

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
June 13, 2022

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

ROLL CALL: The following were present:

MAYOR

Helen M. Davis
via Zoom

COUNCIL MEMBERS

Bruce Blue
Kate Greer
Marcia Myers
Marianne Rademaker, presiding
Suzanne Spencer
Laura Trachtenberg

OTHER CITY OFFICIALS

Christine Haner, Clerk
Attorney Clay Barkley
Steve Teaforde via Zoom

MINUTES:

Councilwoman Greer moved to approve the minutes of the May 9, 2022 Council meeting; seconded by Councilwoman Myers. The motion passed unanimously.

FINANCIAL REPORTS, APPROVAL OF BILLS:

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

Councilwoman Myers moved to approve the May bills, totaling \$84,137.77 and was seconded by Councilman Blue. The motion passed unanimously.

MAYOR'S REPORT:

Mayor Pro-Tem Rademaker made the determination to deviate from the Agenda slightly so as to accommodate the schedule of Mayor Davis, attending via Zoom for only a short portion. The Mayor's report follows:

Police Report: There were 94 hours of Police support reported during May. There were 3 houses on House Watch. There was no radar or traffic control reported. Our police provided traffic control while Metro police arrested a suspect in a stolen car.

The last four weeks have been full of meetings: Tree Board Meeting, a couple of meetings with Coach Gate leadership, the VA Hospital monthly Mayors' meeting, and multiple phone and Zoom meetings with the attorneys regarding ordinances, zoning, and the property at 726 Indian Ridge. The Mayor attended and spoke at the second St. Matthews neighborhood rezoning meeting. The developer wants to rezone Westport Road from residential to commercial to build a storage unit structure.

The zoom meeting regarding the VA Hospital presented no new information. The construction is progressing as expected.

The Mayor thanked her husband, Tom Davis, for spending hours with her reviewing the developer's proposal for 4490 and 4492 Brownsboro Road. He identified some areas of concern that could impact Coach Gate and the Courtyards of Brownsboro (better known as Turnbridge Wells Lane). The Mayor, Steve Miller, from Coach Gate, and the City Attorneys represented the City at the rezoning hearing for the 4490 and 4492 Brownsboro Road properties.

The Mayor and Mayor Pro Tem, Marianne Rademaker, met with the Coach Gate, Royal Coach, and Coach House leadership. They requested the City pay for the association's LG&E electric bill. After consulting with the attorneys, it was determined that Windy Hills cannot cover the expense because the lights are on private property.

The new auditors reviewed the documents provided by the City Clerk, Christine Haner, checked City financial records and documents, and the records provided by the bookkeeping service. The audit should be completed in the next few weeks.

The Mayor obtained and forwarded the final documents to support the negotiations with the Kentucky Department of Transportation. We have accepted their counter offer.

The City will receive its final ARPA payment by Friday, June 17.

After providing her report, Mayor Davis left the meeting.

RESIDENTS' COMMENTS/CONCERNS:

There were four residents who filled out the meeting sign-in sheet who wished to speak. Mr. Williams wished to receive an update regarding the property at 726 Indian Ridge in regards to foreclosure. Attorney Barkley informed everyone that it is likely the bank foreclosure will take a month or so. Secondly, Mr. Williams wanted to report the sign post at Indian Ridge and Brownsboro still needs repair. Councilman Blue announced his determination to oversee the repair.

The other three residents were postponed to speak when it was determined by the Mayor Pro-tem that their subject matter would be addressed during committee reports.

COMMITTEE REPORTS:

Finance and ARPA Committee: Councilwoman Rademaker reported:

Road Maintenance Funds have been properly allocated for use but have so far been unused as maintenance was postponed. Councilwoman Rademaker assured those who review our financial statements that we do not have as much extra in that fund as it may appear. We will be catching up on road paving after the bids from our legal ad are collected. City Engineer, Mark Madison, is collecting the bids for us and they will be reviewed by the council.

The bench purchased with ARPA funds is still not installed as we are finding difficulty in locating a handyman for installation.

The Green may need the path adjusted as we learn about the construction of a new lane of traffic. The new path surface will be a smooth rubberized surface that is semi-porous which will allow for strollers and wheelchairs. Councilwoman Rademaker assured those with questions that it will not be loose rubberized mulch-like material but a solid piece. Maintenance should be rather minimal, as well.

It is the desire of the council to work toward additional parking spaces off Rudy Lane so residents visiting the Green will not need to park in Brownsboro Center.

Councilman Blue spoke up to share his desire to light up the Green with better lighting and also to share his desire to further research a water fountain for human and pet use.

Code Enforcement: Steve Teaford reported via Zoom:

May was rather routine in nature mostly dealing with grass cutting and candidates' signs. Inspections revealed 49 rentals and 5 vacant properties. Two failed inspections were determined but repairs are being made. Additionally there are two nuisance properties pending. All pending and ongoing issues are being monitored for follow up.

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

(In her words)

GREEN: I am still waiting for Harley Daugherty to come to Louisville for advice about our Bear.

We are getting estimates to prune the young trees on the Green.

Martha Davis and I planted Vinca at the entrance.

OTHER AREAS: I am extremely unhappy with the service that we have had this year from our new contracted landscape company. I have repeatedly had to contact the owner about the weeds and grass at the entrances. After I e-mailed him about cutting the shrubs on the bridge on Rudy, he asked me where the bridge was located. There have been numerous complaints from residents. We have placed an ad in the Courier for bids. The company selected will begin in July. I have received two calls about the job.

The trees have been replaced on Ambridge.

I was supposed to meet with a man who could repair and paint our entrance fences this past Wednesday. I had to cancel due to catching Covid. I left him word to call me after 10 days.

But Buddy Mattingly cleaned and painted the entrance at Windy Way gratis when he was cleaning and painting my fence.

ARBOR DAY: The event will be held Monday, June 20, from 6-7:30 P.M. at the Recycling Center. We chose this place because of the collaboration between Windy Hills and Metro to clean up the area around the creek. Our Arborist Caroline Westfall will present information about invasive plants and suitable remedies to make the place more attractive and healthful to the stream. We hope to have some expert from waterways present. The ice cream truck will be there. There will be two raffles for Windy Hills residents. One is for an hour consultation from Caroline Westfall at a resident's home. The other is a free tree, planted in late autumn. There will be "goody bags" for children under 10 and the Ice Cream truck. Mayor Davis has asked that the area be sprayed for mosquitoes. There will be plenty of parking.

Newsletter - Councilwoman Myers:

Plans are well underway for a wonderful patriotic community celebration on Saturday, July 2nd. The event schedule will be:

11:00 am - Parade and Prize Registration –

11:15 am – National Anthem and Parade –

11:45 am – Welcome by Mayor Helen Davis and awarding of prizes for children

12:00 noon –1:30 pm. - Enjoy a delicious lunch and time with your neighbors!

Buffet inside, eating outside. Put your chairs or blankets on the lawn and enjoy the music by The Moon Dogs and prize giveaways, etc. while you eat.

Haywood ice cream available

A fun assortment of children’s activities on the lawn.

12:30 – Door prizes from neighborhood businesses

1:30 – Event ends

Residents are asked to reserve by e-mail to the City Clerk by June 27th.

We will have a children’s parade with the Rabeneck’s antique fire engine leading the way. Laura Trachtenberg will lead the children and adults will provide safety along the way.

Windy Hills businesses have been invited to advertise their goods and services by donating a prize to be given away at the event. Marianne Rademaker will oversee the prizes during the event.

Joyce Bridge is managing the meal. City BBQ will be providing the hot dogs and hamburgers. The Windy Hills potluck is back by popular demand!

The Moon Dogs, led by Dr. Bryan Carter will provide music and Haywood Dairy will bring their delicious ice cream.

Erin Morris will offer patriotic crafts for children and games will be available.

Suzanne Spencer will again provide the beautiful handmade Windy Hills selfie background.

We hope for good weather and lower Covid rates!

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

Councilwoman Spencer reported the following:

Welcome to Windy Hills: There were six real estate transfers, the most interesting being that a transfer on Killiney Place listed at \$625,000. That is the price that 4490/4492 Brownsboro Road developers thought they could get for condos they propose to build.

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

Health and Fitness: A couple of new residents have inquired about fitness programs.

The missing plaque honoring Faye Ellercamp will be ready to install in the next couple of weeks.

Public Works – Councilman Blue: (in his words)

- I received a complaint from a resident on Deerfield that the street needed repaving. I drove the area and did not see where the entire street needs repair. The Mayor has requested I compile streets that need full or major overhaul.
- This same resident complained about the bushes along the right side of Rudy Lane were hanging in the street. I also did not see this upon inspection.
- I did notice that the bushes above the walkway over the creek does need attention to trim. It is Metro property, but they sometimes take time in doing these repairs. Can we have our lawn company do this for us?
- I have noticed several streets that have potholes which need repairing.
- My main issue is the track on the Green. I would like to get the issue of what surface should we require.

The garbage pick-up will be once a week, back door pickup, beginning July 1, 2022. The Mayor and I will view fuel prices and oil supplies to see if the cost of fuel is dropping. Although, we may want to continue once a week if the homeowners adjust. Also, you can now have three cans for garbage. We can use the savings for other projects.

Recycling will remain the same.

I would like to discuss the ice/snow removal contract for 2022-2023. Do we change or continue?

The sign is up at Eastgate and Ambridge.

Food Truck – Councilwoman Trachtenberg:

We had the Yummiest Food Truck Monday, June 6. They experienced rain during the last 20 minutes or so, but said they did very well and were happy with the turnout. July we will have the Lobster food truck. It will be Tuesday, July 5, because Monday is Independence Day.

Councilwoman Trachtenberg plans to lead the parade at the picnic on July 2.

City Clerk – Christine Haner:

The auditors were easy to work with and submitted detailed requests ahead of their visit which was helpful in preparation. With a little digging, everything they required was produced. The auditors were pleased with our current files, office procedures, and internal controls.

City Hall received a thank you note from The Healing Place thanking us for the ARPA funds donation of \$10,394. The note was signed by many folks with heartfelt messages of appreciation.

The office collected on one 2021 delinquent property tax bill which covered the penalty, interest, Lien, Clerk, and Attorney's fees, as well as the face amount due. Once the check cleared, the paperwork was initiated by Mayor Davis to Release the Lien and confirmation of the Release of the Lien has been received by the office.

UNFINISHED BUSINESS:

Councilwoman Greer made a motion to have a 2nd reading of **Ordinance 1, Series 2021/2022 regarding the Ad Valorem Taxes for 2022** read into record. Councilwoman Trachtenberg seconded the motion and it passed unanimously. City Clerk, Christine Haner, read the summary of Ordinance 1, Series 2021/2022 into record, which had previously been certified by Attorney Clay Barkley. Councilwoman Myers made a motion to adopt the Ordinance, seconded by Councilwoman Trachtenberg.

A roll call vote was taken:

Councilman Blue – Yes
Councilwoman Greer – Yes
Councilwoman Myers – Yes
Councilwoman Rademaker – Yes
Councilwoman Spencer – Yes
Councilwoman Trachtenberg – Yes

Ordinance 1 was officially adopted.

Councilman Blue made a motion to have a 2nd reading of **Ordinance 2, Series 2021/2022 regarding the Budget for Fiscal Year 2022/2023** read into record. This was seconded by Councilwoman Trachtenberg and pass unanimously. City Clerk, Christine Haner, read the summary of Ordinance 2, Series 2021/2022 into record, which had previously been certified by Attorney Clay Barkley. Councilwoman Greer made a motion to adopt the Ordinance, seconded by Councilwoman Myers.

A roll call vote was taken:

Councilman Blue – Yes
Councilwoman Greer – Yes
Councilwoman Myers – Yes
Councilwoman Rademaker – Yes
Councilwoman Spencer – Yes
Councilwoman Trachtenberg – Yes

Ordinance 2 was officially adopted.

NEW BUSINESS:

As recommended by City Attorneys from Strobo & Barkley, the **Windy Hills Neighborhood Land Use Plan** was discussed as a guideline for future development setting the tone, look, and personality of Windy Hills as established by residents. While this type of plan is of an advisory nature and not legally binding, it no less establishes the wishes of the City. It would be similar in nature to the “Cornerstone 2040 Plan” developed for the City of Louisville.

Councilwoman Trachtenberg made a motion to set aside an initial amount of \$25,000 to pursue the advancement and write up of the Windy Hills Neighborhood Land Use Plan. This was quickly seconded by Councilman Blue. Mayor Pro-Tem Rademaker took a verbal vote and the aye's were unanimous. The process to begin work on the Neighborhood Land Use Plan passed.

While not on the Agenda, new business regarding the **Department of Transportation** meeting was discussed.

Councilwoman Greer made a motion to accept the offer from the state of Kentucky, Department of Transportation, to purchase 12,823 square feet of the Green for \$57,411.52. This acceptable price will cover replacement costs of the trees, signage, path, and other related expenses when a new lane of traffic will be added to Brownsboro Road and Rudy Lane. Councilman Blue seconded the motion to accept this offer from the DOT. Mayor Pro-Tem Rademaker took a vote from the Council and the aye's unanimously passed this motion. The state of Kentucky offer was accepted.

ATTORNEYS COMMENTS: Attorney Clay Barkley reported he is continuing to follow business previously addressed regarding nuisance properties, development proposals for 4490/4492 Brownsboro Road, the Westport Road proposed Storage Facility, among others.

The state has eminent domain regarding the nuisance property at 726 Indian Ridge. It will take approximately a month or so for foreclosure. His firm does agree with the outcome.

Re-zoning and Ordinance reviews should be done every five years or so. This was stated in regards to the 4490/4492 Brownsboro Road issue.

Code enforcement will be reviewed periodically.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE:

Mr. Allen Ware of Westgate Place expressed his disappointment that the November Minutes on the website are still incorrect. The link is actually for December. (NOTE: This has since been remedied by the Website Developer.) Mr. Ware stated he has read the rules and guidelines regarding the America Relief Plan Act and would once again like to discuss ARPA funds going directly to the households, which is an option, based on his reading. Attorney Clay Barkley informed Mr. Ware that the City Council did not pursue that option because of the necessity of acquiring the SSN of all residents and proving need, among other hurdles.

Del Marie Vaccaro of Indian Ridge Road had inquired about the fence maintenance at Indian Ridge and Brownsboro Road. Councilwoman Greer stated that she is having difficulty finding a painter or handyman to paint the fence but it is on her list.

Mr. Nick Ellis of Rudy Lane, who owns rental property on Brookview Road, expressed his belief that rental properties are more heavily scrutinized by the Code Enforcement Officer than other homeowners within Windy Hills. He has kept documentation of letters, photos, and communications to support his belief. Mr. Steve Teaford had left the Zoom meeting and was not available to respond.

Councilwoman Greer moved to adjourn the meeting at 8:30 p.m.; seconded by Councilwoman Trachtenberg and the motion passed unanimously.

Marianne Rademaker, Mayor Pro-tem

Christine Haner, City Clerk