be completed in the spring. Mr. Thompson stated that staff replaced a concrete slab on Woodbury.
- Mr. Thompson noted 300 tons of salt is on hand.
- Mr. Thompson thanked Public Works staff for the snow removal.

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

- Ms. Wadsworth gave the Events & Beautification Committee report.
- Ms. Wadsworth gave a recap of issues that came up during Christmas in the Park.
- Ms. Wadsworth stated that new members have been added to the Events & Beautification committee.
- Ms. Wadsworth announced that Behringer-Crawford Museum Day will be held on Saturday December 21<sup>st</sup> from 10:00-5:00 and is free for Villa Hills residents.
- Ms. Wadsworth reported that the Photo Contest entries have been judged and winners and honorable mentions had been notified. She requested a presentation for the winners be added to the agenda for the next meeting. She also suggested adding all entries to the City's website and Facebook page.
- Ms. Wadsworth thanked her committee for all their work and noted that it's been a great experience.

#### **Finance:**

- Mr. Cahill gave the Finance report.
- Mr. Cahill made a motion, seconded by Mr. Baehner to approve the financials. A voice vote followed, all in favor.
- Mr. Cahill reported that the investment policy has been tabled until the Administration reorganization is complete.
- Mr. Cahill stated that the Finance Committee will make a recommendation on proposed franchise rates once it reviews the proposed budget to determine how much money is needed.

- The next meeting is January 13 at 7:00 p.m. and reminded everyone that all future meetings of the committee will be held in the Administration Conference Room at 720 Rogers Road.

**Administration:**

- Ms. Stover gave the Administration Committee report.
- Ms. Stover noted that the committee paused working on the administration reorganization to focus on the Z-21 project. She outlined the process for upcoming Z21 meetings with PDS.
- The next meeting will be held on January 8<sup>th</sup> and that it will be a special meeting.

**Recreation:**

- Mr. Ringo gave the Recreation Committee report.
- Mr. Ringo noted that the Longhorns have organized the schedule for the ball fields.
- There will be no January meeting and that the next meeting will be held in February.

**Fire Authority:**

- Mr. Ringo gave the Fire Authority report.
- Mr. Ringo reported the monthly run numbers. He noted that the Fire Authority budget will be amended for the purchase of the digital radios by June. Mr. Ringo informed the Mayor and Council that an audit RFP will be put out. He reported that an anonymous \$10,000 donation will be used for the purchase of 5 sets of turn-out gear. Mr. Ringo announced that the department has 3 new volunteers.
- Mr. Ringo noted that the digital radio roll-out has been delayed due to tower issues.
- Mr. Ringo stated that the documents to transfer the EMS license to Ludlow for Bromley has been submitted to the appropriate state agencies.
- Mr. Ringo reported that Crescent Springs appointed a new council member to the Fire Authority. He announced that Sue Cassidy will be Chair next year.
- The next meeting will be held on January 20<sup>th</sup> at 6:00 at the Firehouse.

**City Attorney:**

- Ms. Stewart reported that the Supreme Court granted discretionary review of the City's appeal of spiking penalties by the Retirement system. She stated that a decision would be expected this time next year.

**City Administrator/Clerk:**

- Mr. Bohman gave the City Administrator/Clerk report.
- Mr. Bohman noted that 96% of property taxes had been collected. He also noted that the remaining 4% were sent notices and that duplicate payments had been returned.
- Mr. Bohman noted Mr. Yelton's absence due to dealing with a death in the family.
- Mr. Thompson inquired about the use percentage of the various methods of payment for property tax. Mr. Bohman replied that 25% pay at the city building, about 33% is paid through the mail to the lockbox, about 25% is paid through escrow payments, and balance goes through the local Heritage bank branch except for about 60 online payments. He noted that online payments will grow over time as more people stop using paper checks and in person banking services.

**Mayor's Report:**

- Mayor Jansen noted that the County Engineer Nick Hendrix reported that there was no update on the (short) Amsterdam Road sidewalk grant.

- Mayor Jansen described proposed PDS Council bylaws changes which will make Management Board changes that will limit the Management Board to PDS Council members, removing unelected citizens, and giving the County, Covington, Independence, and Erlanger automatic seats out of the 7 on the Management Board. Discussion followed about the bylaw change process and its impact on smaller cities.
- Mayor Jansen thanked Council and staff for their support during her 1<sup>st</sup> year in office. She also thanked the Police and Public Works, City Attorneys, Engineer, Auditors, and Bookkeeper.

### **Old Business/New Business:**

- Mayor Jansen presented Executive Order 2019-19. This is an Executive Order of the City of Villa Hills to update the Personnel Policy, including initial review period, holidays and leave sharing.
  - Mr. Baehner appreciated the spirit in which the update has been presented but raised concerns that the proposal was rushed without going through committee and noted that there is a cost for the additional Holiday because police officers receive the pay in place of an off day. Mr. Bohman noted that he misspoke about that at the last meeting and Mr. Baehner stated he was happy that Mr. Bohman went back and clarified. Mr. Thompson stated that the original proposal was to swap two Holidays but based on Council's discussion last month this adds an additional holiday.
  - Mr. Ringo asked that the city step back and reassess its benefit package. He proposed doing an analysis of the overall benefit package to employees and to make sure the City is competitive. He suggested that the city approve both days for 2020 and then make a determination going forward on the number of Holidays and other benefits.
  - Discussion followed about the recent increases in police salary in other cities, the need to stay competitive with other jurisdictions, and poor personnel policies in previous administrations. Mr. Ringo noted that city staff can perform the analysis and present it to the Administration Committee for review and recommendations.
  - Ms. Wadsworth questioned if it was the right approach to extend the Martin Luther King Jr. Holiday to staff this year to potentially take it back later. Mr. Thompson stated that it is unacceptable for the city not to recognize Martin Luther King Jr. Day. Mr. Ringo stated that this issue should be addressed by the analysis.
  - Mr. Cahill stated that is needed to be clear to staff that this is only temporary pending the outcome of the overall review.
  - Ms. Stover made a motion, seconded by Mr. Baehner to approve Executive Order 2019-19 with the Holiday addition, being a one-year approval pending a comprehensive review of Employee benefits. A voice vote was taken all in favor.

**Executive Order 2019-19 as amended will become effective upon adjournment.**

### **Comments:**

- Ms. Stover thanked the public for their support.
- Ms. Wadsworth noted that being on Council has been life changing and thanked everyone.

- Mayor Jansen thanked Crescent Springs Mayor Lou Hartfiel and his staff and council for their support and all they do for the City of Villa Hills.

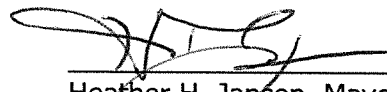
**Public Comments:** No comments.

At 8:20 a motion was made by Mr. Baehner, seconded by Ms. Stover to adjourn. A voice vote was taken, all in favor.

Time of adjournment was 8:20 p.m.

Respectfully submitted,

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Craig T. Bohman City Administrator/Clerk

  
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Heather H. Jansen, Mayor