



**Council Meeting #722 Minutes  
July 20, 2022**

Mayor Pro-Term Cathy Stover called the July 20, 2022, Meeting of City of Villa Hills Council (Meeting #722) to order at 6:30 p.m. at the Dennis M. Stein Municipal Building, 719 Rogers Road, Villa Hills, Kentucky. Mayor Pro-Term Stover led Council in prayer, followed by the Pledge of Allegiance.

Ms. Lipson called the roll. Those in attendance:

**Mayor Pro-Term Stover**  
**R. Baehner**  
**J. Cahill**  
**S. Ringo**  
**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**

Mayor Jansen and S. Wadsworth were absent from the meeting.

A quorum was present.

The first order of business is the public hearing on the Kentucky Municipal Road Aid and Local Government Economic Assistance Funds.

City Administrator Mr. Bohman explained that the proposed use of Kentucky Municipal Road Aid (KMA) funds in Fiscal Year 22/23 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, and signage, and debt service, when debt service done in conjunction with a street reconstruction project. Municipal Road Aid Program fund balance carried forward (estimate) of \$135,000.00 (one-hundred thirty-five thousand dollars), and anticipated receipts of \$140,000. Council has budgeted \$140,000 in expenditures for the year. There are some funds available for projects, but some funds are being reserved for projects, like the sidewalk project along Highwater.

Pursuant to KRS 42.455(2), for the Fiscal Year 2022/2023, 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.

The floor was opened for public comments by Mayor Pro-Term Stover. There were no public comments.

The public hearing portion of the meeting was closed.

The next item of business on the agenda was approval of the minutes of the June 15, 2022, Council meeting.

A motion was made to approve the minutes by Mr. Baehner, seconded by Mr. Ringo. A vote was taken 4 in favor – 1 abstain – 0 nays – 1 absent. Motion passed.

## **Committee Reports:**

### **Police:**

- Chief Allen presented a Power Point of the June 2022 Police report.
- Chief Allen reported on crimes, accidents, overtime, training and K-9 activity.
- Chief Allen noted that Villa Hills' citation numbers included the Federal Overtime grant for the interstate, and also made note that the area within Villa Hills that is still seeing a high number of traffic violations continues to be along Amsterdam. He also noted that the most collisions continue to occur on Buttermilk between Anderson and I-75.
- The department recently participated in active shooter training at River Ridge and the department now has 2 active shooter trainers – Sergeant Brockman and Officer Black.
- Chief Allen noted that after evaluations were completed, a few changes were made within the department. Officer Horseman is back to patrol and Officer Lucas has been promoted to Detective.
- Officer Mairose has been doing an outstanding job in the academy and will complete academy in September, and it is anticipated that she will complete field training by the end of October.

### **Safety:**

- Mr. Baehner reported that plans were in final stages in preparation for Safety Night, which will be held on August 3<sup>rd</sup> from 6:00 – 8:30 at Tom Braun Fields.
- Mr. Baehner advised council that the committee had been made aware of a parking issue on Kenridge near Buttermilk, where a car was parking close to the stop sign and causing issue for vehicles turning on and off of the street. A sign has been posted for no parking at that location.
- Mr. Baehner informed council that the committee has been discussing the intersection of Buttermilk and Collins. Drivers turning right from Buttermilk onto Collins are not always paying attention and yielding to walkers in the crosswalk. This was sent to KYTC and they have advised that they will place additional signage in the area.
- Mr. Baehner advised that he has a proposed Parking Ordinance Amendment on the agenda to address the location for Fire lane / No Parking areas within Sanctuary.
- Mr. Baehner expressed his appreciation to Lieutenant Hall, and all the police officers and public works employees who helped prepare for and work at Fire in the Hills.
- Ms. Stover inquired about Meadowview, where there was parking on 2 sides of the street after the 2<sup>nd</sup> stop sign, on the right side of the road. That should still be no parking, but there are no signs. Public Works will install new signs to the area.
- Next Meeting will be Tuesday, August 9<sup>th</sup> at 6:30 pm.

### **Public Works Committee:**

- Mr. Thompson gave the Public Works Committee report.
- Council discussed the cost of the final estimate for Collins and Amsterdam from \$1.6 million to \$4.265 million. Some changes that resulted in the increase included: general inflation costs, addition of retaining wall, and costs to relocate utilities, which are the results of KYTC changing the plans submitted. Council requested that Bayer & Becker return to go over the details of the changes made and how those affected the overall project cost. Mr. Thompson will request that Bayer Becker attend a September meeting. Council would like to see the list of changes caused by the state's review of the project.
- Mr. Thompson reported that mailboxes along Amsterdam were successfully relocated.
- There was discussion about a water main break on Lakeshore, where the city had recently replaced the roadway. The Water Department is responsible to fix the road.

- Amsterdam Road is also waiting on the Water Department to finish fixing.
- Mr. Thompson announced that there were 2 Resolutions on the agenda for tonight, one is to accept the bid from HENDY Construction for the Villa Hills Concrete Maintenance Contract and the 2<sup>nd</sup> is for accepting the proposal of GeoTechnology, LLC for pavement coring on Rogers Road.
- Mr. Thompson advised that for the project along Niewahner, homeowners will have the option to tap into downspout drain pipes into drainage being installed, by signing a waiver and paying an \$85 tap in fee.
- Mr. Thompson advised that the committee is also proposing an ordinance (2022-G) that will create a program to have waivers and allow tap-in of lines. This should lead to less sidewalk and street damage and less water runoff residue.
- Mr. Thompson discussed the 10-year road plan and advised that the GeoTechnology core testing proposal for Rogers Road had 2 options, the committee has recommended to go with the \$3,000 option and to provide traffic control with our public works crew. Mr. Thompson asked for up to \$3,700 for this budget item, in case any overages are encountered.
- Mr. Thompson informed Council that the new city engineer went through and evaluated road program costs for the next several years. There were increases and decreases of the 10-year Road Plan on the cost estimates. Valley Trails to Dry Creek decreased from \$461,000 to \$431,000, Rogers will be determined after the core testing is completed it could be between \$177,000 to \$475,000 depending on if it needs overlay or full depth replacement, Meadow Wood increased from an estimate of \$365,000 to \$452,000. Valley Trails went from no estimate to \$432,000.
- Mr. Thompson announced that SD1 has approved the Cost-Share project for Niewahner Drive, this will be reimbursable amount up to \$86,000.
- Mr. Thompson reported that the latest update for Bromley Crescent Springs Road, is that the state will be totally shutting down the road to all traffic from the end of July until October.

### **Public Works Director**

- Mr. Yelton gave the Public Works Directors report.
- Mr. Yelton reported that the crew has been performing normal building and grounds maintenance. The crew has also started concrete work for the season and began work on Woodchuck.
- Mr. Yelton advised that after the recent storm came through, they worked on helping clear the roadway, catch basins and debris. The City had requested dumpsters for residents to use to remove the storm debris.
- Mr. Yelton reported that a yard box was installed at the police offices to help with drain issues.
- Mr. Yelton announced that they had only received 1 bid for the dump truck. Fuller Ford was the only bidder at \$128,000, and it could be up to 2 years before the truck is delivered. Dump truck is currently budgeted in the Capital Fund.

### **Events & Beautification:**

- Ms. Stover announced that Ms. Wadsworth was currently in Ireland and read a note that she had left. Ms. Wadsworth's note was to thank all personnel and volunteers for the help setting, planning and assistance provided for the Fire in the Hills event.

**Finance:**

- Mr. Cahill gave the Finance report.
- Mr. Cahill advised that the committee had reviewed the June financials and recommended 1 change in a departmental line, and recommends Council approve the financials subject to change in the department budget and any audit adjustments and post to the website, once the audit has been completed.
  - Mr. Cahill made a motion to approve June Financials, subject to any audit adjustments, seconded by Mr. Ringo. All voted in favor, Motion passed.
- Mr. Cahill advised that the Fire Authority had approved a budget amendment to account for the \$700,000 contribution from Villa Hills to the firehouse project.
- Next meeting on August 15, 2022 at 7:00.

**Administration:**

- Ms. Stover advised that Administration Committee met on July 6<sup>th</sup> and had a couple items for discussion.
- The Administration committee discussed solar panels and the permit issue that came up recently. Chief Wendt was at the meeting to share concerns from the fire department's view with construction and placement of solar panels. He advised that they would like to see a structural engineer evaluate each home that applies to make sure the roof can support the solar panels, and provide opinions for installations. He would also like to see an inspection of the electrical, and have a shut off switch available for emergencies and have a 3-foot clearance from all sides of the roof.
- The committee has agreed with Chief Wendt's recommendations. The committee was not in consensus on location of solar panels and is requesting input from Council on the location in regards to placement in the front of the property. Council discussed various aspects of the permitting and location. All of council was in agreement about solar panels and their benefits, however there was a split consensus regarding the locations of the solar panels. Mr. Cahill pointed out that there are more expensive stealth panels that will blend with roof shingles. Council would like a survey sent to residents with tax bills to see what the consensus is from the residents.
- Another topic of discussion was a resident requesting bamboo not be permitted. Mr. Bohman was advised that bamboo is considered a pervasive plant, and there are many types of pervasive plants and an ordinance would not be enforceable. The committee reviewed and feels that this topic should be handled by neighbors and not controlled by ordinance with council.
- Ms. Stover advised that they will not have a meeting in August due to Safety Night.

**Recreation:**

- Mr. Ringo advised that fall baseball, softball, football and soccer have all either begun, or will begin soon.

**Fire Authority:**

- Mr. Ringo reported on fire and EMS runs for the department.
- Mr. Ringo advised that the department had used the new LUCA device on a resident on Mary Street and were able to bring the resident back and the person survived.
- Mr. Ringo provided an update on the Firehouse building. The excavation is complete, footers have been installed and basement walls are in the process of going up. The storm water easement should now be resolved and an agreement was signed with the resident on this date.
- Next meeting will be August 15<sup>th</sup> at the Firehouse.

**City Attorney:**

- Ms. Stewart had nothing to report.

**City Clerk:**

- Ms. Lipson advised that Ms. Bailey was currently in Lexington and will complete her Kentucky Municipal Clerk Institute training on Friday. Ms. Lipson will be in attendance at the banquet to congratulate Ms. Bailey.

**City Administrator:**

- Mr. Bohman informed Council that Board of Adjustment had met to consider the first application for accessory use dwelling. The board rejected the application, and he is requesting input on a need for a text amendment. During the Board's review, a discrepancy was found between 2 parts of the code. One section allows for a dwelling unit up to 1,200 square feet, where another section limits the size to 650 square feet. The proposed building was 1,142 square feet, and from the Board of Adjustment meeting and input, the 1,200 square feet was a very large size. The intent of the accessory dwelling unit was not meant to allow a full second home to go in behind the existing house. The board had consulted with the City Attorney and she advised that the board should review with the most restrictive size limit, which the Board did. Mr. Bohman advised that as a result of the hearing, he would recommend the 2 sections needed to be adjusted more towards the smaller size.  
Whichever way this is decided, it will require a text amendment from Council.
- Two other sections of the zoning that need to be reviewed are the solar panels, as discussed already, and fencing for corner lots.

**Mayor's Report:**

- Mayor Jansen did not leave anything to report.

**Legislation:**

- **1<sup>st</sup> Reading and discussion of draft Ordinance 2022-G**

An Ordinance of the City of Villa Hills, in Kenton County, Kentucky, amending Chapter 93 of the Villa Hills Code of Ordinances to create a new section 93.05 permitting residents to tap in down spouts or sump pump lines into city-owned underground drainage pipes.

Mr. Cahill inquired about providing a list of people to do the work for residents. The city can provide a list of general contractors upon request, but cannot provide a direct referral.

- **1<sup>st</sup> Reading and discussion of draft Ordinance 2022-H**

An Ordinance of the City of Villa Hills, in Kenton County, Kentucky Amending sections 74.30 Streets with No Parking and 74.31 Streets Designated with Fire Lanes to add the streets and alleys in Sanctuary Village subdivision.

Mr. Bohman advised that he had forwarded a copy of the streets and locations to the developer. The developer had called and would like the list re-visited due to some parking restriction areas being proposed would create no parking areas near businesses, which would need those parking areas. The City needs to review the streets surrounding the blocks where the parking is proposed around the businesses. An amendment will be prepared prior to the next meeting.

- **Consideration and approval of draft Resolution 2022-K**

A Resolution accepting the bid of Hendy Construction, Inc. for the Villa Hills Concrete Maintenance Contract at the unit prices submitted, and authorizing the Mayor to sign the contract for the same.

A motion was made by Mr. Baehner, seconded by Mr. Thompson to approve draft Resolution 2022-K. Voice vote taken, All in favor, Motion passed.

This will become Resolution 2022-11.

- **Consideration and approval of draft Resolution 2022-L**

A Resolution accepting the proposal of GeoTechnology, LLC for pavement coring on Rogers Road in an amount not to exceed \$3,700, and authorizing the Mayor to sign the contract for the same.

A motion was made by Mr. Thompson, seconded by Mr. Ringo to approve draft Resolution 2022-L. Voice vote taken, All in favor, Motion passed.

This will become Resolution 2022-12.

## **Old Business**

Update on Draft Ordinance 2021-R – Telecommunication Franchise Agreement. Mr. Bohman reported that Telecad, the engineering firm working for Verizon, will seek a waiver from PDS asking for a 40-foot tower, which is 5 feet higher than the height limit of a house. The city has received a final draft and is ready to proceed forward with an agreement. The variance will be a hearing at the Kenton County Planning Commission, where they will either approve or deny the requested waiver. The tower, if approved, will be in the right of way along Collins Road.

## **New Business**

NONE

## **General Comments**

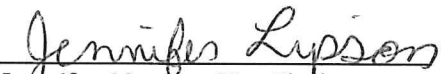
Mrs. Kerr inquired if there were any benefits to tapping into the underground drainage. There was discussion about benefits in the neighborhood, such as water not draining to neighbor's property and reduces ponding in yards and water running over sidewalks and streets and leaving scum on the same.


Mr. Kerr asked if the city would charge a unit cost for concrete repairs for sidewalks. The contract would be a unit cost no matter how much or how little work is completed. Estimates for street repairs for future years comes from the city engineer, not contractors.

At 7:56 p.m. a motion was made by Mr. Ringo, seconded by Mr. Thompson to adjourn. A voice vote was taken, all in favor. Motion passed.

Time of adjournment was 7:57 p.m.

Respectfully submitted,

  
Jennifer Lipson, City Clerk

  
Heather H. Jansen, Mayor