

CITY OF WINDY HILLS

Minutes of Regular Council Meeting  
May 09, 2022

The Council and Officers of the City of Windy Hills met at Sojourn Community Church, 2501 Rudy Lane, at 7:00 P.M. Mayor Davis called the meeting to order.

**ROLL CALL:** The following were present:

**MAYOR**

Helen M. Davis

**COUNCIL MEMBERS**

Kate Greer  
Marcia Myers via Zoom  
Marianne Rademaker  
Suzanne Spencer via Zoom  
Laura Trachtenberg

**OTHER CITY OFFICIALS**

Christine Haner, Clerk  
Attorney Clay Barkley  
Steve Teaford

**MINUTES:**

Councilwoman Greer moved to approve the minutes of the April 11, 2022 Council meeting; seconded by Councilwoman Rademaker. The motion passed unanimously.

**FINANCIAL REPORTS, APPROVAL OF BILLS:**

The financial reports for April 2022 were moved for approval by Councilwoman Rademaker, seconded by Councilwoman Trachtenberg. The motion passed unanimously.

Councilwoman Greer moved to approve the April bills, totaling \$31,386.65 and was seconded by Councilwoman Rademaker. The motion passed unanimously.

**RESIDENTS' COMMENTS/CONCERNS:**

A resident, Mr. Ralph Williams on Indian Ridge Road, expressed his concern about a sign down at the corner of Indian Ridge and Brownsboro Road. He also suggested that photos periodically be taken of the deterioration of the property at 726 Indian Ridge to support our efforts in getting the homeowner to properly maintain the property. The City Attorney, Mr. Clay Barkley briefly replied to Mr. Williams that a hearing on May 10<sup>th</sup> before a judge will determine next steps and potential foreclosure of the property.

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**MAYOR'S REPORT:**

Police Report: There were 94 hours of Police support reported during April. There was one house on House Watch. There were 2 catalytic converters stolen at the Brownsboro Shopping Center. There was also a possible stolen truck, Black Ford Ranger from Indiana was left at the Center. There were 2 vehicular incidents. A vehicle lost control and struck two mailboxes on Rudy. The light pole at the corner of Rudy and Regency was struck and the police contacted LG&E to report the live wires.

The Mayor filed liens against the properties with unpaid taxes.

The City received the updated PVA 2022 tax info and those numbers were used for the 2022-23 budget projections. The Mayor filed the annual ARPA report and renewed the CAGE and SAMS accounts. The Mayor explained about the reporting process, including the information that has to be provided and regulations regarding payments to individuals.

The City received confirmation that all of the required documents had been received. The Department of Local Government notified the Mayor that we should receive the next installment of our ARPA funds by June 30, 2022.

The Mayor attended and spoke at the St. Matthews neighborhood rezoning meeting. The developer wants to rezone Westport Road from residential to commercial to build a storage unit structure. Most of the parcel is located in St. Matthews but a portion is in Windy Hills. St. Matthews will have to approve any rezoning before it could proceed. The Mayor reiterated that the City is strongly against the rezoning.

There were several complaints about the property located at 726 Indian Ridge regarding failure to maintain the property.

The LG &E Director of Operations, Jamie Archer, contacted the Mayor to notify her that the utility audit for the City has been completed. LG&E is upgrading its equipment and will be trimming trees starting in June or July. The plan and upgrades should reduce the number of outages by rerouting electricity when there is an outage. She will ask Mr. Archer to write up something that we can include in our June newsletter.

The Mayor is obtaining documentation to support the negotiations with the Kentucky Department of Transportation. We should have all of the necessary information by the end of June.

The Mayor thanked everyone who attended or worked on the candidates' forum. The Mayor also thanked Christine Haner, the City Clerk, for maintaining the office during her absence due to Covid. Christine Haner did a wonderful job responding to all of the emails, phone calls, etc. to keep everything going.

**COMMITTEE REPORTS:**

Finance and ARPA Committee: Councilwoman Rademaker reported:

ARPA checks will go out this week to St. Matthew's Area Ministries for \$10,590 and to The Healing Place for \$10,394. This was formally addressed under Unfinished Business.

Code Enforcement: Steve Teaford reported: There were 49 inspections; 2 failed inspections of the 49. There are two ongoing nuisance properties and they will be treated the same as if they are rental properties. This means they will be given 30 days to comply with each notice.

Mr. Teaford would still like some changes to Ordinances be made based on his experiences in the role of Code Enforcement Officer and those will be addressed, likely in small numbers, at future meetings.

Windy Hills Green/City Maintenance/Newsletter/Tree Board - Councilwoman Greer:

(In her own words): Mulch is down all over the City and the Green with the exception of the island on Regency. It gets pine straw. I sent Aaron the third email about it. The first was in October. Hopefully it will get done soon. I have had other issues about mowing and weeding the entrances. Aaron did not know he was to do all of them. I reminded him to look at the specs of the bid.

Helen and I met with Grayson Shiprek, who owns Earthbound, to get him to estimate the value of the trees that will be removed and/or damaged by the construction when the roads are widened. I then met with Steve Sauter whose company installed our irrigation system on the Green. He gave me a written estimate for what we should ask for to replace it when construction occurs. And speaking of the irrigation system, it was running all day and also watering the sidewalk. I called Steve and his workers took care of both issues.

I met with SavaTree about removing a broken limb on a tall evergreen towards the back of the Green. The company is also going to cut out all the dead wood in the tree. It will be done before Shakespeare in the Park. The company is also going to give me an estimate to prune all the young trees that have been planted in the last 10 years.

Sadly, Rudy's base is deteriorating rapidly. Fortunately, Harley Daugherty, the carver, will be in two this month. Tom Davis took pictures of the damage and will text them to Harley. Harley thinks he has a solution to the problem.

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I am going to purchase flowers for the Rudy Lane entrance over the weekend. Hopefully Aaron will have them planted next week.

I am meeting with Andy Smart (Plant Kingdom) Monday afternoon. The trees ordered for Ambridge are finally in and are ready to be planted. We will drive the street for me to show him exactly where they go.

Brightside has weeded our part of the Westport quadrant. We will be working with Brightside on keeping the neighborhood looking better. Expect a call for volunteers in the future.

I am still working on getting entrance fencing cleaned , repaired and painted. I had Buddy Mattingly power wash my side of Windy Way when he was power washing my fence. And Terese Fister had her guy wash her side. But I still need to get a carpenter and painter.

TREE BOARD: The tree board meets May 19<sup>th</sup>. The Arbor Day Celebration should be finalized for Monday, June 20<sup>th</sup>.

Newsletter - Councilwoman Myers: Councilwoman Myers reported via Zoom.

The April Windy Hills Breeze was sent out on Friday, April 15th. It included a long list of upcoming Windy Hills events (finally!) and other announcements and reminders.

3 other city e-mails have been sent since then with reminders and time-sensitive announcements.

Editor Marcia Myers and City Clerk Christine Haner are coordinating this work with both of us having log-in ability to use our city account on the digital mass mailing platform MailChimp. We plan to work together so that, when Marcia finishes her term in December, Christine can either send The Breeze or teach another Council member how to do it. By using MailChimp, it is easy to keep one correct mailing list, track any one recipient's usage of our mailings, and have an archive of communications.

Some of you have reported not receiving these mailings or finding them in your spam folder. Christine and I can check the list to be sure the mailing was sent to you and at what address. It may be that MailChimp mailings are being blocked by some e-mail providers. If that is true, we may need to seek help to see that our correspondence is not blocked. Please let me or Christine know if you are having difficulty so that we can get to the bottom of this.

The May Breeze deadline is Wednesday, May 11th at noon. Since I'm quarantining with Covid for Derby weekend, I'm glad to have your articles earlier if you have them ready.

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The June Issue will be a big and important one, so will be a print issue mailed to all residents and friends. It will include information about our Annual Picnic on Saturday, July 2nd and financial information. Because we need to get this to our residents as soon as possible, I suggest our hard deadline be Friday, June 10th at noon (Caucus Day) with the understanding that the newsletter will not be printed until after Council has acted on June 13th.

Thanks for any leads on news tidbits or photos we should include in future issues.

Community Caring/Health & Fitness/Welcome to Windy Hills – Councilwoman Spencer:

Councilwoman Spencer reported via Zoom the following: **Welcome to Windy Hills:** There were four real estate transfers, possibly a fifth, which she is investigating.

**Caring Community:** There was nothing new to report regarding “Aging In Place in Windy Hills”.

**Health and Fitness:** The Yoga with Anne group has five new members as a result of notices in the Breeze newsletter.

The missing plaque honoring Faye Ellercamp is being reworked.

Public Works – Councilman Blue:

Councilman Blue was absent during this meeting but submitted his report electronically which was read by Christine Haner, City Clerk. His electronically-submitted report is as follows:

- We had a water line burst at Old Stone and Rudy Easter Weekend. When I received the message I tried to call LWC and no help. LWC said they only have one repair crew for Louisville on holidays. They told me they would have a supervisor show up when available. I tried to call MSD and no one answered. I tried 311 and they do not work weekends. I finally called 911 and after a “million” questions they gave me the number of St. Matthews Fire Dept. I explained that I could not get the water turned off and could they help me with the problem. They sent a fire truck and a crew of 5. When they arrived the one LWC supervisor was already there. He did not have the correct equipment to turn off the water. One area he could not even get too. Had to go another two blocks and use that valve. Two whole areas were additionally shut off. With the fire department’s help they got the water shut off. The supervisor told me an LWC employee was on break and he would come when break was over. I waited several hours and the water service at the extra two valves was returned on. The repair was done enough for water to return early the next morning. Without the fire department’s help, we would have had serious flooding. I thanked them and will write a note. I took pictures and talked to the affected home owners. None, as of yet, have contacted me with repair issues. I will report this to our representative

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metro council member. I want to thank Kate and Marcia for their help in getting there until I arrived. I did contact our council members on the situation.

- The broken sign at Eastgate and Ambridge has been returned to the sign company after breaking 3 times. As of Monday it has not been reinstalled. I will look for another company for service.
- For max of \$4,000 we can have our own speed limit sign. Myself I hate road bumps, but they do work. We could tell the homeowners on the affected streets if you do not slow down we will be installing bumps and you will slow down or tear your vehicle up.
- I am getting with Mark Madison to decide what streets we want fully paved. The mayor has instructed me to spend some of our road fund. I need an amount to spend and will bid
- With approval of the council I want to rebid the snow and ice removal service. I did not think we had a true problem, but the owners did. This time I will be more definitive on instructions. We did have times when snow was called for, trucks were dispatched and nothing happened. This was a cost, but I wanted to be ahead of the problem.
- On the issue of waste, recycling, etc. I recommend that we stay with Eco-Tech. Their service, in my opinion, has been very good. I have had very few complaints and most were owner issues. I have talked to other cities and their complaints with their provider were numerous over several issues such as no pick ups due to employee issues. I request that we go to once a week back door garbage pick up and see how it works and remind everybody we are not reducing the tax credit; we pay Eco Tech for a full fuel service charge and relook at the fuel price issue every 4 months. We will use a formula of some type. From what I hear the cost of fuel will be up this summer.
- I have some cost for a water fountain on the Green and bidding for surface work next month.

#### Food Truck – Councilwoman Trachtenberg:

Bamba Egg Roll food truck was here on 02 May, and it went well. The next food Truck will be Yummiest, which, they say, is Asian food with a twist. They will be here on 06 June. Because the first Monday in July is on the 4th, we will have the food truck here on the 5th.

The candidate forum went very well.

#### City Clerk – Christine Haner:

Numerous website updates have been made. Due to the nature of how many tasks there were, we did pay \$55 for Lee Ann Lyle, the website developer, to do them. That was cost effective! Going forward, Christine will make the updates.

May 23<sup>rd</sup> the audit documents and data will be picked up by the firm of Jones, Nale & Mattingly, PLC so that they can begin their audit for the fiscal year ending 6/30/2021. It will take some time to gather the documents required and the clerk will work with Matt Huelsman, the audit

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manager, as well as Kim Hofmeyer from Charles Veeneman's CPA office to ensure they have the items necessary and in a proper format.

When a resident contacts City Hall, please leave a voicemail message so that we have a record of the call. We receive a high number of hang ups, robo calls, etc. We no longer have a fax number but sometimes receive a digitized email of a fax which is always an ad or spam. Please let the clerk know if you wish to be added to City emails and newsletters. Residents can also sign up through the website which will automatically send the clerk an email.

**UNFINISHED BUSINESS:**

Councilwoman Rademaker reported on the results of the ARPA Committee Proposal Report. Councilwoman Rademaker made a motion on behalf of the ARPA Committee to give \$10,394 to The Healing Place and \$10,590 to St. Matthews Area Ministries. The motion was passed unanimously after all members signified their approval by saying "I". Checks will be written out of the ARPA Checking account this week.

Unfinished business included a question for Attorney Clay Barkley. Mr. Barkley stated that next month any changes or potential updates to the current contract with Ecotech will be discussed.

**NEW BUSINESS:**

**First Reading of Ordinance 1, Series 2021/2022 Ad Valorem Taxes for 2022:**

Councilwoman Greer made a motion to have Ordinance 1, Series 2021/2022 regarding the Ad Valorem Taxes for 2022 read into record. Councilwoman Rademaker seconded the motion and it passed unanimously. City Clerk, Christine Haner, read the summary of Ordinance 1, Series 2021/2022 into record.

**First Reading of Ordinance 2, Series 2021/2022 Budget for Fiscal Year 2022/2023:**

Councilwoman Greer made a motion to have Ordinance 2, Series 2021/2022 regarding the Budget for Fiscal Year 2022/2023 read into record. Councilwoman Rademaker seconded the motion and it passed unanimously. City Clerk, Christine Haner, read the summary of Ordinance 2, Series 2021/2022 into record.

A second reading of both Ordinance 1 and Ordinance 2 will be at the next City Council Meeting on June 13, 2022.

Mayor Davis proceeded to read a statement regarding Budget Information as follows:

"As your Mayor, I am tasked with preparing and presenting the City of Windy Hills budget. Your Mayor Pro Tem, Marianne Rademaker, and I have been working on this budget. Our mission

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has been to meet the needs of our residents in preparing our budget and ensuring state financial/budget compliance.

Items of note for the budget: I am pleased to announce that the tax rate will again be .17 per \$100 with a 45% discount if paid by October 31, 2022. This has been the third year that we have been able to offer a 45% discount. Councilwoman Myers asked me to share some information with our residents regarding our property taxes. The average property in Windy Hills is valued at \$314,000. These properties include lots and condominiums. It also reflects a reduction in value based on many residents receiving a homestead exemption. The average tax before the discount is \$532.39. If paid by October 31, the resident would receive a discount of \$239.57 for a net tax of \$292.81.

Based on the PVA assessment updates for 2022-23, we are forecasting a 4% increase in the property tax revenue which is within the amount allowed by law. We are projecting the other revenue to be flat. We have been very diligent on holding the line on our costs and we will continue this practice in the next fiscal year. Our conservative practices have again resulted in a balanced budget with a surplus.

One of the biggest variables is the municipal insurance premium tax. We again tried to be conservative in the projection because the amount collected can vary widely due to purchases of large life insurance policies and the taxes collected on said policies.

On the expenditure side, we did not increase the budget for General government expenses. The cost of our public safety provided by the Graymoor-Devondale Police will increase because the monthly rate has again increased. The cost of our police services has risen 13.5% in just 2 years and would have risen more but the City cut back the number of patrolled hours in 2021 to help offset the increased expense.

One of the areas that we have struggled with is the sanitation costs. Due to rising fuel and payroll costs, we have had to make the difficult choice of reducing our twice weekly garbage pick-up to once a week. We will keep the back door pick-up. If Ecotech's costs stabilize by October, I am requesting a reduction in our contract.

Per the Council's April 2022 motion, I increased the Mayor's salary to \$20,000.

On the Road Aid Fund portion of the budget, we are projecting revenue to be flat due to interest rates and state funding. We did increase the budget for 2022-23 road fund expenditures based on an increase in snow removal. We may not spend all the budgeted money but we want to ensure that we have sufficient funds budgeted.

I will now go over the budget in detail with our residents."



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**ATTORNEYS COMMENTS:** Attorney Clay Barkley reported he is working to address the chronic nuisance issue with the Indian Ridge property. Another enforcement letter was sent. On May 10<sup>th</sup> there is a hearing before a judge and Mr. Barkley will keep the City informed of progress. It could be that foreclosure is an option.

Mr. Barkley is looking into the Westport Road Self-Storage Unit proposed building project.

**COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE:**

Mr. Doug Maurer, a resident on Wicklow Road had a question regarding possible changes to the Ecotech contract. He was informed by Mayor Davis that pickup will be weekly for trash, rather than twice weekly. Pickup for recycling will be weekly. There can be up to three cans for back door pickup. Yard waste is also weekly. It was stated by Mayor Davis that no other City has twice weekly trash pickup that she could find.

Resident Joyce Bridge had a picnic question. The Windy Hills Community Picnic and Parade will be Saturday, July 2, 2022 from 11AM-1:30PM at Sojourn Community Church East at 2501 Rudy Lane.

Councilwoman Greer moved to adjourn the meeting at 8:00 p.m.; seconded by Councilwoman Trachtenberg and the motion passed unanimously.

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Helen M Davis, Mayor

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Christine Haner, City Clerk