



**Meeting #706 Minutes
May 19, 2021**

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 met in Chambers and streamed to the public who could not attend due to pandemic restrictions. 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 19, 2021 meeting of City of Villa Hills Council (Meeting #706) to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mayor Jansen led Council in a moment of silent and the Pledge of Allegiance. City Clerk Jennifer Lipson called the roll. Those in attendance:

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
Bryce Rhoades, City Attorney
Matt Bogen, City Engineer
Derick Yelton, Public Works Director

A quorum was present.

The first item of business on the agenda was approval of the minutes of the April 21, 2021, Council meeting. A motion was made to approve by Mr. Baehner, seconded by Ms. Stover, with Mr. Ringo abstaining. A vote was taken 5-0-1 in favor. Motion passed.

State Representative Kim Banta was present to give a Legislative update to City Council.

She announced that the School Choice Bill had passed. Applications will be available in January 2022. There will be presentations provided around the state to educate parents on who can apply and what they can apply for. Public schools have received funding for full time kindergarten.

Mental health - insurance will be required to pay

Judicial reform, which allows juveniles would be separately charged. If 1 juvenile has a gun and 3 others in the car, currently all 3 would be charged and sentenced equally. This bill would charge and sentence the one in possession separately from the remaining juveniles.

EMS services were hit hard during crisis and House Bill 8 is supposed to help with costs. This is in the Supreme Court currently.

Mr. Patrick Hackett and Mr. Chad Longbons from Crescent Springs Council, as well as Mrs. Hackett were present to thank the police, staff and Mayor Jansen for their assistance following an incident with a dog attack over the weekend. Following the attack on Mrs. Hackett, her daughter and her daughter's dog, animal control failed to respond to the call. Mayor Jansen and Mr. Hackett reached out to Director Reiter with Animal Control and were told that the on duty animal control officer should have responded and quarantined the attacking dogs. The dogs disappeared from the property for several days, but as of the morning of this meeting, the dogs were located and placed into quarantine. Mr. Hackett is also working with the HOA where the attack occurred and hoping to make clearer rules for size of pets within the HOA rules.

Legislation:

- **First Reading and Discussion of Ordinance 2021-B**

Mr. Rhoades presented Council with Ordinance 2021-B. This is an ordinance of the City of Villa Hills, in Kenton County, Kentucky repealing and replacing the Official Zoning Code as adopted by Ordinance 5-1981 as amended and adopting a new zoning code and zoning map as the Official Zoning Code and Zoning Map of the City of Villa Hills, Kentucky.

Ms. Stover advised that both she and Mr. Bohman had received some questions regarding the Z21, one regarding solar panels, and some about landscaping. The questions were answered by either Ms. Stover or Mr. Bohman.

Mayor Jansen advised that Planning and Development Services representative had attended the Mayor's Group meeting and during the meeting they had complimented Villa Hills work on the Z21 and acknowledged the city's efforts.

- **First Reading and Discussion of Ordinance 2021-C**

Mr. Rhoades presented Council with Ordinance 2021-C. This is an ordinance of the City of Villa Hills, in Kenton County, Kentucky, pursuant to KRS 91a.030(10) for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022, by estimating revenues and resources and appropriating funds for the operation of city government and providing that no monies shall be expended by or on behalf of the City of Villa Hills except in accordance herewith.

Mayor Jansen presented her Powerpoint presentation and Mayor's message to council. Mayor Jansen reviewed the proposed revenue and expenses. Some notable items included salary adjustments to retain employees and health insurance increases due to changes in marital status and/or addition of babies to employee's families. In Administration – LED lighting switch out will have an upfront expense, but is expected to become a decrease in utility costs, an increase in audit expense due to need for federal audit with receipt of CARES fund and ARPA funds, and a \$3,000 decrease for Code Enforcement officer, and a wish list item of expense for digitizing for records retention. Police and Interlocal budget includes the wish list items of three new cruisers in 2021/2022, and ½ year funding for a 15th officer, with looking at splitting the cost of the 15th officer with Crescent Springs. An increase in Police dues, to cover membership to the FOP for all officers, this would help with any future needs for legal coverage for the officer. Public Works budget includes wish list items of a new dump truck, and excavator bucket. Property tax revenue will increase due to the addition of Sanctuary Development, which will help offset expenses, as well as the ARPA funds, but staff, is still waiting for clarification from KLC and DLG for what eligible expenses are.

Discussion led to explanation that the insurance increase is not an increase to premiums, there is no increase in premiums. The change is due to employees changing from single plans to single plus child, or single plus spouse. It was noted that employees adding a spouse are charged 15% of difference and that if a spouse is eligible for coverage through their employer, they are not eligible for coverage through the city.

Mayor Jansen responded to Council inquiry about using top level budget again, that with the uncertainty of the ARPA funds and until revenue recovers, she felt it best to use the top level budget format again.

Further budget discussion will take place on June 9, 2021 at the Caucus Meeting.

- **First Reading and Discussion of Ordinance 2021-D**

Mr. Rhoades presented Council with Ordinance 2021-B. This is an ordinance of the City of Villa Hills, Kentucky adopting an amended interlocal agreement between the Kenton County Fiscal Court and the cities of Bromley, Crescent Springs, Crestview Hills, Edgewood, Elsmere, Fort Wright, Independence, Kenton Vale, Lakeside Park, Ludlow, Park Hills, Ryland Heights, Taylor Mill, and Villa Hills for code enforcement in Kenton County, Kentucky.

Mr. Bohman explained that this ordinance is a housekeeping ordinance to update the existing interlocal agreement. He explained that the code enforcement costs were being charged directly to cities. The expenses will be reduced to between \$21,000 - \$23,000 total for PDS, which will include the code enforcement expenses.

- **Discussion and Consideration of Resolution 2021-F**

Mr. Rhoades presented Council with Resolution 2021-F. This is a Resolution of The City of Villa Hills, in Kenton County, Kentucky, accepting the bid of Michels & Sons, Inc. for the Rogers Road Base Repairs Project in the amount of \$50,277.00 and authorizing the Mayor to sign a contract for the same

Mr. Thompson made a motion to approve seconded by Mr. Cahill. A vote was taken, all in favor. Motion passed.

This will become Resolution 2021-6

Committee Reports:

Police:

- Chief Allen presented a Power Point of the April 2021 Police report.
- Chief Allen reported on crimes, accidents, overtime, training and K-9 activity.
- Chief Allen reported that citations are still increased due to traffic issues with construction detours, but that the majority of citations being issued continue to be from the federal grant patrol on I-75.
- Chief Allen informed Council that in-person court has resumed and the courts are catching up on cases, so the overtime for court will continue to increase.
- K-9 team had 1 felony stop and 8 searches in April. Chief Allen reminded Council that the drug crimes occur in both cities, and that their goal is to stay ahead of the problem, in an attempt to keep any additional problems from coming into either city.
- Chief Allen informed Council that the cruisers that were ordered have been delayed, due to Ford waiting on the chips for the vehicles. At this time, it's uncertain on when

the vehicles will be ordered. He also advised that as long as no vehicles are damaged, that after the 3 requested vehicles are purchased in 2021/2022, that the department may be able to wait 1-2 years before requesting to purchase additional cars.

Safety:

- Mr. Baehner advised that Chief had informed the committee of the resignation of Officer Bolton and that an offer has been signed for a new hire to start with effective date of June 6th.
- Mr. Baehner informed Council that Crescent Springs has selected Justin Hartfiel as the Mayor to complete his father's term.
- Mr. Baehner stated that Crescent Springs is looking at Ordinance on rental property management.
- AEDs have been installed at both Villa and Franzen and Mr. Baehner was ensured that staff was aware of how to reset alarm, in case of accidental triggering of the alarm.
- Mr. Baehner informed Council that Chief Allen had updated the Use of Force Policy and that the committee has recommended approval to adopt the updated policy.

Mr. Baehner made a motion to adopt the revised Use of Force Policy with a second by Ms. Wadsworth. Council requested to receive a copy of the policy and for time to review before proceeding. Mr. Baehner withdrew his motion at this time.

- There was follow up discussion about the crosswalk on Prospect Point Drive. Mr. Baehner, Mr. Yelton and Sergeant Hall met in the area and looked at possibilities to make a crosswalk in the area work safely.
 - The recommendation was to relocate the crosswalk area to an area closer to the guardrail on the side of the road opposite the lake. Byron Wolfe from Prospect Point HOA was at the committee meeting and offered for the HOA to pay 50% of the cost to tear out the portion of sidewalk near the lake and roadway, extend the sidewalk on the opposite side of the road from the lake to the guardrail and install safety signs for the crosswalk. Mr. Yelton estimated costs to be approximately \$15,000.
 - Mr. Bohman had contacted KLC to confirm whether the City would be liable for not doing anything and/or for the proposed changes on the sidewalk and crosswalk. KLC advised the city was covered under liability insurance as long as we follow the Master Uniform Traffic for signage, we are covered. Mary Ann Stewart had also advised that the City was covered under Government Discretionary Act, which gives the City limited immunity, that with proper signage and the sidewalk extension, the City would be ok.

Mr. Baehner made a motion to proceed with the sidewalk extension, on the conditions that the cost does not exceed \$15,000 and that Prospect Point HOA pays 50% of costs. Second by Mr. Thompson. A vote was taken, all in favor. Motion passed.

- A safety concern was brought up about the intersection of Buttermilk, Collins and Western Reserve. The stop bar for right turn from Buttermilk to Western Reserve sits too far back and people are not fully able to see oncoming traffic. Committee feels that if the stop bar was moved forward 10-15 feet, it would still be behind the pedestrian crossing area, but the line of sight would be better for drivers to more safely make the turn.
- Next meeting for Safety Committee is June 8th at 6:30.

City Engineer:

- Mr. Bogen presented the City Engineer's report.
- Mr. Bogen reported an update on Buttermilk Pike project. The landscaping buffer is complete. Mr. Hensley received a check for \$500 from the contractors for replacement of trees and shrubs. Riegler replaced the damaged area of sidewalk and will soon finish areas of topsoil and restoration work.
- Mr. Bogen had submitted an Engineer's report following up on the Pemberton and King properties, regarding the water drainage that was brought before council previously. Mr. Bogen and Mr. Yelton had completed several inspections on the drainage area and found no adverse effects on the Pemberton property. Mr. King has been doing their own landscaping work on their property and it was pointed out that they had 2 pipes that extended out over the hillside, which were causing erosion channels. Mr. Yelton will reach out to Mr. King to see what their plans are and make any necessary recommendations to the property owners.
 - Anything further on these properties should be addressed with Sanitation District, as they are in charge of the water runoff.
- Mr. Bogen reported that Lakeshore phase 2 is almost complete. Stop bars and crosswalks need to be completed still.
- Mr. Bogen advised that upcoming work for Robin Lane has gone out for bid and council will be updated in June on the bids for that project.
- Mr. Bogen reached out to Kentucky Transportation Cabinet about work being done. They are resuming scheduled resurfacing work on KY 371, which is Buttermilk Pike starting at the post office, goes to the intersection of Buttermilk and Collins and continues on Collins to Amsterdam. The work is being completed at night and should be completed within two weeks.

Public Works Committee:

- Mr. Thompson advised Council that Meadow Wood would be fixed with an 8-inch sidewalk, with curb and will replace the grass along the corner, due to the ruts being caused by trucks going to development in Crescent Springs.
- Mr. Thompson advised that sidewalks were being worked on, and that along the sidewalk areas requested by the City to be fixed by Sanitation District, four areas were fixed, but the worst one has not been fixed yet, but has been marked with a cone. Sanitation District will be contacted to follow up on that section of sidewalk.
- Mr. Thompson advised that Bayer Becker should have their intersection recommendation to the City by late May or early June and the committee hopes to make a recommendation for the June meeting.
- Mr. Ringo advised that Cincinnati Bell is working on figuring out cost to move the existing building and feel that the building may no longer be necessary in the future. There was discussion that the ARPA funds may be able to be used to assist in this expense.

Public Works Director:

- Mr. Yelton advised that he will proceed with getting costs for the sidewalk for the crosswalk at Prospect Point.
- Mr. Yelton thanked homeowners and the Garden Club for their help with islands and gardens around the City.
- Mr. Yelton advised the Public Works employees have been updating restrooms and painting restrooms at the parks.

- Mr. Yelton provided the costs to replace existing bleachers, which are out of code according to ADA due to the height of the bleachers. This would cost between \$2,000 - \$6,000 per bleacher. Council discussed whether this was necessary, since these bleachers are near the soccer field and that most fans bring their own chairs for soccer games. Mr. Ringo is waiting to see what the school is proposing before committing any city money to replacing the bleachers.
- Mr. Yelton had a meeting with the Squire Valley HOA regarding brush removal and clean up.
- Mr. Yelton informed Council that Public Works employees Matt, Corey and Dallas had participated in the annual truck rodeo and Matt won first place in the Mini Excavator.

Events & Beautification:

- Ms. Wadsworth advised that her committee did not meet in May.
- Ms. Wadsworth thanked Martha Lang for her work with the contractor in the area surrounding the sign at the entrance to the city.
- Ms. Wadsworth informed Council that the sponsor from prior years that covered the fireworks would not be sponsoring those this year and that they were looking for a new sponsor.
- Ms. Wadsworth announced that the Staff Appreciation Lunch will take place on Monday, May 24th and that arrangements were made to get a lunch for employees who might not be working during this time.
- Mr. Ringo informed Ms. Wadsworth that the Civic Club was still inquiring about the City participating with them for events. The City will not participate in Fire in the Hills due to liability, because the display is not done with a specific licensed company. Ms. Wadsworth will reach out to the Civic Club about Haunted Trail, as it will take extra volunteers to make the event happen.

Finance:

- Mr. Cahill advised that the committee met in person informed Council that Denny Marschner was ill and will be unable to attend meetings for several months. Mr. Cahill is looking for recommendations for other financial minded residents to serve on the committee.
- Mr. Cahill advised that the committee reviewed the April Financial Statements, but due to an account requiring some additional work, they are giving staff and accountant time to resolve the balance sheet before the June meeting.
- Mr. Cahill requested input from Council about the monthly legal summary report. Mr. Cahill advised that years ago the Council wanted to see what the fees were for. With current staff entering more detail into accounting software, the committee felt that the legal summary was no longer necessary. Council agreed and the report will be eliminated.
- Mr. Cahill informed Council the Crescent Villa Fire Authority budget was discussed due to an adjustment required due to a deficit. Mr. Cahill met with Clerks and Administrators for both cities regarding the June 1 payment due, and both cities reported that their budgets have the money to make the first payment of the Bond in the current fiscal year.
 - The CVFA has no deficit for the current fiscal year and will be in balance for the year.
 - CVFA budget was amended for 2020/2021 to show the \$6 million increase from the bond, and revised 2021/2022 budget to show the \$6 million deficit. This is due to government accounting.

- Mr. Cahill advised the budget with ARPA is tough to figure out. Staff is looking into this and has it under control without additional assistance from the committee. They are waiting to see what qualifies and plan to discuss further at Caucus meeting.
- Mr. Cahill advised that the KLC Investment Account currently has 20% of total assets going into a Bond Fund and that the committee discussed that the investment was not diversified. They discussed having 5% of the funds in equities to balance out the fund. Mr. Cahill asked Council to think about this and he will bring it up for review in June.
- Mr. Cahill stated that the next meeting will be held on June 14, 2021 at 7:00 pm in Council Chambers.

Administration:

- Ms. Stover advised that Kenton County Planning Commission gave unanimous approval of the Z21 for the City's new zoning code.
- Ms. Stover advised that Mr. Bohman had presented proposed changes to the personnel policy to the committee for review. The committee will begin their review in June.
- Ms. Stover informed Council that there were complaints of construction noise at Sanctuary on Sunday. Staff advised that workers were permitted to be in the home doing items such as painting, but that construction noises from the development should not be heard late at night or on Sunday. Planning and Development Services can have a code enforcement officer cite for nuisance violations.

Recreation:

- Mr. Ringo reported that all fields are very busy, and that the AEDs had been installed with camera's being angled in a way, to show the units on camera for security purposes. Mr. Ringo verified with Mr. Yelton that staff was aware of how to turn alarms off on the units, in case they are set off accidentally. Villa Madonna Academy has paid fifty percent of the cost for the unit at Villa fields.

Fire Authority:

- Mr. Ringo gave a report on number of runs for the department.
- Mr. Ringo reported that the new ambulance was ordered. It would now be on a 2022 chassis at the same price, as is the case with new police vehicles, the ambulance will be delayed due to computer chips.
- Mr. Ringo gave an updated on the design, survey and progress on the firehouse. Preliminary sketches should be available in June.
- Mr. Cahill shared 3 reports he has for the Fire Authority for the Firehouse and asked if Council will want to see these monthly. Council would like to have these sent to the Finance Committee each month for review.

City Attorney:

- Mr. Rhoades advised Council that his firm was working on 2 Open Records Requests that the City received and reminded Council to let him know if they had anything on the requests.
- Vera Cruz litigation, grass is a code enforcement issue. Property is in foreclosure and sitting at the bank. Code enforcement will send a citation, then cut, then apply a lien. No structure on property, notice can be posted on the tree or on a stake.
- Reminder to residents that grass complaints need to be reported to Code Enforcement and process followed before the city can intervene.

City Clerk:

- Ms. Lipson stated that there was no report.

City Administrator:

- Mr. Bohman advised Council that engineering firm in Tennessee has been in contact with him. He is working on getting a Telecommunications Franchise agreement with them.

Mayor's Report:

- Mayor Jansen sends her thanks to Madonna Manor for allowing her to take part in the ground breaking at Madonna Manor on May 18th.
- Mayor Jansen advised that she was asked to write an article for Villa Hills and Crescent Springs Living on herself and that the publication should be out soon.
- Mayor Jansen met Mayor Justin Hartfiel on Saturday at the Mayor's meeting and looks forward to working with him. The cities will continue its existing partnership and she plans to meet with him and Mr. Daly soon.
- Mayor Jansen contacted Kenton County Recorder and also spoke to Villa Hills Crescent Springs Living about Prospect Point area, where they were not receiving either publication, both will be adding them to their list.

Old Business

None

New Business

None

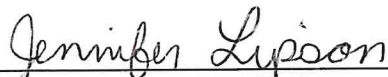
General Comments

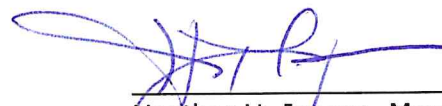
Mr. Thompson wished his daughter a Happy Birthday.

At 8:43 p.m. a motion was made by Ms. Wadsworth, seconded by Mr. Ringo to adjourn. A voice vote was taken, all in favor. Motion passed.

Time of adjournment was 8:43 p.m.

Respectfully submitted,


Jennifer Lipson, City Clerk


Heather H. Jansen, Mayor