

## **Public Hearing and Council Meeting #711 Minutes August 18, 2021**

Mayor Heather Jansen called the August 18, 2021 Public Hearing and meeting of City of Villa Hills Council (Meeting #711) 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 silence 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**

**Craig T. Bohman, City Administrator**  
**Jennifer Lipson, City Clerk**  
**Bryan Allen, Police Chief**  
**Derick Yelton, Public Works Director**  
**Mary Ann Stewart, City Attorney**  
**Matt Bogen, City Engineer**

**S. Wadsworth – absent**

A quorum was present.

Mayor Jansen opened the meeting with the KMA and LGEA Public Hearing.

City Administrator Craig Bohman noted that the proposed use of Kentucky Municipal Road Aid (KMA) funds in Fiscal Year 21/22 is for reconstruction and maintenance of roads, including expenses such as filling potholes, as well as, snow removal and treatment, street cleaning, line painting, and repair or replacement of sidewalks, curbs, gutters, lighting, signage, and debt service, when debt service done in conjunction with a street reconstruction project. Municipal Road Aid Program cash balance carried forward (estimate) of \$70,000.00 (seventy thousand dollars), which is tentatively set aside for the TAP grant that is to be used with the County and Crescent Springs for the short Amsterdam project, and anticipated receipts of \$140,000 for a total available for appropriation of \$140,000.

Pursuant to KRS 42.455(2), for the Fiscal Year 2021/2022, the City of Villa Hills proposes to expend any LGEA funds received on public transportation, including mass transit systems, streets, and roads as allowed by KRS 42.455(2)(c). The LGEA funds received will be used as a part of the City's road improvement and maintenance program.

Council requested that engineer fees be included with proposed use of funds.

The floor was opened for public comments by Mayor Jansen. There were no public comments.

Mayor Jansen announced that the City will be presenting a Proclamation to Mr. Paul Gabis, who is the owner of Ameristop on Amsterdam Road in Villa Hills. The Proclamation is to show appreciation to Mr. Gabis for his service to the community. Ameristop is celebrating their 40<sup>th</sup> Anniversary in business in 2021. The City of Villa Hills has declared September 1, 2021, as Paul Gabis Day.

Mayor Jansen thanked Dave Heidrich who approached Councilmember Rod Baehner with this suggestion. Mr. Heidrich informed Mayor Jansen that they are planning a celebration at Ameristop on September 1, 2021, and that all are invited.

The first item of business on the agenda was approval of the minutes of the July 21, 2021, Council meeting.

A motion was made to approve the minutes by Mr. Ringo, seconded by Mr. Thompson. A vote was taken 4-0-1 in favor, with Mr. Baehner abstaining. Motion passed.

### **Legislation:**

- **1<sup>st</sup> Reading and Discussion of Ordinance 2021-H**

An Ordinance of The City of Villa Hills, Kentucky in Kenton County, Kentucky, Amending the Villa Hills Personnel Policies.

This is the first reading of the updated personnel policy. Council opted to hold discussion on this Ordinance until Administration Committee report is given later in the meeting.

- **1<sup>st</sup> Reading and Discussion of Ordinance 2021-I**

An Ordinance of the City of Villa Hills, in Kenton County, Kentucky levying an ad valorem Real Estate tax of 22.1 cents per each one hundred dollars in real estate valuation within the City and providing for interest and penalty charges for late payment; and levying a Personal Property tax of 6.2 cents per each one hundred dollars in valuation of personal property within the City.

Mr. Bohman informed Council that this is the annual tax rate ordinance. This takes the comp rate and will correct the error in last years' PVA assessment error for Madonna Manor. With the correction, most residents will see an average of +\$36 compared to last year. If Council wishes to take a rate higher than the compensating rate, Mr. Bohman needs to know, so we can schedule the required public hearing and publish the legal notice. Last year's rate was 21.2 cents per \$100 Real Estate and 7.7 cents per \$100 Personal Property. The +4% rate would generate an additional \$62,930 or +\$22 per property on average.

Mr. Ringo inquired about adjusting rate to help cover additional expenses that Council will hear about during the meeting. Mr. Bohman stated that some of the gaps in the budget for the next 3 years were being looked at being filled with the ARPA funds. There was discussion about raising the rate over time, rather than waiting until year 3, then needing to raise the rate to full allowable amount.

Mr. Bohman advised that Villa Hills is currently one of the lowest cities for Payroll tax and Insurance Premium taxes. Insurance Premium taxes typically cover the expenses for the Fire Authority. Currently Villa Hills is at 6%, most cities in the area are collecting between 8-10%. Additionally, the City could have a 0.5% increase on payroll tax, which would spread the taxes to the 3 largest employers in the City, which are currently exempt from property taxes.

Additional discussion from Council members about the fact that Council has already increased taxes by adding the franchise fee to pay for the new firehouse and several were not in favor of another tax increase this year. If Sanctuary builds out faster than anticipated, then the TIF funds will be generated quicker, which removes the burden from general fund faster. Council decided to hold further discussions until September Caucus meeting.

- **Discussion and consideration of Resolution 2021-J**

A Resolution of the City of Villa Hills, in Kenton County, Kentucky, accepting the bid of Eaton Asphalt for the 2021 Villa Hills Asphalt Resurfacing Project in the amount of \$144,089.15 and authorizing the Mayor to sign a contract for the same.

This is for this fall's asphalt resurfacing project. The streets covered are Bluegrass, Timberchase, Parkwood, Blue Bird, and Willowdale

Mr. Baehner made a motion to approve the Resolution, second by Mr. Thompson.  
Voice vote taken, all in favor, motion passed.

**This will become Resolution 2021-10**

**Committee Reports:**

**Police:**

- Chief Allen presented a Power Point of the July 2021 Police report.
- Chief Allen reported on crimes, accidents, overtime, training and K-9 activity.
- Chief Allen advised that the K&R Camera store robbery from 2019 has been solved, and the arrests were made based on Villa Hills Police Department evidence.
- Chief Allen advised Council and residents that there are still thefts from vehicles and thefts of vehicles in the area. This is believed to be a ring that is going from Cleveland, Ohio to Louisville, KY. Chief Allen reminded everyone to lock your vehicles and remove valuables. Vehicles being targeted are typically unlocked and keys or fobs are left in the vehicle, making it an easy target.
- Canine Onexx had 2 apprehensions recently. One was an assault with weapon, which that occurred in Pendleton County. Onexx located the suspect within 10 minutes of beginning the track. The 2<sup>nd</sup> was in Erlanger, where the suspect was fleeing from police, Canine Onexx assisted in the apprehension of the suspect.
- Chief Allen reported that the department had 52 hours of training and that a portion of the training was in-house training for the updated Use of Force Policy adopted by Council recently.
- Chief Allen reported that 2 of the new cruisers are currently being up-fitted and should be ready before the end of August. The 3<sup>rd</sup> cruiser that had been ordered is in. They will be taking delivery on Tuesday, August 24<sup>th</sup>. Unit 131 will be switched out and transferred to Public Works. The extra unit will be used by the 15<sup>th</sup> officer when they start.
- Chief Allen reported that Safety Night was very successful and very well attended.

**Safety:**

- Mr. Baehner reported that the Prospect Point Crosswalk has been completed, and that the Homeowners Association was sent a bill for their portion of the costs.
- Public Works has added additional Speed Limit signs in areas of concern throughout the City.

- Mr. Baehner followed up on Chief's report that Safety Night was especially exciting with the canine display provided by Officer Dooley, Canine Onexx and Officer Brockman.
- Mr. Baehner announced that Villa Hills and Crescent Springs will be hosting a RAD class on October 6, 7, 13, and 14. Interested women should sign up by contacting the City offices.
- Mr. Baehner thanked Mr. Daly and members of the committee from Crescent Springs for their attendance and participation in the meetings each month.
- Next meeting for Safety Committee is September 14<sup>th</sup> at 6:30.

#### **City Engineer:**

- Mr. Bogen presented the City Engineer's report.
- Mr. Bogen reported that he and Mr. Yelton had reviewed Buttermilk and Lakeshore and that Riegler was finishing up with the storm water testing with SD1.
- Mr. Bogen reported that the Robin Lane project was pushed back a week or two, because paving crew is behind and they are waiting for paving to catch up before they start tearing out the road. Access to driveway will be accommodated for one property that requires access due to ADA issues.
- Mr. Bogen reported on the asphalt resurfacing and informed Council that they do not typically see a lot of issues pop up during resurfacing, because they are not doing in depth replacements on the roads.

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

- Mr. Thompson advised that the Public Works Committee has reviewed the sidewalk for Collins and Amsterdam will run approximately \$25,000.
- There was discussion about the Cincinnati Bell building that currently sits on Amsterdam. If the building is gone, there is a potential to create an entirely new set of plans for the intersection to handle traffic issues. The City is on a timeline to have the project started by July 2023.
- Council discussed the issue of getting all customers in the area on board with switching from broadband (copper) to fiber optics. The new company that purchased Cincinnati Bell wants to eliminate copper and go to all fiber optics. By working with Kenton County and Cincinnati Bell, the cost estimate to eliminate the Cincinnati Bell building drops from \$2 million down to \$800,000 for the City.
- Mr. Thompson advised no matter which way the project goes, all utilities in the area will need about a year to relocate their current service lines. Utility relocation may not meet the timeline for the state, with the need for the road project itself to be started by July 2023, and utilities need to be notified within the next few months, so they can plan to start their relocation projects by summer 2022.
- Mr. Thompson advised that Michels will be finishing the sidewalk at Buttermilk and Meadow Wood. Striping on Lakeshore should be completed soon. Rogers Road has been marked and saw cut, so the work has begun on that project.
- Mr. Thompson advised that Request for Qualifications were received from four firms. The committee will be scoring on quality then they will look for the best option for the City.
- Mr. Thompson reported on sidewalk repairs on Valley Trails. PDS notified residents of the issue, but it takes time for the homeowners to find contractors, especially when the homeowner only needs 1 panel replaced. Contractors do not want to come out for 1 sidewalk panel, but if there are several areas, it is more likely to get a company out to do the repairs. The City is looking at the possible solution of notifying homeowners,

sending out bids for repairs for sections of the City, then bill the resident on their tax bill. The resident will be given the option to spread the bill out over several years, especially if they have a larger amount. This will allow the City to find a better price and keep the costs lower for residents.

- Currently the City has \$6,000 in the budget for sidewalk repairs. The sidewalks are homeowners responsibility to repair, but City has obligation to make sure repairs are done. The City can make the repairs and pass the cost to the homeowner.
- Council requested that Mayor Jansen put a write up in the newsletter to let residents know of their responsibility for sidewalks and that the City is working on a plan to help them address the issues.

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

- Mr. Yelton advised that out of the 12 homeowners notified from the prior list for sidewalk repairs, there are only 3 left to be addressed. Follow up letters will be sent to those homeowners.
- Mr. Yelton advised that the Public Works crew has trucks ready to tear out concrete on streets where panels need to be replaced.
- Notification of guardrail damage by a vehicle on Prospect Point and another area on Short Amsterdam that he will be getting prices from the county for repairs.
- Mr. Yelton advised that a hornet nest had fallen from a tree on Sierra into the roadway. Mr. Yelton came out during the early morning on the following day when they were less active and eliminated the issue.

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

- Ms. Wadsworth was absent, so Mayor Jansen read her report for Council.
  - Music Fest will be September 18<sup>th</sup>. Fireworks will be provided by Vito's and the cost will be split between Villa Hills and Crescent Springs.
  - Reminder that the committee created the Villa Hills Events page on Facebook to share upcoming events.
  - Yard Sale will be September 3 and 4, please contact City of Villa Hills to request to be added to the map and list that will be supplied.
  - Due to the spike in COVID cases, planning for Keeneland had been postponed to spring 2022.
  - Landscaping at City sign will be re-visited. The landscape recommendations lack color and the garden club would like to improve on that for next year. Some of the current plantings may be transferred to other areas of the City.
  - Goat Yoga was a success. There were 30 tickets available for the event and the event sold out. Approximately \$230 from the event will go to the Shop with a Cop and Firefighter program.
  - Haunted Trail will be the last Saturday in October.
  - Christmas in the Park is still in planning stages, the date has not been set yet.

#### **Finance:**

- Mr. Cahill advised that the committee met on Monday. The committee recommends accepting the July Financial reports subject to any audit changes. They are not recommending posting of the reports until audit is final.
  - Mr. Cahill made a motion to accept July Financial statement, subject to any audit changes, seconded by Mr. Thompson. A vote was taken, all in favor. Motion passed.

- Mr. Cahill advised that the committee discussed KLC Investment Pool. While the results have been less than spectacular, other options do not seem attractive at this time, therefore the committee recommends not to move any funds at this time and to take the “wait and see” approach.
- The Committee discussed about receipt of ARPA funds. The ARPA were received and placed in a separate fund. Since the rules for distribution are still being learned, the money on deposit will not be touched until the rules become clearer.
- Mr. Bohman completed the 3-year budget as requested. It is clear that the City is looking at a deficit without funding from the federal government. Council will need to find a solution to the problem.
- Council also discussed that earlier discussions on adding money for sidewalks and increasing benefits could cause a bigger deficit than what has already been anticipated. Additionally, the Police and Fire Departments both have other items that may also cause the need for additional income. Council may need to look at ways to increase revenue sources in the next few years.
- Next meeting will be held on September 13, 2021 at 7:00 pm in Council Chambers.

#### **Administration:**

- Ms. Stover advised that Administration Committee met on August 3<sup>rd</sup>.
- Ms. Stover advised that the committee reviewed an updated draft of the Nuisance Ordinance Code which was intended to rectify ambiguities in the previous code. The new draft specifically lists animals that are not permitted on a residential property located in zones which prohibits them. Mr. and Mrs. Burk are residents of Villa Hills and were present because they have recently installed a chicken coop in their back yard and were informed that they were not permitted and received a violation notice.
- There was discussion about chickens, input received from the Kentucky Department of Agriculture, need to obtain a permit, and how the ordinance addresses chickens. The City’s previous code did have an interpretation of no chickens, except in Agriculture Zones. With the new code, it is not as clear if they are permitted or not. Council needs to review and discuss further.
- Council reviewed proposed changes to the City’s Personnel policy. The reason the changes were being proposed was due to the difficulty in hiring police officers due to lack of competitiveness with other cities’ benefits packages. Potential employees have cited their decision to go elsewhere was based on the City’s benefits package. The proposal would add 80 hours of sick leave for all full time employees, which would not accrue from one year to the next.
  - Chief Allen assured Council that they would be able to adjust schedules to accommodate officer’s sick or PTO use.
  - Currently the maximum PTO accrual for most employees is 320 hours. Employees are able to cash out those hours upon their retirement or resignation. The proposal to add sick time would be applied to all employees.
  - Rehired retired police officers do not currently have a maximum accrual of hours, because the City is saving an average of \$45,000 per retired officer due to not paying CERS.
  - Chief Allen and Mr. Bohman informed Council that they are deeply concerned due to the City paying the middle of the range for an officer, that the City needs a tool to help recruit quality officers.
  - There was discussion between Council and Staff regarding the need to apply to all departments, ensuring the City has funding to cover the additional cost, and

what impact the sick time will have on the operations of the City. The City has always offered the same benefit package across the board to all employees.

- Discussion by Council about separating out the legal language changes that are required to be made to proceed with the first reading of the Ordinance, then tabling other changes until the September Caucus meeting.
- A Motion to amend the First Reading of Draft Ordinance 2021-G to include only personnel policy changes that are statutorily required, such as Chapter 4, Section 8-J (Parental Leave), was made by Mr. Baehner, second by Mr. Ringo. Voice vote taken, all were in favor, none opposed.
- Mr. Ringo requested that the cost for PTO and Sick time be shared with Crescent Springs. Council discussed that PTO payouts will affect the budget and should be a part of the current police contract. Staff will discuss the possible increased cost with Crescent Springs staff.
- Next meeting will be on September 1, 2021 at 6:30 pm in Council Chambers.

#### **Recreation:**

- Mr. Ringo reported that fall sports are in full swing. The last day that fields will be open will be October 24, 2021. Fields will then be prepped for winter.
- Mr. Ringo advised that Villa has decided to replace the bleachers at the soccer fields and the committee has agreed to 25% of cost share from the City Park and Recreation budget.

#### **Fire Authority:**

- Mr. Ringo advised that the Fire Authority had met on July 16<sup>th</sup> and he gave the fire department report to Council.
- Mr. Ringo advised that the financials were approved by the Fire Authority Board and the audit for the department was in progress.
- An update on the firehouse was given, they are 95% complete on the design.
- The fire department had a drainage issue that has been fixed temporarily at a cost of \$5,000. The temporary fix is intended to hold them over until the new building is built.
- Mr. Ringo reported that Chief Wendt had discussed issues with losing medics, lack of additional volunteers being added to staffing, due to lack of interest or desire of young candidates opting to go into paid positions. Hebron has been hiring with a starting pay at \$75,000, which is drawing staff away from smaller departments. The department has recently lost 3 personnel to other departments. The Fire Authority sees a need to add full time paramedics to staffing to ensure proper staffing, which will result in an increase this year of \$35,000 - \$40,000, and an increase to \$50,000 next year. Benefits and retirement are not currently offered, and may need to be looked at.
- New ambulance is expected to be delivered in November or December. The department has already been contacted by 3 other departments who are interested in the old ambulance. They will do a bid process to sell the old ambulance.
- 911 Memorial may be cancelled or scaled back, due to no volunteer to coordinate it.
- Next meeting will be held September 20<sup>th</sup> at 6:00 pm at the Firehouse.

#### **City Attorney:**

- Ms. Stewart advised Council that the increase of COVID cases has prompted KLC to cancel the conference scheduled for September in Covington.
- Ms. Stewart advised that TBNK has reached a franchise agreement with Cincinnati Bell.

**City Clerk:**

- Ms. Lipson advised Council that she would be out of the office part of the following week to attend Kentucky Master Municipal Clerks Academy, which was moved to a virtual training platform.

**City Administrator:**

- Mr. Bohman stated that the Caucus meeting may need to be a Special Meeting, if Council plans to have the 2<sup>nd</sup> reading of the Property Tax Ordinance. That meeting is scheduled for September 8, 2021.
- Mr. Bohman advised that the auditors had been in that week and that they were finished with the in-office portion of work.

**Mayor's Report:**

NONE

**Old Business**

NONE

**New Business**

NONE

**General Comments**

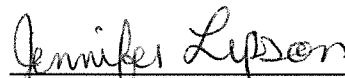
Recommendations requested from Administration for Caucus Meeting for further discussion.

Mayor Jansen, Mr. Thompson and Mr. Ringo met with the Sisters and they brought them up to date on the intersection, and about the needs that will affect their property.


At 8:56 p.m. a motion was made by Mr. Thompson, seconded by Mr. Ringo to adjourn. A voice vote was taken, all in favor. Motion passed.

Time of adjournment was 8:57 p.m.

Respectfully submitted,



Jennifer Lipson, City Clerk

  
Heather H. Jansen, Mayor