



**Meeting #673 Minutes  
July 18, 2018**

Mayor Irvin T. "Butch" Callery called the July 18, 2018 meeting of City of Villa Hills Council (Meeting #673) to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mayor Callery gave the prayer and led the Pledge of Allegiance. A roll call was taken. Those in attendance:

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

**Mary Ann Stewart, City Attorney**  
**Craig Bohman, City Administrator/Clerk**  
**Sergeant Matt Hall**  
**Derick Yelton, Public Works Director**  
**Matt Bogen, City Engineer**

**G. Kilburn - Absent**

A quorum was present.

The first item on the agenda was approval of the minutes of the June 20, 2018 meeting. Motion made by Mr. Bruns, seconded by Mr. Waugaman. A voice vote was taken. Motion carried 4-0, Ms. Vaden abstained.

Mayor Callery called up Municipal Order 2018-I Authorizing an application to the Planning Commission for a text amendment regarding the location of sheds as the first item.

- Harry Collins, 2515 Buttermilk Pike, a resident of the city for 39 years described the difficulties of placing a shed on his property. He noted the current zoning rule that requires sheds to be within 20 feet of the house but due to the slope of his yard, the only place it could be located was on his existing patio. Mr. Collins asked for permission to place a shed in the rear yard of his residence and for the shed to be larger than the allowable 8x10. He noted that the smaller size was great in the past but now with multiple grandchildren he needed more room and wanted to use his garage to park his car, not to have to use it as storage. Mr. Collins said it was great that Council cared enough to address this issue.
- Mr. Waugaman asked Mr. Collins if he had contacted PDS. Mr. Collins stated that he had not. Mr. Waugaman described a situation he was familiar with where property owner worked with PDS and placed a shed 60 ft. from the house on the other side of a fence with a garden area. Mr. Collins stated he was told by PDS that he needed a variance. Mr. Waugaman noted that sheds are located everywhere in people's yards.
- Mr. Collins stated that Louisville calls the 20 foot restriction the "Out-House Rule" and was meant to keep the out-house close to the home and away from neighbors.
- Mr. Waugaman mentioned Z-21 process is the appropriate place for this change. He offered to assist Mr. Collins in working this through PDS. Mr. Waugaman stated that he does not want Mr. Collins to pay a variance fee to the Board of Adjustment.

- Mr. Ringo told Mr. Collins he did want to move forward at this time but if Mr. Collins was not successful that Council could reconsider. He noted that the shed rule was adopted for a reason and the variance process was available. Mayor Callery expressed that he was just trying to do the right thing for a long time resident. Mr. Collins stated that on a corner lot, one cannot hide a shed behind a fence.
- Mayor Callery asked if council wished to proceed. Mr. Ringo said he wanted to wait and see if Mr. Waugaman could work it out with PDS. Discussion followed and consensus emerged to let Mr. Waugaman work with Mr. Collins and PDS.
- Mr. Collins thanked the Mayor and Council.

The next item on the agenda was Presentations.

### **Presentations:**

- Robin Lamont, Executive Director of Refugee Ministry Connect gave a presentation on behalf of Kentucky Refugee Ministries regarding the Chin refugee community located in Villa Hills. She thanked the city for the opportunity to share information about refugees with the larger community.
  - Ms. Lamont stated that it takes 2-4 years to complete the security clearances needed to enter the United States and that only 1% of refugees are successful.
  - Ms. Lamont noted that after a refugee arrives in the U.S. only 45-90 days of resettlement assistance is given then the refugee must find work immediately. She pointed out that refugees have legal work authorization and can become citizens after 5 years.
  - Ms. Lamont described various types of refugee status and noted that people who are refugees are fleeing persecution in their home country. Ms. Lamont stated that out of approximately 21 million refugees, only 1% come to the United States. Ms. Lamont also commented that refugees must obtain a travel loan from aid agencies and pay it back in full to resettle outside a refugee camp.
  - Ms. Lamont noted that refugees in the United States are the most vetted group of immigrants and that Kentucky is 14<sup>th</sup> in refugee arrivals. She stated that there were only 60 arrivals of refugees in Northern Kentucky last year. Ms. Lamont pointed out that there are 400-500 Hakha Chin refugees in Villa Hills and Crescent Springs. Ms. She said that the Hakha Chin are Baptist Christians who faced abuse, forced labor, and ethnic cleansing from a military controlled Buddhist government in Myanmar, former known as Burma.
  - Ms. Lamont listed the services that they provide to clients, which include Core Services, which are basic needs, Self Sufficiency Services and Integration Services. She noted that song is important to the Chin community. There are several choirs in the 2 Chin churches in the area and they are very appreciative of the opportunity to sing as a choir at the Christmas in the Park event.
  - Ms. Lamont described the citizenship process. She noted that refugees must pass English and citizenship tests before they are allowed to become naturalized citizens.
  - Ms. Lamont noted that the current needs in NKY for the Chin community are:
    - Landlords and property managers willing to rent to people with no history in the US.

- Employers willing to hire refugees with green cards and are eligible to work.
  - Congregations of faith/community co-sponsors.
  - Volunteers.
  - Financial support in the way of donations.
- Mr. Ringo asked if there is a process to help refugees understand the little things such as using child car seats. Ms. Lamont replied that in the past such a program was not as strong as it is now because the Northern Kentucky Office of Kentucky Refugee Ministries was opened recently so there was not a staff person available to assist longer term with resettlement issues. She noted that Kentucky Refugee Ministries is working with Children Hospital, 4C for Children and others to address these issues.
- Mr. Bruns questioned how many Chin families moved to Villa Hills and also questioned how many people can be in one house. Ms. Lamont asked him to clarify whether he was referring to residing in the home or simply visiting. Mr. Bruns clarified that there maybe 20 people always visiting, but it was unlikely that such a large number of people could reside in a single home. Ms. Lamont stated that there are rules in the resettlement program that limit the number people who are moved into a home based on the number bed rooms and gender. She noted that training is provided about American cultural expectations regarding living arrangements. Ms. Lamont pointed out that there was a Chin Youth Group that meets often in people's homes. She described efforts mitigate the parking issues around large gatherings and efforts to find alternate meeting spaces.
- Mr. Waugaman asked if refugees have to go through the same drivers testing in order to get driver's licenses. Ms. Lamont replied that they do and that the agency works with the refugee office in Louisville to provide additional training regarding driving. Mr. Waugaman suggested a seminar on Villa Hills' ordinances and laws. Ms. Lamont agreed that it was a good idea and suggested having education after Sunday services with guest presenters from the community that it would be good for the Chin Community to know. Mr. Waugaman reiterated that this would be a good program because the number of Chin are growing. Ms. Lamont advised that the number was likely to remain about the same due to the recent administration's decision to halt the influx of new refugees. She noted that soccer is important to the Chin community but that they have had difficulty in securing fields for their use and knowing the correct ways to sign up for field use. Ms. Lamont suggested showing Chin community members how to sign up for field use at one of these training seminars would be good. Ms. She suggested establishing a community contact that could be used to get messages and announcements that the city has to the Chin Community.
- Mayor Callery asked if Ms. Lamont was going to be the city's contact person with Kentucky Refugee ministries. Ms. Lamont replied that she would be one of two people, the other being the Kentucky Refugee Ministries staffer in the office in Covington.
- Mr. Bruns asked how long the support from Kentucky Refugee Ministries lasts, noting that some Chin families have been in the community for several years. Ms. Lamont stated that it depends on the individual and their needs. Mr. Bruns followed up that if the Fire Department has issues, could they follow up with Ms. Lamont. Ms. Lamont stated that they could and also noted that having trust of the refugee community is important and Refugee Connect can act as the bridge between the Chin Community and the city.

- Ms. Vaden asked how many members of the Chin community are home owners in Villa Hills. Ms. Lamont stated that she did not know but could find out.
- Ms. Vaden asked if there was projected number of Chin families that the agency planned to relocate to Villa Hills. Ms. Lamont answered that there was no goal or number set and that the number would not change much from what is currently in the city expect for secondary migration from Chin communities in Indianapolis and Columbus who may choose to move here, but that number would be small.
- Ms. Vaden questioned if public space was needed due to the large gatherings. Ms. Lamont stated that there was interest in finding meeting space but a better process would be having the Chin see how other local groups set up meetings. She noted that it would be good to help the Chin learn how meetings are hosted in the U.S. as organizing for offsite meetings is a new concept to many in the Chin community.
- Ms. Vaden questioned how is the number of people assigned to a home is determined. Ms. Lamont reiterated that there are rules about how many people can reside in one home based on the gender and the number of bedroom each home has. She noted that the resettlement agency set those rules.
- Ms. Vaden inquired what was needed from the community. Ms. Lamont stated that the Chin needed opportunities to engage in community interactions and get to know their neighbors. She suggested that the city help host a pot luck.
- Mr. Bruns questioned about the community garden. Mr. Bohman replied that the site ran into issues regarding a boundary dispute and concerns about safety in the community due to a lack of knowledge about the extreme vetting process the refugees go through. He noted that the proposed garden was postponed after residents near the proposed site contacted Council members.
- Mr. Bohman also commented that he and the Mayor have met several times with the pastors of the Chin Churches and that they have been willing to work with the city to address any issues that have come up. He made clear that Kentucky Refugee ministry is not buying \$200,000 homes for refugees. Mr. Bohman pointed out that the Chin are buying homes through the local banks because they have jobs that most Americans will not take and work a large amount of overtime. He noted that the city wants to work with refugee community because five years after they arrive they are voting citizens.
- Ms. Koenig commented that the biggest issue was communication. She noted that the her son is a soccer coach at Dixie and recalled a story about how they had 1 Chin to English dictionary to use and how hard it was to get all the medical exams needed to allow the refugee students to participate in school sports. Ms. Koenig asked other to imagine how difficult it would be to go to a different country where you did not speak the language and survive. Ms. Lamont noted she works in Hamilton County, and that her agency co-lease space for after school programs and summer programs for refugee community members. She noted that the resettlement agency is reaching out to NKU and Thomas More. Ms. Koenig stated that schools are not ready for this population and children are placed based on social promotion and not education level. Ms. Lamont shared a success story of the board chair of her agency that arrived at age 16 without knowing English, obtained an MBA and is now a successful Marketing Rep for a major regional products supplier.
- Mr. Bruns suggested having a medical sheet on each individual with their conditions and medications in English and suggested that all residents should have this for themselves. Ms. Lamont suggesting having flash cards with images or words they could point to in order to communicate with officers and medical personnel despite language barriers.

- Mayor Callery thanked Ms. Lamont for her presentation.

The next item of business was legislation.

### **Legislation:**

#### **2<sup>nd</sup> Reading and approval of Draft Ordinance 2018-E**

An Ordinance to establish a local development area for economic development purposes within the city of Villa Hills to be known as the Sanctuary Village Local Development Area.

- Ms. Stewart gave a 2<sup>nd</sup> reading to draft Ordinance 2018-E. Mr. Ringo noted that the TIF agreement created a board and suggested having residents within in the TIF district be on the committee after the development starts. Mr. Waugaman noted that the agreement includes a committee with representatives with the City, the County and Planning and Development Services. Discussion followed. Mr. Waugaman made a motion to approve, seconded by Ms. Koenig. A roll call vote was taken as follows:

<b>Mr. Bruns</b>	<b>Yes</b>	<b>Mr. Ringo</b>	<b>Yes</b>
<b>Mr. Kilburn</b>	<b>absent</b>	<b>Ms. Vaden</b>	<b>Yes</b>
<b>Ms. Koenig</b>	<b>Yes</b>	<b>Mr. Waugaman</b>	<b>Yes</b>

Motion carried 5-0. This will become Ordinance 2018-5.

#### **2<sup>nd</sup> Reading and approval of draft Ordinance 2018-F**

An Ordinance of the City of Villa Hills to amend personnel and pay classification plan of non-civil service employees.

- Mr. Waugaman made a motion to vote, seconded by Mr. Ringo. A roll call vote was taken as follows:

<b>Mr. Kilburn</b>	<b>absent</b>	<b>Ms. Vaden</b>	<b>Yes</b>
<b>Ms. Koenig</b>	<b>Yes</b>	<b>Ms. Waugaman</b>	<b>Yes</b>
<b>Mr. Ringo</b>	<b>Yes</b>	<b>Mr. Bruns</b>	<b>Yes</b>

Motion carried 5-0. This will become Ordinance 2018-6.

#### **1<sup>st</sup> Reading and discussion of draft Ordinance 2018-G**

An Ordinance of the City of Villa Hills amending section 9.23(c) of the Villa Hills Zoning Code to add temporary parking regulations for trailers, mobile homes, recreational vehicles, campers, boats or similar type equipment.

- Ms. Koenig clarified that the temporary parking was from November 1<sup>st</sup> to April 1<sup>st</sup>.
- Mr. Ringo noted that it's only 72 hours and the city must have compliance from the community to allow residents 72 hours. He stated it is not too much to ask to allow people 3 days to use their RV during the winter.
- Ms. Vaden noted that the Administrative Commission did not send this to council and asked how many RV owners complain about no parking after November 1st. Mr. Waugaman replied several has complained to him. Mr. Ringo asked how many people have complained about RVs and campers being used during the winter. Mr. Waugaman replied that the Mayor has received one complaint.
- Ms. Koenig questioned the ability to enforce the rule. Mr. Waugaman replied that the city was not getting complaints. Ms. Vaden commented that legal staff said that the proposal would be hard to enforce. Mr. Waugaman replied it was hard but not

impossible and noted that there are not a large number of complaints against winter use of RVs and campers.

- Mr. Ringo commented that it was not unreasonable to allow someone with a \$50,000 investment in an RV to be able to use it. He noted that all neighbors have something in their yard that others would wish were gone. Mr. Ringo noted that the city has two options, ignore the law breakers until there is a complaint, or address the issue and tell the complainant that parking is allowed within limits.
- Mr. Waugaman stated that under current code enforcement processes, it takes 10 days before the owner needs to comply. He noted that the rule change would not force people to break the law like the current rule. Ms. Koenig suggested having the 72 hour rule year round instead of having both an open parking period (April – October) and a temporary parking period (November – March). Mr. Waugaman said that the open parking period is already existing. Ms. Koenig stated Villa Hills is the most generous city in regards to allowing recreational vehicles. Ms. Koenig continued that she is concerned about potential abuse and enforcement difficulties. Mr. Waugaman noted that PDS and the License Inspector can enforce the new rule. Discussion followed.
- Ms. Vaden noted that this rule prevents the city from effectively enforcing the rules and if passed would create legal issues. Mr. Waugaman asked Ms. Stewart what legal jeopardy the city would face. Ms. Stewart noted that previously Mr. Metzger noted that it will be difficult to enforce, but she does not believe the change creates legal jeopardy for the city.
- Ms. Vaden mentioned the Z-21 project and stated that was a better process to address this issue. Mr. Waugaman replied that the Z-21 process is meant to streamline the zoning code and move some policy issues out of the document. He stated that this rule would be incorporated into the new zoning update since it would be in our code.
- Mayor Callery asked that the Council move on since this was a first reading.

**Consideration and approval of draft Resolution 2018-O** A resolution of The City of Villa Hills accepting the Proposal of Bayer Becker for engineering and design services for the resignalization of Buttermilk and authorizing Mayor Callery to sign a contract for the same.

- Ms. Stewart presented draft Municipal Order 2018-O.
- Mr. Ringo asked if the \$34,000 was included in the \$100,000 set aside for the project. Mr. Bohman replied that it was not. Mr. Bohman explained that the estimate from the state included materials (signals, wires, poles) and the cost of installation but did not include design. He also noted that this amount is reimbursable by the TIF Funds.
- Ms. Vaden asked where the money was going to come from since the TIF fund is not operational. Mr. Bohman replied that the 10-year road plan update rolled the \$34,000 into the engineering costs.
- Mr. Bruns demanded to know why the city had to spend \$34,000 for engineering a project where the state already knows what needs to go in and is going to tell the city where to put the equipment. Mr. Bohman replied that the cost include other services more than the creation of drawings such as the filing of reports and permits, compiling documentation to justify the changes at the intersection, and inspections of the installation work.
- Mr. Waugaman said he was not crazy about spending money on state routes but noted that Fort Mitchell is spending a lot of money on the redesign of the Orphanage

Road/ Dixie Highway/ Buttermilk Pike area which is a state route. Mr. Bruns retorted that he understands hiring engineers for that because work on the road has to be done at that location. He said the only changes to the Buttermilk intersection is painting a few arrows and hanging a new light. Ms. Koenig asked Mr. Bogen to explain need. Mr. Bogen noted that its design is only one part and the engineer must also recalculate the loads on the spans and determine if the current pole base is deep enough and strong enough to hold the new pole and lights. Mr. Ringo interjected that the state is telling the city what to buy even though it does not know yet what is needed. Mr. Bogen agreed and noted that the state provides the list of what it believes is needed then the engineer has to verify it. Mr. Bruns commented that since it's a state route and the state is demanding the improvements, they should at least pay for the engineering with the city putting up the money for the signals. Mr. Waugaman asked if some of the cost is related to the programming of the signal boxes and Mr. Bogen confirmed that it was. Mr. Bruns insisted that the state needed to step up and pay. He also derided the fact that bureaucracy has resulted in the need to have million dollar projects where one-third of the cost is engineering.

- Mr. Ringo said he was not comfortable with the fact everyone was talking about \$100,000 for this project and now there is more on top. He asked Mr. Bohman if there was anything else that might be added that is not a part of the \$100,000. Mr. Bohman stated that he did not know. He said that he talks to as many people as he can to get the best estimates that he can find. Mr. Bohman suggested that the road tattoos and line striping may not be in the \$100,000.
- Mr. Waugaman inquired if the City had heard anything from the state. Mr. Bohman replied that he had not heard anything back from the state. Mayor Callery noted that he has spoken with State Representative Diane St. Onge and State Senator McDaniel, and they in turn are talking to State Representative Santoro (Appropriations sub-committee on Transportation chairman) about getting money for the project. Mr. Ringo asked if the city should hold off until it hears back from the state. Mr. Waugaman stated that the city wanted to get it done before school started. Mr. Bohman said that it was Council's purview to shelve the project if it desired, but noted that during the last two meetings nearly all 6 council members stated that it was important due to safety and needed to be addressed quickly. Mr. Ringo agreed but noted that his anger is directed at a 34% increase and even though the TIF will reimburse the project still needs to be paid for.
- Mr. Waugaman stated that the intersection is a safety issue and needs to be addressed. Ms. Koenig agreed and Mr. Bruns stated that the sooner the better on the project. Mr. Ringo demurred stating that it has only been a few weeks since the city asked the state for assistance and the project cannot be completed before school he asked why the rush. Mr. Bruns replied that he did not want to make another EMS run to the intersections and was fine with expediting the project, knowing that the state can reimburse the city later. Mr. Ringo wondered if that was realistic. Mr. Waugaman stated it could go either way, the state could walk if it's paid for or put up because the city stepped up.
- Mayor Callery noted that Crescent Springs put \$20,000 in their budget for the project as well. Mr. Bruns said that makes it a little better.
- Mr. Bohman told Council to blame him for the mistake since he did not ask the right questions in the meetings with the state to get the correct figure. Mr. Bruns stated that everyone would have assumed \$100,000 included everything. Mr. Ringo stated that he felt \$100,000 was too high. Mr. Waugaman commented that there were

projects he worked on that started out as \$250,000 projects and become \$400,000 projects.

- Mr. Bruns stated he did not want to think that someone would get hurt at the intersection because the city argued over spending \$34,000 more. Mr. Ringo agreed.
- Ms. Koenig made a motion to approve, seconded by Mr. Waugaman. A roll call vote was taken as follows:

<b>Ms. Koenig</b>	<b>Yes</b>	<b>Mr. Waugaman</b>	<b>Yes</b>
<b>Mr. Ringo</b>	<b>Yes</b>	<b>Mr. Bruns</b>	<b>Yes</b>
<b>Ms. Vaden</b>	<b>Yes</b>	<b>Mr. Kilburn</b>	<b>Absent</b>

Motion carried 5-0. This will become Resolution 2018-15.

### **Consideration and approval of draft Municipal Order 2018-G**

A Municipal Order Authorizing the Mayor to enter into an inter-local cooperation agreement with the Kenton County Board of Education to provide School Resource Officer services to River Ridge Elementary School.

- Mr. Bruns made a motion to approve, seconded by Mr. Waugaman.
- Ms. Vaden inquired about the lack of detail on the reimbursement payments. She stated that the Safety Committee discussed a 60%/40% split and did not see that in the agreement. Mr. Bohman replied that the contract has language stating that the reimbursement would be negotiated each year and the city had documentation from the School Board agreeing to reimburse the city \$25,000. Mr. Ringo asked if the cost was about \$40,000. Mr. Bohman replied it was because the position was filled with a retiree. Ms. Vaden was concerned with being stuck due to lack of deals.
- Mr. Ringo noted that the contract had no cancellation policy. Ms. Stewart noted that school boards cannot enter into multiyear contracts and there was an evergreen clause with a 30-day notice to terminate at the end of the agreement.
- Mr. Ringo questioned about whether or not Villa Madonna Academy wanted and School Resource Officer. Ms. Stewart said it would be up to the city, noting that there are state statutes that authorize SRO's in public schools, but was unsure about private schools. Discussion followed regarding church/state funding issues.
- Ms. Vaden asked if it was possible to spell out the payment reimbursement in greater detail. Mr. Ringo asked if it was possible to authorize the agreement with the term that the city gets reimbursed 60%. Ms. Koenig pointed out that the officer will be doing more than just being an SRO, that the position is full time and when schools are closed the officer will be working street shifts. Mr. Waugaman stated that it was Chief Allen's responsibility to work out those details and manage his budget. He noted that Mayor would be involved and need to sign off on any agreement.
- Ms. Stewart commented that this is a standard SRO agreement used across the state but most of them have additional payment details.
- Mr. Waugaman stated that Chief Allen did a commendable job in managing his budget even with the additional expenses with the startup of the contract with Crescent Springs and keeping expenses as low as possible.
- Ms. Stewart asked Mr. Bohman if the School Board had acted yet and Mr. Bohman replied that he did not believe they had.
- Discussion followed on the wording of an amendment to add more detail to the funding section. Ms. Stewart stated an amended motion was required and suggested adding a sentence at the end of the payment section of the agreement "For the



2018-2019 school year only the payment for the school district to the city will be \$25,000. Thereafter in subsequent years the amount will be negotiated.”

- Ms. Koenig made a motion to approve as amended with the additional language, seconded by Mr. Bruns.

<b>Mr. Ringo</b>	<b>Yes</b>	<b>Mr. Bruns</b>	<b>Yes</b>
<b>Ms. Vaden</b>	<b>Yes</b>	<b>Mr. Kilburn</b>	<b>Absent</b>
<b>Mr. Waugaman</b>	<b>Yes</b>	<b>Ms. Koenig</b>	<b>Yes</b>

Motion carried 5-0. This will become Municipal Order 2018-7.

### **Consideration and approval of draft Municipal Order 2018-H**

A Municipal Order of the City of Villa Hills updating the 10-year road plan.

- Ms. Stewart presented draft Municipal Order 2018-H.
- Mr. Bohman noted that the plan was updated to incorporate both the SNK grant match increase and storm water projects resulting in the project being over \$900,000. He pointed out that there was a slight reduction in maintenance and panel replacements in order to squeeze in an asphalt project for Lakeshore, Villa Marie, Lake Court and Brookview. Mr. Bohman noted that the plan has Meadow Wood being replaced in five years due to the construction traffic from the Reserves at Crossings’ project in Crescent Springs.
- Ms. Vaden questioned why the plan is more generic and it had more details when it was adopted 2 years ago. Mr. Bruns replied that made him very happy because it meant that the city was catching up due to the road tax.
- Ms. Koenig noted that the previous list was long because the need was bad and the city can identify them and now the city is catching up. She noted that since January of 2015 to the end of this fiscal year, the city will spend \$4.6 million.
- Mr. Waugaman commented that as you eliminate a punch list workers have less and less to do. Mr. Bruns noted that as the needed projects are reduced, future councils should reduce the road tax. Mr. Waugaman pointed out that even if there was not large projects, there would always be ongoing maintenance costs.
- Mr. Ringo asked where in the 10 year road plan the costs for the Buttermilk signalization are located. Mr. Bohman identified the \$20,000 Crescent Springs contribution, the \$100,000 from Villa Hills’ reserves, and noted that the \$69,000 for engineering costs includes the \$34,000.
- Ms. Koenig made a motion to approve, seconded by Mr. Waugaman.

<b>Ms. Vaden</b>	<b>Yes</b>	<b>Mr. Kilburn</b>	<b>Absent</b>
<b>Mr. Waugaman</b>	<b>Yes</b>	<b>Ms. Koenig</b>	<b>Yes</b>
<b>Mr. Bruns</b>	<b>Yes</b>	<b>Mr. Ringo</b>	<b>Yes</b>

Motion carried 5-0. This will become Municipal Order 2018-8.

### **Consideration and approval of draft Municipal Order 2018-I**

A Municipal Order of the City of Villa Hills City Council authorizing an application to the Kenton County Planning Commission for a text amendment to amend section 9.10(c)(1)(a) of the Villa Hills Zoning Code to remove the requirement that storage buildings be placed within 20 feet of the principal permitting building.

This issue was passed over based on the discussion earlier in the meeting.

**Presentation of Executive Order 2018-4**

An Executive Order Promulgating updated personnel policies for the City of Villa Hills pursuant to the Villa Hills Code of Ordinances section 34.02.

- Mayor Callery presented Executive Order 2018-4 to Council. He noted that page two has a summary of the changes. And there would be a month for Council to review.
- Mr. Ringo asked for a red line version of the document. Mr. Bohman stated that he would send that out to Council.

There being no further legislation, the meeting proceeded to committee reports.

**Committee Reports:****Police:**

- Sergeant Hall gave the Police Department report.
- Sergeant Hall noted that there were 722 calls last month. He noted the increase in calls is due to taking over policing in Crescent Springs. Sergeant Hall said that about 20 calls per day are coming from Crescent Springs with a total call volume of 40 to 50 calls per day.
- Sergeant Hall reported that there have been car breaks in the city and a Burglary at Ameristop that are still being investigated.
- Sergeant Hall stated that the state is still working on River Road. He noted that it still needs at least 10 – 14 days if work and that the road is still closed during the day and one lane with a traffic control light at night.
- Sergeant Hall stated that Safety Night will be held August 8<sup>th</sup> from 6:00 p.m. to 8:30 p.m. at Tom Braun Fields and that various demonstrations, helicopters, and crafts will take place at the event.
- Mr. Ringo asked if we invite Crescent Springs to participate. Ms. Vaden and Mr. Bruns said that department did invite Crescent Springs to the event.
- Sergeant Hall reported that he spent 3 weeks at Supervisor training. He stated that it was the best training he has attended in 15 years. Mayor Callery joked that he didn't notice that Sergeant Hall was away. Mayor Callery stated that Sergeant Hall does a great job.
- Mr. Bruns stated he was impressed that there 106 traffic stops in the first 3 days of policing Crescent Springs. Sergeant Hall replied that there has been several drug busts with forfeiture funds being ceased. Other members of Council also praised the activity of the Police Department. Discussion followed.

**Safety:**

- Mr. Bruns gave the safety report.
- Mr. Bruns stated that Chief Allen went over the month report, the committee noted the increase in calls that was anticipated. He said that Chief reported on record issues with Erlanger from when Erlanger was providing dispatch to Villa Hills and noted that Erlanger is transferring records to Kenton County Dispatch making them available in the near future. Mr. Bruns reported that Mr. Nienaber, a committee member, noted that both cities have at least one officer at all times with Crescent Springs having two officers at time per the contract.

- Mr. Bruns reported that the department is doing traffic enforcement action at the intersections at both ends of Collins and noted that a stop sign detail is likely in the near future near Laguna.
- Mr. Bruns announced that there will be an upcoming Rape Aggression Defense (RAD) class. Ms. Vaden pointed out that Officer Emily Horseman will be teaching a modified version of the class for the first time.
- Mr. Bruns reminded the public about the upcoming Safety night.
- Mr. Bruns discussed the issues of Fireworks. He noted that it is no longer illegal to purchase fireworks in Kentucky, but it is still illegal to shoot them off. He noted that the city does not have a permit for firework displays but the Fire Department does. He also noted issues with residents using city property to shoot off fireworks and said that issue needed to be addressed.
- Mr. Bruns reported that Ms. Vaden raised concerns at the committee meeting about car break-ins and inquired about calls for service to the new Sun Behavioral Health facility on Dolwick. Mr. Bruns stated that the fire department had been called to assist a few times in the past month.
- Next meeting is August 14<sup>th</sup> at 6:30 in Chambers.

#### **Engineer:**

- Mr. Bogen gave the Engineer report.
- Mr. Bogen reported that Buttermilk Pike SNK is still under review in Frankfort, and noted that the hang up is probably with the Heritage Council. Mr. Bruns asked what role the Heritage Council plays in road projects. Mr. Bogen stated that the Heritage Council reviews projects to see if there is any archeological significance or sites impacted by a project and that it was another level of review that had to be followed. Mr. Bogen stated that Mayor Callery and Mr. Bohman have been in contact with Representative St. Onge, Senator McDaniel, and Governor Bevin's office trying to get the ball rolling on the project.
- Mr. Bogen reported that the Transportation Cabinet said the city could not start on the RFP or bidding the project until easement acquisition is completed, which in turn cannot start until the environmental review is completed. Ms. Koenig stated it looked like the project would not be able to be completed this fall. Ms. Vaden asked if the Council was opposed to doing the project during the school months. Mr. Ringo noted that the project was planned to take place during school sessions, the race was to get the project completed before winter.
- Mr. Bogen reported that Sunglow and Thirs are complete and that Appleblossom is nearing completion as the contractor just made one its last concrete pours.
- Mr. Bogen stated he is working with Mr. Yelton to identify needed repairs for the asphalt resurfacing of Villa Marie, Lakeshore, Lake, and Brookview so he could update the cost estimates for the overlay. He noted the project will also include some curb work and the removal of the traffic island on Villa Marie.

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

- Ms. Koenig gave the Public Works Committee report.
- Ms. Koenig reported that \$2.9 Million has been spent since January of 2015 on roads. She noted that the city has spend more on roads in the past three years that at any time in the city's history. Further, Ms. Koenig noted that by the end of the new fiscal year this number will increase to \$4.6 million. She read the list of road projects from the last 3 years which includes:

- Replacement of Valley Trails from Niewahner to Dalewood
- Brookville and Palomino panel replacements
- Orchard Subdivision (curb repair and overlay Winesap, Damson, Pear Tree, and Macintosh; and the replacement of Appleblossom)
- Decorative Street Sign program
- Villa Drive Overlay and curb replacement
- Wingate Replacement
- Rosewood Bulkhead Project
- Squire Valley and Country Squire subdivision panel replacements
- (New) Sunglow & Thirs concrete repairs
- Various drainage projects to remove ice/slime outlet issues.
- Mill and Overlay Projects on:

*Lillian, Kingston, Summe, Boulder, Linden Hill, Stevens, Antelope, Timberline, Cecelia, (old) Sunglow, Palomino, Wesley, Meadowview, Steamboat, Huckfinn, Pointe, Riverwatch, Woodhaven, Prospect Point, Deerfield, Lauren, Vera Cruz, Surfside, Dry Creek, Mary, Frank, Sierra, and Armella.*

- The next meeting will be held August 8<sup>th</sup> at 1 p.m. in the Administrative Office Conference room.

#### **Public Works:**

- Mr. Yelton gave the Public Works Report.
- Mr. Yelton noted that there was 435 feet left for JPS to complete and restoration. He said JPS is doing an excellent job. Mr. Yelton noted that JPS also received the concrete panel replacement bid and would be doing some work in Squire Valley next week. He noted that the staff has been flagging for the County in exchange for the use of their bush hag so instead of billing each other for services the city and county are trading time. Mr. Yelton stated the city crew is working with County in unincorporated areas adjacent to the city.
- Mr. Yelton reported that the Public Works staff have cleaned up the dam behind the Public Works building and made some minor repairs based on Division of Water directives. He stated that staff replaced the boards on the bleachers at Franzen Park. Mr. Yelton also noted that they will be doing board replacements at Villa. He also note that the Bud Cunningham and Tom Braun field signs would be repainted.
- Mr. Yelton stated that the city is using soil from a private pool installation to address grading and divots throughout Franzen Park. He reported that the city would conduct stump removals at the club as a training session for new employees to learn the backhoe controls.
- Mr. Yelton noted that the city has been working with Sean Blake from SD1 to review the storm water infrastructure maps to correctly identify utility, city and state, and private storm water lines and that process is completed. He reported that the city would be given a hard copy and a digital copy of the maps which will be a big help when dealing with storm water issues residents bring to the city.

- Mr. Yelton noted that there are drainage issues on Palomino and Niewahner that Mr. Bogen is looking into to find a way to address.
- The last order of the new street signs is due in the next 2-3 weeks and will be installed over the coming months on light rain days when it's still possible to work outside but not on road projects or grass cutting.
- Mr. Yelton thanked the fire department for their continued assistance to the city with things like washing down roads after mud slides, helping blow out pipes, providing table and chairs for city meetings and events, and so forth. He noted that the Mayor gave him permission to buy the Fire Department crew piazza and that was done.
- Mr. Yelton noted that he was working closely with Mr. Ripberger in Crescent Springs and the two cities are assisting each other and trading work.
- Mr. Yelton reported that he visited the Newport salt garage with the Mayor and Mr. Bohman to see how they built their new garage.
- Ms. Koenig stated she attended the Civic Club monthly meeting and noted nothing but praise from the board and members on how good the lake and the dam look.
- Mr. Bruns noted that the sight distance on (short) Amsterdam Road is much improved now that the vegetation has been cut back. Mr. Ringo agreed.

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

- Ms. Koenig gave the Events and Beautification report.
- Ms. Koenig reminded the public that Music Fest will be held September 29, 2018 from 5:00 p.m. - 10:30 p.m. The Bands attending will be the Naked Karate Girls and the Everyday People Band with Fireworks at 10:00 p.m. She noted that they are currently looking for volunteers.
- Ms. Koenig announced that there will be a car show held at the Civic Club on September 22, 2018 from 1:00 p.m.-5:00 p.m. She said to call the Civic Club for more information.
- Ms. Koenig stated that the Haunted Trails event is set to take place on October 27, 2018 and she asked that Mr. Bohman post this to the city's website.

#### **Finance:**

- Mr. Waugaman presented the June Finance Report.
- Mr. Waugaman noted that questions were submitted by committee members and responded to by Mr. Bohman. Mr. Waugaman reported that \$14,900 was used towards the DefendVH case while all other legal bills cost \$8,800.
- Mr. Waugaman presented the balance sheet standing of various designated resources and undesignated fund balances, giving the city a total equity of \$1,749,415. He noted that the Insurance Premium tax reservation was no longer on the report because the city has spent all of the remaining extra 2% collected on road projects. Mr. Waugaman noted that various restricted fund designations and reported an unrestricted fund balance of \$545,993 and net income of \$71,454. Mr. Waugaman noted that the rainy day fund is the combined unrestricted fund balance and net income total of \$617,447.
- Mr. Waugaman stated that committee recommended approval of the June financials.
- The next meeting will be held August 13, at 7:00 p.m. in Chambers.
- Mr. Bohman noted that the Committee requested some adjustments to the Road and Capital funds and those changes were made after the meeting packets went out and the replacement sheet were placed at their desk before the council meeting.

Mr. Ringo made a motion, seconded by Ms. Vaden to approve the June financial statements as corrected and the finance committee report and post them to the city's website. A voice vote was taken, all in favor.

**Administration:**

- Ms. Vaden reported that due to the holiday, there was no meeting held on July 4, 2018. The next meeting will be August 1<sup>st</sup> at 6:30 p.m. at 720 Rogers Road.

**Recreation:**

- Mr. Ringo gave the Recreation Report.
- Mr. Ringo announced that NKU used our fields last week for a youth camp which was very successful. He stated it was nice to have a regional organization in the city.
- Mr. Ringo noted that the city is still working with the Civic Club on the salt garage.
- Mr. Ringo thanked Mr. Yelton and staff for replacing the boards on the bleachers at Villa and for all they do for the fields.
- The next meeting will be held on August 9<sup>th</sup> at 6:30 in Chambers.

**Fire Authority:**

- Mr. Ringo gave the Fire Authority Report.
- Mr. Ringo noted that run numbers were not available but the new ambulance has arrived and that the state will inspect it tomorrow and it will go immediately into service.
- Mr. Ringo reported that the old ambulance was sold to a department down state.
- Mr. Ringo announced several promotions in the fire department.
- Mr. Ringo noted that a Flashover drill was held using a trailer provided by.
- Mr. Ringo stated finance audit will begin shortly.
- The next meeting will be held August 13<sup>th</sup> at 6:00 p.m. at the firehouse.

**City Attorney Report:**

- Ms. Stewart reported that SRO in schools would be allowed according to the National Association of SRO.
- Mr. Ringo reiterated that the city has always been ready to assist Villa Madonna Academy with anything they ask for and he just wanted to be sure that would still be the case if they asked for an School Resource Officer.

**City Administrator/Clerk:**

- Mr. Bohman noted that there was no Administrator/Clerk report this month.

**Mayor's Report:**

- Mayor Callery had nothing to report.

The next items on the agenda were Old Business and New Business.

**New business:**

- Mr. Bohman brought to Council's attention an effort by the Kenton County Administrator's Group and the Telecommunications Board of Northern Kentucky to develop a model franchise agreement for telecommunications companies. He noted that in the past the group had gotten together and drafted a model small cell ordinance which Villa Hills did not participate in, but with more and more companies seeking permits to install equipment in the city's right-of-way some regulation is

needed. Mr. Bohman further explained that with the recent ruling by the state supreme court removing the prohibition on cities having telecommunication franchise agreements the city could impose a 1.3% franchise fee which is credited fee similar to the Insurance premium tax so that customers would not pay more on their bill but the taxes they already pay would remain in the local jurisdiction instead of going down state. Mr. Bohman stated that the estimated cost to develop the model ordinance is \$15,000 and each city that participates will pay a portion of the bill. He noted that attorney Bill Gillette an attorney with a lot of experience in cable law would be drafting the ordinance. Discussion followed about what the different telecommunication companies are installing and how the \$15,000 would be divided and which jurisdictions were likely to participate.

- Mr. Bohman stated that the model would need to create several options that the cities could pick and choose from because some jurisdictions have more robust right-of-way ordinances while other have a middle of the road encroachment permit process.
- Mr. Waugaman asked if existing ordinances could be combined into the new model. Ms. Stewart replied that the new model would not change existing ordinance but would become a standard franchise agreement. She pointed out that the franchise agreement could have standards that are stronger than the regulations in place for residents that may encroach in our right-of ways. Ms. Stewart then explained the franchise agreement adoption process.
- Mr. Waugaman asked if the agreement would control both above and underground franchise. She stated it would and discussion followed.
- Ms. Koenig stated that the city needed to limit the new installation of small cell poles. Discussion followed about the zoning and approval process for small cell sites. Mr. Bohman noted that that the current 7 poles are
- Mr. Bruns suggested joining if the cost was no more than \$1,500. Everyone agreed.

**Old business:**

- There was no old business.

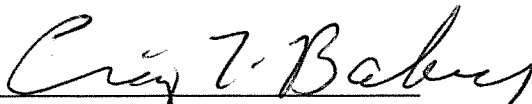
**Comments:**

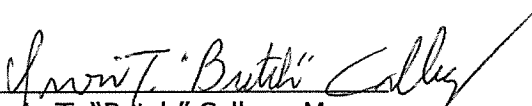
- Mr. Bruns requested that at least 3ft be kept clear around fire hydrants and showed an example of a cable box that was install up against a hydrant. Discussion followed about limiting parking around hydrants. Mr. Bruns urged residents to have contrasting color house numbers so they are easily visible at night
- There were no Public Comments.

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

Time of Adjournment was 9:20 p.m.

Respectfully submitted,

  
Craig T. Bohman, City Administrator/Clerk

  
Irvin T. "Butch" Callery, Mayor