



Council Meeting #713 Minutes October 20, 2021

Mayor Heather Jansen called the October 20, 2021 Public Hearing and meeting of City of Villa Hills Council (Meeting #713) 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
S. Wadsworth**

**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**

A quorum was present.

The first item of business on the agenda was approval of the minutes of the September 15, 2021, Council meeting.

A motion was made to approve the minutes by Mr. Baehner, seconded by Ms. Stover. A vote was taken 5-0 in favor, Mr. Cahill abstained. Motion passed.

Chief Allen introduced James Isaacs who recently retired from the City of Covington with over 21 years of service. He is being hired to replace Officer Bird, who recently resigned. Mayor Jansen gave the Oath of Office to Officer James Isaacs. Mayor and Council welcomed Officer Isaacs to the City.

John Chamberlin, with Chamberlin Owen and Company was present to give a modified presentation of the City's audit. The full presentation was given to the Finance Committee at their meeting on Monday, October 18th.

Mr. Ringo pointed out to the residents present that the overage money that was discussed in the audit evaluation was the CARES Act funding received from the state, that it was not excess collection from citizens.

Mr. Ringo led Council in discussion of Amsterdam and Collins Intersection options. Cincinnati Bell would like the City to let them know their plans, as they are ready to start work. Options for use of ARPA funds may require Council to call a special meeting in November. Mr. Ringo shared a chart showing that \$744,000 would be necessary, includes additional \$34,000 not already counted, plus \$64,550 for demolition of the Bell building.

\$719,000 Fiber in Villa Hills that needs to be addressed. There are both residents and businesses not wanting fiber, mostly due to financial impacts due to them losing the standard land lines and for some that means new phone systems would be needed, which is an added expense.

Villa Madonna sisters are ok with proposal that would make the driveway to Villa Madonna one of the 4 roads at a lighted intersection at the school. While the sisters are ok with the changes, they are not able to carry the financial burden for the changes.

Mr. Thompson suggested that we go back to Bayer Becker and ask for what the estimated cost will be to re-align and take the Bell building out. Council is not looking for a complete survey and evaluation, but a rough estimate to see if it's within the City's financial means to make those changes.

The best chance to obtain an additional extension from the state will be if we have an agreement with Cincinnati Bell. Otherwise the construction work needs to begin in 2023.

Mr. Bohman informed Council that ARPA funds can be used for infrastructure, so every part of the project could potentially be covered by the funds. 15% of Bell's customers are still on copper, many are not residents of Villa Hills; however the benefit of the realignment would be for the residents of Villa Hills. Forced migration to fiber-optics for many will happen, whether Villa Hills assists or not. The building will eventually come down, it is up to council to decide if they want to use the money to expedite the process.

It was decided to obtain a proposal from Bayer Becker before Council's next meeting. Mr. Thompson will send out information after he gets a response.

Legislation:

Ms. Stewart explained that several ordinances are up for 2nd readings and 1 up for a 1st reading that will need to be discussed and voted on.

If Council votes to adopt Ordinance H, chickens and livestock would be banned.

If Ordinance H1 is adopted it would allow for chickens and rabbits, but no livestock.

Ordinance J lists regulations for coops and hutches and would be considered in addition to Ordinance H1.

Or Ordinance K would ban fowl and livestock, but would allow for chickens that currently exist within the city to be grandfathered in. This could be adopted with Ordinance H, which would ban chickens and livestock completely, while allowing the existing coops to remain until that date.

- **2nd Reading of Ordinance 2021-H**

An Ordinance of the City of Villa Hills, in Kenton County, Kentucky amending Chapter 92 of the Villa Hills Code of Ordinances titled Nuisances.

Mr. Ringo stated that he felt that Ordinance K is the choice for Villa Hills, because it bans the chickens from residential neighborhood, but allows existing coops to remain.

Ms. Stover stated that the Administration Committee has spent several months working out the details and recommends that Council adopt Ordinances H1 and J. Ms. Stover reiterated that other cities who have passed similar regulation have 5 or less coops within their cities and she feels people have the right to have the pets they want and regulations are included.

Mr. Cahill felt H1 and J are the right Ordinances for the City.

Mr. Thompson stated that he wanted to see regulations in place and that H1 and J would cover that. He also stated that he had walked Mary Street to see if he could

hear the chickens that were there, so he could form an opinion himself of the potential nuisance issue and did not hear anything on several occasions walking through the neighborhood.

Mayor Jansen feels the permit should also require that it does not impact surrounding neighbors. In many of the HOAs within Villa Hills, they require approval of surrounding neighbors for changes to the property. She also informed Council that the chickens on Mary Street had been removed, which was why Mr. Thompson had not heard anything.

Mr. Baehner made a motion to approve the Ordinance, there was no second. Motion died on the floor due to lack of a second.

Mr. Baehner made a motion to table Ordinance H, second by Ms. Wadsworth. Roll call vote taken, all were in favor, motion passed.

- **2nd Reading of Ordinance 2021-H1**

An Ordinance of the City of Villa Hills, in Kenton County, Kentucky amending Chapter 92 of the Villa Hills Code of Ordinances titled Nuisances.

Ms. Stover made a motion to approve the Ordinance, second by Ms. Wadsworth. Roll call vote taken, Cahill, Stover, Thompson and Wadsworth, all in favor, Baehner, and Ringo opposed, motion passed with 4-2 vote.

This will become Ordinance 2021-8

- **2nd Reading of Ordinance 2021-J**

An Ordinance of the City of Villa Hills, in Kenton County, Kentucky amending Chapter 92 of and adding a new section to Chapter 90 of the Villa Hills Code of Ordinances titled Animals.

Mr. Ringo made it noted that he did not agree with passing H1, but since it passed he wants the regulations as set forth in Ordinance J.

Ms. Stover made a motion to approve the Ordinance, second by Ms. Wadsworth. Roll call vote taken, Cahill, Ringo, Stover, Thompson and Wadsworth, in favor, Baehner opposed, motion passed with 5-1 vote.

This will become Ordinance 2021-9

- **1st Reading and Discussion of Ordinance 2021-K**

An Ordinance of The City of Villa Hills, Kentucky in Kenton County, Kentucky, Amending Chapter 90 of the Villa Hills Code of Ordinances to prohibit the storage, keeping, raising or harboring of fowl within the City unless the property zoning permit, with an exemption for existing fowl present prior to 11/30/2021.

Mr. Thompson made a motion to table the ordinance, second by Ms. Stover. Roll call vote taken, Cahill, Ringo, Stover, Thompson, Wadsworth, in favor. Baehner opposed, motion passed with 5-1 vote.

- **1st Reading and Discussion of Ordinance 2021-L**

An Ordinance of The City of Villa Hills, Kentucky in Kenton County, Kentucky, granting and issuing a competitive, non-exclusive franchise for a combined term of ten (10) years, and authorizing the execution of the franchise agreement with Cincinnati Bell Extended Territories LLC, its permitted successors or assigns, providing for the construction, erection, installation, upgrade, maintenance, repair and operation of a cable television system for the provision of cable television services in the City of Villa Hills, all upon the terms, conditions, and covenants contained in the franchise agreement.

Discussion by Council inquired if TBNK had approved, and Mr. Bohman advised that they had approved the agreement.

- **1st Reading and Discussion of Ordinance 2021-M**

An Ordinance of The City of Villa Hills, Kentucky in Kenton County, Kentucky, Authorizing the Mayor to Enter into an Interlocal Cooperation Agreement with the City of Crescent Springs to Amend the Police Services Contract to add compensation for a 15th Officer and to cover paid time off liabilities.

Discussion by Council about where Crescent Springs is at on passing their ordinance for this agreement. Crescent Springs is scheduled to have a 2nd reading for their budget amendment on Monday, October 25th, which includes provisions for the 15th officer.

- **2nd Reading of Ordinance 2021-G**

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

Discussion by Council about ensuring that the Interlocal Agreement is signed by Crescent Springs for the Interlocal prior to Villa Hills agreeing to pass this amendment. Council would like to hold the 2nd reading of Ordinance 2021-G, until after 2021-M is approved and the Interlocal Agreement is passed by both Crescent Springs and Villa Hills Council. Mr. Thompson stated he is ready to approve this and move on.

Mr. Baehner made a motion to table the Ordinance, second by Mr. Ringo. Roll call vote taken, Baehner, Cahill, Ringo, Stover, and Wadsworth, in favor; Thompson opposed, motion passed with a 5-1 vote.

- **Consideration and approval of Municipal Order 2021-F**

A Municipal Order of the City of Villa Hills in Kenton County, Kentucky to Declare Surplus Property.

Mr. Baehner made a motion to approve the Municipal Order, second by Ms. Wadsworth. Voice vote taken, all in favor, motion passed.

This will become Municipal Order 2021-6

- **Consideration and approval of Municipal Order 2021-G**

A Municipal Order of the City of Villa Hills in Kenton County, Kentucky accepting the bid of Morton Salt for the purchase of sodium chloride (road salt) at the price of \$69.54 per ton delivered for Fiscal Year 2021/2022 and authorizing the use of Compass Minerals at the price of \$78.81 per ton delivered as the backup supplier.

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

This will become Municipal Order 2021-7

- **Consideration and approval of Resolution 2021-K**

A Resolution of the City of Villa Hills, in Kenton County Kentucky, authorizing and approving certain actions in connection with the Community Development Block Grant Coronavirus (CDBG-CV) Utility Relief Program

Mr. Cahill made a motion to approve the Resolution, second by Ms. Stover. Voice vote taken, all in favor, motion passed.

This will become Resolution 2021-11

- **Consideration and approval of Resolution 2021-L**

A Resolution Of The City Of Villa Hills, In Kenton County, Kentucky Appointing A Title VI Coordinator And A Title VI Committee and Section 504 Committee.

Ms. Stover made a motion to approve the Resolution, second by Ms. Wadsworth. Voice vote taken, all in favor, motion passed.

This will become Resolution 2021-12

- **Consideration and approval of Resolution 2021-M**

A Resolution of the City Of Villa Hills, in Kenton County, Kentucky adopting a Fair Housing Policy.

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

This will become Resolution 2021-13

Committee Reports:

Police:

- Chief Allen presented a Power Point of the September 2021 Police report.
- School traffic has been corrected through working with the school and school board for River Ridge.
- Chief Allen reported on crimes, accidents, overtime, training and K-9 activity.
- Chief Allen advised that of the 20 crimes reported for the month, 1 was a rape and 2 assaults, 1 larceny and a robbery.
- Chief Allen reported that one vehicle from a vehicle theft had been recovered.
- The department's overtime for the month included 24 hours of court, 13.5 hours for a rape investigation, 13 hours for shift coverage and 27 hours for MusicFest.
- Chief Allen reported that Onexx had 7 apprehensions total for the month.
- Chief Allen informed Council that the department had been hit over the last month with 3 positive cases of COVID, while Chief Allen was out for school. All illnesses occurred during the same 2-3 week time period. A 4th officer was out currently due to a positive case in their immediate family.
- An arrest had been made in Boone County of 4 teens from Cincinnati area for a vehicle theft. The teens will be charged as adults, with a charge to include attempted murder of a police officer, due to them striking Sergeant Hall's brother. Lieutenant Hall is a Boone County officer who was struck while deploying stop sticks to stop the teens. Body camera showed that the driver had aimed the vehicle at Lt. Hall. Lt. Hall was treated and released from the hospital and is expected to make a full recovery.

Safety:

- Mr. Baehner reported that the committee had met and discussed many of the items presented by Chief Allen.
- Mr. Baehner reported that traffic at River Ridge had improved due to changes made in the drop off and pick up traffic patterns.
- Next meeting for Safety Committee is November 9th at 6:30.

City Engineer:

- Mr. Bogen presented the City Engineer's report.
- Mr. Bogen reported that Rogers Road was finished, there were no subgrade issues found, which allowed them to add the mill and resurface at the bridge at a total project cost of approximately \$153,000.
- Mr. Bogen reported that Robin Lane was started this week. They do have 1 resident who required ADA access to the home during the project. The area around their property would be completed using a fast finish concrete, which adds a cost of approximately \$1,700 to the project. The curb installation was being done using a machine, which would speed up the process, but will have a cost increase of \$4,200 for the project. Additionally, a section of sidewalk that meets with the roadway was being redone to make it safer, which adds an additional \$5,900 to the project cost.
- Ms. Stover inquired about repaving done on Meadow Wood on Crescent Springs portion.
- Mr. Thompson had talked to Crescent Springs about working together on a joint resurfacing of Meadow Wood after the construction is complete on their new subdivision. This may be a temporary fix and that the joint project may still occur.

Public Works Committee:

- Mr. Thompson reported that Buttermilk Pike is complete! Lakeshore and Villa are also complete!
- Mr. Thompson reported that contractors had run into a gas crossing on Robin Lane, which was located inside pavement – they did not rupture the line, but Duke had to be called out to fix the issue. Duke was due to evaluate on the next date. If this is the only location, it should be a quick fix, but if there are multiple areas with this problem, it will take longer to fix the gas line issue, which would also mean Robin Lane will take longer to complete.
- Mr. Thompson reported that the proposed sidewalk ordinance would be presented for a 1st reading in November. The process would give 30 days to have repairs made or be under contract, otherwise the City would proceed with fixing the sidewalks and assessing the fees to the property owner's tax bill.

Public Works

- Mr. Yelton had meetings with homeowners regarding sinkholes on different properties and trip hazards throughout the city.
- TMS has finished the concrete work for this year. Riegler will begin working on crack sealing the streets.
- Guardrails – still waiting on costs. Other cities advised to contract work out, so it reduces city's liability.
- Discussion about Amsterdam & Rogers Road sinkhole that is getting worse. Also discussion about dump trucks going over Rogers Road Bridge and options to limit truck access.

- Public Works has started work on fields in preparation of closing and prepping them for winter.

Events & Beautification:

- Ms. Wadsworth gave the following updates:
 - Music Fest profit was \$1,037, due to more sponsorship than expenses for the event.
 - Haunted Trail, the committee reached out on Facebook to seek volunteers. On Friday, October 29th they will begin putting up the larger items like backdrop, with the help of Public Works. Saturday, the younger volunteers will be there to help assemble the scenes for the event.
 - Christmas in the Park, the committee has decided Villa Hills will not be participating with Crescent Springs this year.
 - Villa Hills Civic Club and Events and Beautification committee are looking to plan more events together that will be open to all residents.
- Ms. Wadsworth announced that Villa Hills Events and Beautification is not planning to participate with Crescent Springs for Music Fest or Christmas in the Park next year.
- Next meeting will be on November 1, 2021.

Finance:

- Mr. Cahill advised that the committee met on Monday. The committee is adding a new member. Mr. Arstingstall was present for the meeting and will be an asset to the committee, he is retired CFO from Corporex.
- Mr. Cahill advised that Mr. Chamberlin had presented the audit report to the committee, in greater detail than what was presented to the full council.
- Mr. Cahill informed Council that the investment in the KLC Investment Pool, the City was not out of the red yet, but close. Bonds are not making much, but the City should be good holding where we are.
- Mr. Cahill advised that the Council will need to have a budget amendment to account for the \$213,000 payment for pension spiking, and to add \$30,000 for PTO liability, and change in employee benefits package.
- Finance committee will be looking at who other cities are using for auditors and at the possibility of looking at rotating auditors.
- Finance committee recommends approval of Audit and accepting the September Financial reports. They are recommending posting of the Audit and July through September financial reports.
 - Mr. Baehner made a motion to accept the Audit report, September Financial statement, and to post the audit and financial statements for June through September to the website, seconded by Mr. Cahill. A vote was taken, all in favor. Motion passed.
- Next meeting will be held on November 15, 2021 at 7:00 pm in Council Chambers.

Administration:

- Ms. Stover gave the PDS Council report. There was discussion about a paver saver program.
- Mayor of Lakeside Park was there to discuss sober houses.
- Next meeting will be on November 3, 2021 at 6:30 pm in Council Chambers.

Recreation:

- Mr. Ringo reported that fall sports will close out on Sunday, October 24th. Mr. Ringo thanked the coaches and administration for all sports for providing the opportunities to children in the community.
- Mr. Ringo reported that the AED units would be removed from the fields and stored at the Firehouse until March, when the fields re-open.
- Mr. Ringo expressed his appreciation to the Public Works crew for stepping up to help out while Wayne was out sick. Mr. Ringo expressed hope that Wayne gets better and is back for another season next year, as he does an excellent job on the fields.

Fire Authority:

- Mr. Ringo advised that the Fire Authority has seen an increase in calls on the EMS side, people are more willing to be transported and treated at hospitals again.
- Mr. Ringo advised that the new ambulance delivery is expected in late November.
- Mr. Ringo reported that Chief Wendt has reported 5 new recruits have joined the department and will be attending fire training exercises in Covington.
- Construction drawings for the new firehouse are in the final phase.
- Storm water is still an issue. They are working with owners of apartment building property, and they have offered easement arrangement and will be a cost to fire authority, but it is a cost savings to other options.
- Firehouse bids tentatively scheduled to go out on November 15th and will be due back January 15, 2022.
- Fire Department will have an open house after plans are finalized in November.
- Next meeting will be held November 15th at 6:00 pm at the Firehouse.

City Attorney:

- Ms. Stewart advised Mr. Tyson, PDS Attorney, sent a memo reference to group homes in Lakeside Park. The group homes for recovering addicts in Lakeside Park, he reminded cities that the groups are covered under ADA, but are subject to same laws and regulations as residential families.

City Clerk:

- Ms. Lipson announced that tax payments were coming in steadily and that the City had already received almost 1/3 of amount due. Reminder that due date is November 30th. She also explained that escrow companies send payments in and asked homeowners to check with escrow companies to make sure they were paying before they also send payments and cause duplicate payments to be received.

City Administrator:

- Mr. Bohman advised nothing to report.

Mayor's Report:

- Mayor Jansen reminded everyone that on October 24th making phone calls will require use of 10 digit phone numbers.
- Veteran's Day event will take place at Madonna Manor.
- Police Canine Memorial dedication will take place on November 3rd at 5:00 at Highland Cemetery. All are invited to attend.
- Mayor Jansen advised Council that she was working on an Executive Order, to re-establish payment to employees for COVID related time off, which would be effective through 12/31/2021. We are still seeing the impact on employees. When the Governor's order died, the prior Executive Order issued in March 2020 by City Council

also terminated. This left employees needing to use PTO time for COVID illness. The City is receiving an additional \$55,000, so the CARES money can be used to cover the time that employees were using PTO.

- Council inquired if the City is requiring the vaccine for employees. It was noted that 2 of the 3 employees who recently tested positive were fully vaccinated. There is no plan to require vaccination for employees.

Old Business

NONE

New Business

NONE

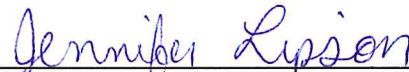
General Comments


NONE

At 9:09 p.m. a motion was made by Mr. Cahill, seconded by Mr. Ringo to adjourn. A voice vote was taken, all in favor. Motion passed.

Time of adjournment was 9:10 p.m.

Respectfully submitted,


Jennifer Lipson, City Clerk


Heather H. Jansen, Mayor