



**Meeting #696 Minutes  
May 20, 2020**

**NOTICE:** Pursuant to KRS 61.826, OAG 20-05, and SB-150(RS2020), the State of Emergency regarding the threat to Public Health presented by the COVID-19 Pandemic this meeting of the Villa Hills City Council was conducted by audio and video teleconference. All Council meetings may be attended by the public by viewing the live stream on TBNK's ToGo channel 2 found at URL <http://www.tbnk.org/togo2>

Mayor Heather Jansen called the May 20, 2020 meeting of City of Villa Hills Council (Meeting #696) to order at 6:30 p.m. via teleconference from her home in Villa Hills, Kentucky. Mayor Jansen asked for a moment of silence to remember all those affected by COVID-19 and the Pledge of Allegiance. City Clerk Jennifer Lipson called the roll. Those in attendance via teleconference:

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

**Craig T. Bohman, City Administrator**  
**Jennifer Lipson, City Clerk**  
**Bryan Allen, Police Chief**  
**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 April 15, 2020 Council meeting.

- A motion was made to approve by Mr. Baehner, seconded by Mr. Ringo. A roll call vote was taken 6-0 in favor, motion passed.

Meeting had to be paused as Ms. Wadsworth was having technical issues.

The next item of business was Presentation of the Budget Message to Council.

There was discussion presented by Mr. Cahill regarding the format for the budget for both the 2019/2020 Budget Amendment and the 2020/2021 Proposed Budget. Mr. Cahill explained to Council that in the past the City had used a combined operating budget, about 10 years ago the City went to a departmentalized budget. He is asking Council to consider a temporary return to the combined budget due to the unknown of which departments will be affected and how much, in regards to income and expenses during the Coronavirus Pandemic. There was discussion with the general consensus being that the combined budget gives more flexibility

for the Mayor and City Administrator to oversee the budget without continuous need for amendments to the budget throughout the year. Finance Committee and Council will still receive the same reports and departments will still assign department and line items for all expenses.

Mr. Thompson requested that a preamble or statement be included in the ordinances to let future Council know that this change was in response to COVID-19, and to let them know it should be re-evaluated.

Ms. Stewart advised that auditing firm should also be notified of the change.

### **Legislation:**

- **1<sup>st</sup> Reading and discussion of draft Ordinance 2020-E**

Ms. Stewart informed Council that this is an Ordinance to Amend the current 2019/2020 Budget. Mr. Bohman advised Council that there was no change in the Revenue or Expenses, that it was being proposed to remove the departmentalization.

There was no further discussion.

- **1<sup>st</sup> Reading and discussion of draft Ordinance 2020-F**

{Connection was lost with Mr. Thompson at this time (6:55), the meeting was stopped until Mr. Thompson was able to re-join the meeting (6:56)}

Ms. Stewart informed Council that this is an Ordinance authorizing the Mayor to enter into an Interlocal Cooperation Agreement with the City of Crescent Springs to extend the police services contract through June 30, 2030.

There was discussion clarifying which City requested this extension. Mr. Bohman advised that Crescent Springs had come to Villa Hills to request the extension. Ms. Stewart did ensure that Villa Hills does have an exit clause, if a need arises for either city to exit the contract. Mr. Thompson inquired about the drop in Revenue in the 5<sup>th</sup> year, this is due to the drop off of the startup expenses. Chief Allen advised that the contract has been working well, he also advised Council and residents that a benefit to the contract has been that they are control criminal activity outside of Villa Hills, before it enters the City.

- **Consideration and Approval of draft Municipal Order 2020-I.**

Ms. Stewart informed Council that this is a Municipal Order Appointing two new members to the City's Board of Adjustment. The two new members will be Jerry Wallace and Loraine Braun.

Mr. Ringo made a motion to approve, seconded by Ms. Stover. A roll call vote was taken, all in favor.

**This will become Municipal Order 2020-10**

### **Committee Reports:**

#### **Police:**

- Chief Allen gave the Police Report
- Chief Allen gave the monthly run, crimes and accident numbers.
- Chief Allen advised Council that they had been giving Courtesy notices to drivers on streets around the detour. They are now issuing citations to speeders in those areas,

due to the excessive complaints and number of drivers speeding along those roads. He also advised that many of the violations along Meadow Wood are for stop sign violations.

- Onexx has done an outstanding job and recently had his 1<sup>st</sup> bite, the suspect was fleeing and evading police, and ended up with a drug search. Onexx is also receiving water training.
- Chief Allen advised that a second officer is now off from exposure to COVID-19. The test result was negative, but the officer will be off for 7-days as a precaution.
- Chief Allen has petitioned City Council with Crescent Springs to enter an agreement with other departments for a truck ban on I-75 from Buttermilk Pike to the river. The department has seen a large increase in calls as a result of the increase in truck accidents along that route.

#### **Safety:**

- Mr. Baehner advised that the May meeting was cancelled due to COVID-19.
- The next meeting will be on June 9<sup>th</sup> and will take place in the Council Chambers.
- In a report from Chief Wendt it was indicated that the fire department has transported 15 patients who were confirmed cases of Coronavirus. The department is continuing to use precautionary measures on all calls, and routine check of personnel.
- Mr. Baehner advised that there were requests for temporary parking restrictions along Rogers, Sunglow and Kenridge due to the work on Buttermilk Pike. The additional parking, is actually slowing cars down. Chief Allen advised that by the time signs are placed, time is given to adjust, then enforcement begins, the project will likely be finishing up. No changes will be made.
- Mr. Thompson inquired if there was a timing change of the lights at Collins and Buttermilk. The state has checked on them several times and all appear to be working correctly.

#### **City Engineer:**

- Mr. Bogen presented the City Engineer's report
- Mr. Bogen gave an update report to Council on the Buttermilk Pike Project. He advised that he had a complaint of vehicles being parked on both sides of Sunglow, when he arrived he found contractor personal vehicles on one side and the Water District doing hydrant checks on the opposite side, it was passable, but was a temporary inconvenience.
- Mr. Bogen advised that residents also complained about the large trucks on the roads, the trucks were carrying construction materials to the site, and without stopping all work to get the trucks through on Buttermilk, it was the best route for the trucks to travel. Construction crews were reminded to be mindful of the residents and to watch their speed.
- Mr. Bogen advised Council that during the pavement removal, they found that the gas crossovers completed by Duke earlier this year were not low enough and they had to stop to wait for Duke to move those. Riegler lost a few days waiting for Duke, but they are still on schedule.
- Mr. Bogen advised Council that south of Mary Street, there may be some landscape issues. The subgrade between Sunglow and just past Mary was in bad shape and will require additional work. Riegler will need to undercut and geo-grid to build up the roadway. Initially reinforcing the subgrade was going to increase by \$35,000, but now it looks like it will be \$7,800.

- Mr. Bogen updated on Meadow Wood. Sebree will do the repairs, they are coordinating with Riegler and waiting for the downspout work to be completed before they begin pavement work along Meadow Wood, this will keep one from tearing up the work of the other contractor.
- Mr. Bogen advised that Michels was out on Lakeshore and Lake starting work today. In reviewing downspout collectors in the area, the work order to add downspout collectors, could cause a project increase of \$18,000. These would include a pop-up discharge emitters, without the pop-up it would be \$15,000 increase. Mr. Bogen recommends that the downspout collector be added.
- Mr. Bogen advised that the Surface Condition Survey is being completed in nearby cities and should be to Villa Hills soon.
- Mr. Bogen advised that he and Mr. Yelton had met with homeowners in the area of Stevens and Deena for storm water issues, these issues are in the backyards and may be from a natural spring. For cost efficiency, this may be best addressed by finding the source and stopping it at the source.
- 866 Wesley also has a possible natural spring issue or downspout issue, which could cause issues, as it is at the electrical box there.
- Mr. Bogen advised that the Rogers Road bridge did not have core samples taken, Mr. Bogen did an inspection last year on the bridge, there are preservation issues at the bridge. Next inspection by the state should occur this year, it is inspected every 2 years.

Mr. Thompson made a motion for the Change order on Lakeshore and Lake for \$15,000, and to look at the individual properties and only put the pop-up emitters where needed. Second by Mr. Baehner. Roll Call vote taken, all in favor. Motion passed.

**Public Works Director:**

- Mr. Yelton gave the Public Works Director's Report.
- Mr. Yelton advised his department has been cutting grass, installed new 20 mph signs and Children at Play signs along Rogers, Kenridge, Sun glow and Stevens.
- Mr. Yelton advised he was working with Ms. Wadsworth and the Garden Club on rehabbing the area at the entry sign to the City.
- Mr. Yelton advised that he and his crew have been working at sterilizing their vehicles and the city offices.
- Mr. Yelton advised that work will begin on the ballfields during that next week, but also stated the fields are not yet open to the public. They are getting them prepared, so they can be opened at a future date.
- Speed humps are also being added along the roadway next to the lake at Villa Hills Civic Club to slow drivers down and make the area safer. Mr. Baehner asked Mr. Yelton to make sure Chief Wendt is aware of the speed humps. Will work with Michels, who is working on nearby streets to add these with asphalt.

**Public Works Committee:**

- Mr. Thompson advised that projects are continuing on Buttermilk and Meadow Wood.
- Mr. Thompson advised that Lakeshore and Lake are currently in phase 1 of the project, phase 2 is supposed to take place also, but will be held off to see where revenue falls in the budget.
- Mr. Thompson advised the City will be putting a hold on any further projects for now, to see the effects of COVID on future budget needs.

- There was discussion about eventually widening or updating Meadow Wood, there would need to be discussion of a joint project with Crescent Springs.

#### **Events & Beautification:**

- Ms. Wadsworth advised that the committee did not meet due to COVID.
- Ms. Wadsworth advised she was working with Martha Lange from the Garden Club. Raymond Landscape came in and gave a bid to fix up the entry sign, and landscaping with a cost of \$2,785. This would remove the Blue spruces and Boxwood by public works.
- Ms. Wadsworth advised they were looking at options for staff appreciation, as she had planned to have a luncheon for employees again.
- Ms. Wadsworth inquired if the City knew if individuals were permitted to have yard sales. Mr. Bohman stated that he reached out to the Health Department. They replied that they had to check with the state. The City will get a response out to residents as soon as one is received.
- Ms. Wadsworth is checking on the status of MusicFest. Hopeful that Haunted Trails can happen this year.
- Next meeting will be June 1<sup>st</sup>.

#### **Finance:**

- Mr. Cahill advised the committee met by teleconference and covered 3 months of financial statements.
- Mr. Cahill made a motion to adopt the February 2020 Finance Reports and publish to the website, second by Ms. Wadsworth. Roll Call vote taken, all in favor, motion passed.
- Mr. Cahill made a motion to adopt the March 2020 Finance Reports and publish to the website, second by Mr. Baehner. Roll Call vote taken, all in favor, motion passed.
- Mr. Cahill made a motion to adopt the April 2020 Finance Reports and publish to the website, second by Ms. Stover. Roll Call vote taken, all in favor, motion passed.
- Mr. Cahill advised that most of the meeting was discussing how the budget should be presented, whether it be the high level budget versus the departmentalized budget.
- Mr. Ringo inquired about a revenue disbursement of the TIF monies in the budget. Mr. Bohman explained that this was for the Sanctuary Development property and this is the percentage of property tax value that will be transferred into the TIF fund.
- Chance that property tax information may not be received on schedule and may cause a revenue issue. Hold up is at the state, since tangible reporting was given a 3-month filing extension. The certifications will not be received until October or November. Bills may not be able to go out until January.
- Next scheduled meeting is June 15<sup>th</sup>, and the meeting will be held in Council Chamber.

#### **Administration:**

- Ms. Stover gave an update on Z21 study.
  - The committee had received Character Standards from PDS via email.
  - Standards discussed included those which applied to non-residential construction, services, utilities, and minor accessory uses, and open space.
  - Ms. Stover will send the results of the committee's discussion to PDS by email.
- Next scheduled meeting is June 3<sup>rd</sup>, at 6:30 pm and will be held in Council Chamber.

**Recreation:**

- Mr. Ringo advised that the committee did not meet due to COVID.
- Mr. Ringo advised that sports are not permitted yet, and advised teams not to practice. Public Works will be getting fields in shape for when they do open up. Baseball season may run longer and into football season.
- There will not be a June meeting scheduled.

**Fire Authority:**

- Mr. Ringo gave a report of runs for the month and year to date. He noted that the run volume is down, and they feel that people are being more prudent about calling 911 and that people are more reluctant to go to the hospital.
- Fire Authority passed an amendment on their budget with a \$42,000 deficit. They are not looking to the cities to make up that difference at this time.
- Mr. Ringo advised that starting June 1<sup>st</sup>, Amsterdam Road heading towards Park Hills will be closed to thru traffic for 1 year.
- Mr. Ringo advised that Speedway gas station has bought the office building adjacent to their property and will be expanding their footprint.
- Mr. Ringo gave a report on the DLG engineering firm's report for new firehouse building. An inspection shows components of the building have exceeded their life. Pavement and substructure issues in lot and around the building, including leaks in the walls and deterioration. ADA compliance issues, egress issues, no housing components, lack of separate showering facilities, and ability to launder items are other issues presenting the need for a new firehouse.
- Next scheduled meeting is Jun 15<sup>th</sup> at the Firehouse.

**City Attorney:**

- Ms. Stewart advised that all litigation is at a halt in Kentucky. The Kentucky Supreme Court has ruled only emergency or urgent matters are being heard.
- Retirement Systems filed their brief, which is 50 pages. The City response brief is due by May 27<sup>th</sup> and is limited to 10 pages. This will be submitted to the Supreme Court. It is unknown how soon a decision will be made. Normally a ruling might take 6 months, but it could be another year before there is a ruling.

**City Clerk:**

- Nothing to report.

**City Administrator:**

- Mr. Bohman advised that City Administration offices will re-open on June 1<sup>st</sup>, with hours of 10:00 – 4:00 and closed from 12:30 - 1:30 for cleaning.
- Passports will be offered at a reduced level – the State Department has no guaranteed time for return of passport or supporting documents.
- Mr. Bohman recommends that the Finance Committee reviews and that Council consider applying for a Tax Anticipation Note with the bank. He spoke with a representative at the City's bank and the City can get a \$750,000 tax anticipation note for 3 months. The Tax Anticipation Note is not a loan, it is a line of credit. We would only withdraw what is needed. Interest is only paid on the dollars borrowed.
- The State has already advised City and County offices that bills will not be out on time, current anticipated timeframe is that bills will go out in November or December.
- Mr. Bohman advised Council that he was meeting accountant at the office on next date to process financials.

- Mr. Bohman advised Council that he anticipates a delay in the Kentucky grant reimbursement for the Buttermilk Pike project.
- Mr. Bohman informed Council that under the CARES Act money that Kentucky is receiving, they state has allocated a portion of \$150,000,000 to each city. This is for any COVID-19 related expenses that were not budgeted for in budgets adopted on or before March 27, 2020. The City must pay for expenses up front then request reimbursement. The Fire Authority will need to submit a request to the cities, and the city will be a pass through for reimbursing them for overtime and other non-covered expenses.
- The City has received one Telecom bid from franchise that was passed. It was non-responsive, so city attorney is following up on that.

### **Mayor's Report:**

- Mayor Jansen did not have anything to report.

### **Old Business**

Mr. Ringo gave an update on Shadow Night. In speaking to Villa Madonna, they are not scheduling any dates on their calendar for the fall, until they receive further direction from the state. Mr. Ringo said it looked like it would need to be skipped for this year. Ms. Wadsworth advised that she had received an email indicating that schools may not be returning to school in-person in the fall.

### **New Business**

Ms. Stewart gave a 1<sup>st</sup> reading of draft Ordinance 2020-D, this is the Budget Ordinance for Fiscal year beginning June 1, 2020 through June 30, 2021.

Mr. Baehner made a motion to adopt the budget version that uses the high level budget and not the departmental lines. Ms. Wadsworth seconded. Roll call vote taken. Motion carried.

### **General Comments**

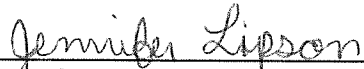
Caucus and Council Meetings in June will be in person, in Council Chambers with limited occupancy and social distancing.

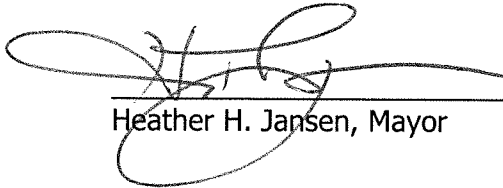
Ms. Stover read an email received from a resident regarding an upcoming Board of Adjustment Hearing for TransMontaigne property on River Road. In addressing questions asked in the email, Council does not express an issue on Board of Adjustment issues. Council cannot stop or slow the approval process. The meeting date has not yet been set, with the logistics involved, it is taking time to set up the meeting. The fire department had discussions with the owners, they have no authority to approve the project. Approval would be at Planning and Development Services, fire department can only give an opinion on safety provisions. Board of Adjustment is required to be a separate board, the board is appointed by the City and has a separate authority and decision making powers. They will hold an evidentiary hearing, it is a judicial board. Once the hearing is set, then notification is sent, it is posted in the paper and sent to adjacent property owners. TransMontaigne is industrial and they are requesting a conditional use for storage of flammable materials. The Board of Adjustment decision is final, the decision does not come back to Council for approval. The decision can be appealed.

At 8:54 p.m. a motion was made by Ms. Stover, seconded by Mr. Ringo to adjourn. A roll call vote was taken, all in favor.

Time of adjournment was 8:55 p.m.

Respectfully submitted,

  
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Jennifer Lipson, City Clerk

  
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Heather H. Jansen, Mayor