

CITY OF WINDY HILLS

Minutes of Regular Council Meeting  
July 11, 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. Mayor Helen Davis called the meeting to order.

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

**MAYOR**

Helen M. Davis

**COUNCIL MEMBERS**

Bruce Blue - Zoom  
Kate Greer  
Marcia Myers  
Marianne Rademaker  
Suzanne Spencer  
Laura Trachtenberg

**OTHER CITY OFFICIALS**

Christine Haner, Clerk  
Attorney Clay Barkley  
Attorney Timothy Mayer  
Steve Teaford

**MINUTES:**

Councilwoman Greer moved to approve the minutes of the June 13, 2022 Council meeting; seconded by Councilwoman Trachtenberg. The motion passed unanimously.

**FINANCIAL REPORTS, APPROVAL OF BILLS:**

The financial reports for June 2022 have been delayed as that is the end of our fiscal year. The CPA's office requires additional time to ensure accuracy.

Councilwoman Rademaker moved to approve the June bills, totaling \$49,020.19 and was seconded by Councilwoman Trachtenberg. The motion passed unanimously. Mayor Davis did mention that the check written for \$700,000 to purchase three new certificates of deposit at a rate of 1.5% for 12 months was actually a transfer from our sweep account. The check register in the official record has been noted.

Mayor Davis then stated a deviation from the Agenda as the City Engineer was delayed to the meeting.

**RESIDENTS' COMMENTS/CONCERNS:**

Three residents completed the sign-in sheet requesting to address their concerns: Ms. Farris and Ms. Baird of Windsong Way and Mr. Williams of Indian Ridge Rd.

**Ms. Farris** was acknowledged first by Mayor Davis. As a resident since 2013 of Windsong Way, Ms. Farris brought photographs for the council to keep in addition to sending an email with additional digital images ahead of the meeting for the council, mayor, and code enforcement office to prepare for the communication. She is concerned about the disrepair of signs, sidewalks, crumbling asphalt around sewer grates, and landscaping in the City, as well as an ongoing issue regarding drainage on Windsong Way.

**Councilwoman Greer** responded that she found a person to paint the fences just this week and that pruning of trees on the Green will be likely soon. **Councilwoman Rademaker** responded that there would be a vote during this meeting to establish a new landscaping company used by the City which will address some of the concerns. She also mentioned that ARPA funds cannot necessarily be used for the drainage concern because the goal is to benefit the most residents when ARPA funds are spent. **Councilman Blue** responded that he will look into the deteriorating signs, sidewalks, will follow up with the paving projects, crumbling sewer grates, and will provide a report of his findings.

It was mentioned that Windy Hills does not currently have an “inventory” of all signs within the City.

**Ms. Baird** was then acknowledged to speak by Mayor Davis. Ms. Baird, a resident of Windsong Way, wished to re-visit water and storm drain issues as water run-off enters her garage. She asked that we look at the minutes from June 14, 2021 to show that she has reported this issue before and was assured at that time it would be addressed when paving work was begun.

**Mayor Davis** first explained the difference between the road paving projects and this specific issue, which is believed to be a result of error by the neighborhood developer. Ms. Farris and Ms. Baird believe the placement of the blacktop over the road surface either created or exacerbated the drainage issue and their position is the City should address it. The rest of this discussion was set aside until the City Engineer could speak.

**Mr. Williams** brought to light that a sign at the corner of Indian Ridge and Brownsboro Road is tilted and needs to be secured. Secondly, Mr. Williams asked about the status of **726 Indian Ridge Road**. **Mayor Davis** shared that the bank did not move to auction off the home in foreclosure but is rather entertaining negotiations from a few private entities in the hopes of getting more money for the property. **Attorney Clay Barkley** additionally shared that an appraisal should have been done recently and that he also knows about the private entities negotiating, likely for a “short sale”.

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**MAYOR'S REPORT(her words):**

Police Report: The Police report for June was extremely brief. They spent an hour directing Vacation Bible School Traffic for Sojourn Church and helped Metro with a stranded motorist. There was no radar or traffic control reported.

The Mayor attended the Global Leadership Symposium in Washington, D. C. She thanked the Council, Steve Teaford, the Code Enforcement Officer, and Christine Haner, the City Clerk, for handling City Business while she was recovering.

The Mayor and Mayor Pro-tem signed the final agreement with the Kentucky Department of Transportation regarding the Green. The State acquired property to widen Brownsboro and Rudy Lanes. The City was compensated for the property, trees, signage, and possible damage to the sprinkler system. The State was also granted a permanent easement on Rudy and Brownsboro. Our signature entrance has a permanent protection and will not be impacted.

The July 4th Celebration was a wonderful event. The City thanks Marcia Myers and her team for all of their hard work.

The Mayor has been working with Coach Gate representatives and the attorneys on the Brownsboro Road Development. The Mayor stated that the City Attorney would provide more details in his report.

**COMMITTEE REPORTS:**

Finance and ARPA Committee: **Councilwoman Rademaker** reported:

On June 23<sup>rd</sup> the City opened three certificates of deposit accounts for a total of \$700,000 at a rate of 1.5% for 12 months at Eclipse Bank.

The 2<sup>nd</sup> ARPA funds tranche was received and deposited in June for \$256,462.50.

\$57,411.52 came in from the Kentucky Department of Transportation (KDOT) to purchase a portion of the Green. This amount will be put to dedicated use to replace trees and their accompanying plaques, add parking, install a new rubberized walking surface on the Green, address lighting, and likely purchase a new human and pet water fountain which will need to be addressed once the new driving lanes are completed by KDOT. It was clarified that Councilwoman Greer's intentions to prune trees on the Green will be for the trees unaffected by the construction but will be properly pruned and branches lifted to further enhance the Green as a whole.

Code Enforcement: **Steve Teaford** reported :

The inspections of rental homes and vacant homes are complete. The City has 48 rental homes and 15 condominiums.

Proposed amendments to City Ordinances, which were discussed during caucus meetings with the council, will be emailed to the City Attorneys for future consideration.

Mr. Teaford added that after 7 years, he will be retiring from his role as Code Enforcement Officer. Mr. Don Ryan will begin the job of Code Enforcement Officer on August 1, 2022.

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

Rudy the bear is fixed! Mr. Harley Daugherty drove to Louisville and repaired Rudy with the help of Mike Skelton's firewood. The total cost was \$400. Harley will annually check on our beloved Bear and apply lacquer in the future for \$200 to maintain Rudy.

The Arbor Day event was postponed until early October due to excessive heat.

There have been more complaints about landscaping, primarily weeds, such as the circles on Clerkenwell and Foeburn Hill. The current landscaping company has not kept up with certain tasks. Councilwoman Greer expressed her disappointment that we have to cite some residents for lack of lawn maintenance when the city spaces have weeds and high grass.

Mr. Jason Kerby will be cleaning, repairing, and painting the entrance fences at Windy Way, Old Farm, Chelsea, Highfield, Victoria Place, and Indian Ridge.

Mr. Gene Henry from Lawrence Cement will be installing the bench purchased with ARPA funds.

Councilwoman Greer also has a contact who can address fallen trees at a more reasonable price.

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Newsletter/Parade & Picnic - **Councilwoman Myers (in her words):**

Newsletter Report:

This month we sent an 8 page print newsletter to 1241 addresses and several digital reminders to our 709 subscribers. In order to allow adequate time for residents to make reservations for the picnic, we were on a short timeline to get the newsletter mailed out.

We experienced an error which cost the city \$235 for reprinting because our layout person (new JCTC graduate) inserted one of our financial ordinances twice, rather than each of them once. I was equally at fault because in reviewing his proof, I did not catch the substitution. City Clerk Christine Haner did catch it and Minuteman staff were able to quickly reprint and keep us on schedule.

It has been my goal to get this process to be sustainable, minimizing work of the Council by getting professionals to handle the publishing tasks once we have gathered and carefully edited the articles. I have expected our layout professionals to review their own work to be sure that the documents in the layout match the carefully edited documents we have given them. Experience with 2 different people has been otherwise with paragraphs dropped off, capitalization changed, etc. so that we usually reject 4 proofs before approving the final version. I will again emphasize the need for them to do more careful review before submitting a proof, but the print newsletter will continue to require careful oversight.

Because we continue to hear from residents who are unaware of announcements that have been shared in our newsletters, Clerk Christine Haner is continuing to check accuracy of our mailing lists as time permits and she encourages residents to read their newsletters and consult the website. This is much appreciated.

Our July newsletter will be a digital edition – The Windy Hills Breeze. **The deadline is Wednesday, July 13<sup>th</sup> at noon.**

July 2 Parade and Picnic Report:

After 2 years of postponements and cancellations due to Covid-19, approximately 140 people gathered at Sojourn Church for the Windy Hills Parade and Picnic held on Saturday, July 2, 2022. This included about 40 volunteers, vendors, and Council members. 126 persons made reservations and many residents brought dishes to share to supplement the catered hot dogs, burgers, and ice cream. The crowd included a large number of preschoolers and almost no teens. As usual, many of the attendees were adult children and grandchildren of residents.

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City BBQ catered the picnic items for the first time and did an excellent job at a reasonable price. They were very flexible in the planning process and staff were very pleasant to work with. They should be considered in the future.

Many thanks to Haywood Dairy and The Moon Dogs – businesses with resident connections for their delicious ice cream and upbeat music. We also appreciate our businesses who donated prizes that were given to residents.

The weather was hot, but rain-free despite stormy forecasts. A wonderful team of volunteers made it all work to the enjoyment of all who came.

Total costs for the event came to just under \$3500.

This is a very labor-intensive event that relies on a large cast of hard workers who take responsibility and follow-through over several months. Event coordination involves significant recruitment and nurture of volunteers from the community. The involvement of residents in the planning and implementation of city activities will be key for the future.

We are deeply appreciative of Sojourn Church for the use of their campus and to Property Manager Doug Maurer for his patient and extremely helpful support. Special thanks goes to Joyce Bridge and her team for managing the food and to Kate Greer and her team for managing prize procurement and registration. Thanks to Erin Morris, Joyce Brown, Martha Davis, and the Husk family for taking charge of the kids' activities, to Ken and Ellen Rabeneck for bringing their antique vehicles, to the parade team of judges, and our parade line-up manager and safety patrols. Thanks to Steve Teaford who jumped in to take on several roles in light of the Mayor's injury, to Council members Laura Trachtenberg, Marianne Rademaker, and Suzanne Spencer who were present in several roles. City Clerk Christine Haner handled reservations.

As Coordinator of this event since 2019, I am preparing for a good transition to the person who will take the role in the future. All supplies are organized, labeled, and stored. Detailed notes with volunteer, vendor, and financial information will be given to the City Clerk in electronic file format so that it will be easily accessible to those who need it in the future.

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

Councilwoman Spencer reported the following:

**Welcome to Windy Hills:** There were three real estate transfers.

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

**Health and Fitness:** While there is nothing to report there have been many inquiries.

The missing plaque honoring Faye Ellercamp is taking longer than expected to acquire and install. Trees carrying other plaques will also be discussed in the future.

Public Works – **Councilman Blue** reported:

Councilman Blue provided his report via mobile phone after the Zoom meeting technology constraints.

An arborist will be consulted regarding the trees at Ambridge Drive and Rudy Lane, likely with the help of Councilwoman Greer.

There were three non-pick up issues with EcoTech reported to Councilman Blue from residents who called him directly – all resolved.

Councilman Blue will be working toward the goal of collecting bids for the removal of snow and ice for the 2022-2023 season. This process is likely to involve the City Engineer, Mr. Mark Madison.

Sidewalks and sign repairs will be addressed as specific locations are determined.

Food Truck – **Councilwoman Trachtenberg** reported:

The food truck on Tuesday, July 5, was well attended. The next food truck will be Made In Brazil on August 1.

Councilwoman Trachtenberg is sharing suggestions for the proposed Ordinance updates to assist the Code Enforcement Officer.

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City Clerk – **Christine Haner** reported:

The office has been quiet but busy while Mayor Davis has been out due to a knee injury.

Tracking RSVP's for the July 2<sup>nd</sup> Picnic and Parade was successful.

There were around 40 communications via phone, email, or voice mail messages regarding Ecotech and trash pickup moving on July 1 to one day per week. Some residents were surprised and uninformed as to the change, some were reporting non-pickup issues with various Ecotech services, and some did not want to purchase additional receptacles if they believed they might need additional trash cans.

The Clerk used these opportunities to remind residents they are welcome to attend caucus work sessions, council meetings, and can sign up for City emails. It was also made known that several residents do not read their printed newsletters.

Other communications stemmed from the lack of maintenance of green spaces that were not City of Windy Hills properties but state-owned property/easements.

Councilman Blue sent a lovely thank you card to the City for the get-well flowers.

**UNFINISHED BUSINESS:**

No unfinished business remained for this meeting.

**PUBLIC HEARING ON SPENDING ROAD AID FUNDS ON CITY PAVING:**

Councilman Blue made a motion to open the **Public Hearing regarding spending road aid funds on City paving**. Councilwoman Greer seconded the motion, and the motion passed unanimously.

Mr. Mark Madison, City engineer, of Milestone Design Group addressed the room. He explained that a first step to establish a plan is by asking and answering the questions regarding how many roads, what is the budget, and planning well ahead. Mr. Madison then went over the bids. Four bids were collected. Hall Contracting of Kentucky, Inc. was the lowest bid at \$111,100. Flynn Brothers Contracting, Inc. came in next at \$120,465. Libs Paving Company, Inc. was presented for \$138,143. The highest bid was from Louisville Paving Company, Inc. at \$190,425.



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Mr. Madison recommends the City use Hall Contracting. It was mentioned that Hall Contracting may have had some complaints related to past work in the City but Mayor Davis shared that Hall may not have ever been told about those concerns.

The conversation then changed over to address the issues on Windsong. Mr. Madison described the issues on Windsong Way as a “complicated fix” and not a road resurfacing issue which explains why Windsong Way was not listed on the streets flagged for paving on the bid specifications. It was determined that Windsong Way is a “special project” and should be discussed as such. We cannot use public funds to fix private properties.

Mr. Madison shared his contact person of Mr. Joe Exley of the Metropolitan Sewer District with Ms. Staci Farris to begin discussions about the drainage issues with MSD.

Resident Joyce Bridge shared that a friend on Lime Kiln experienced a similar issue and was able to dig a deep trench with attractive rocks and greenery to drain water across their property.

Soon after Councilman Blue made a motion to close the Public Hearing. This was seconded by Councilwoman Rademaker, and was unanimously carried.

**NEW BUSINESS:**

**Councilwoman Rademaker** made a motion to vote for Flynn Brothers Contracting, Inc. to begin paving work for the City. This was seconded by Councilwoman Greer. A Roll Call Vote was held:

Councilman Blue: No  
Councilwoman Greer: Yes  
Councilwoman Myers: No  
Councilwoman Rademaker: Yes  
Councilwoman Spencer: Yes  
Councilwoman Trachtenberg: Yes

**Thus, the Council voted 4-2 to accept Flynn Brothers Contracting, Inc. at \$120,465 to complete road resurfacing and minor repairs.**

**Councilwoman Greer** opened the conversation regarding the **Maintenance Bids** by stating that only one company submitted a bid. Brownsboro Lawn Care submitted \$42,145 based on the specifications. Councilwoman Trachtenberg made a motion to accept this bid, seconded by Councilwoman Myers. The motion passed unanimously.

**ATTORNEYS COMMENTS:** Attorney Clay Barkley reported he is continuing to follow business regarding 4490/4492 Brownsboro Road. The rezoning was opposed by Windy Hills in technical review. Afterward, 14 units were reduced to 12 units, and Coach Gate was provided their fence request, however, so now the City is unopposed to the development.

**Attorney Timothy Mayer** has joined the law firm of Strobo Barkley and was introduced by Mr. Barkley assuring Mr. Mayer's resume is impressive. We look forward to working with Mr. Mayer in the future.

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

Resident **Martha Davis** mentioned that about a year and a half ago several sidewalks were reported to Public Works that are still unaddressed.

A resident of Indian Ridge, **Dick Woolley**, requested a few sidewalks need edging done, asked if the Brownsboro Road Banana trees could be pruned, and requested maintenance on Rudy Lane by the condos be inspected.

Councilwoman Trachtenberg stated that the trees on Rudy Lane that are overhanging belong to Louisville Metro, not Windy Hills.

Resident Chari Baird followed up her previous points by asking that the minutes reflect the refusal of the City regarding the Windsong Way drainage issue. Mr. Madison stated that it is likely MSD will resolve this issue. This sentiment was also reiterated by Attorney Clay Barkley who stated this be categorized as a MSD/engineering issue primarily.

Councilwoman Myers spoke to request the City put some "weight" on MSD to help the Windsong Way homeowners get this issue taken care of.

Councilwoman Greer mentioned the stolen car on Merrifield Way by a masked group. The car was unlocked.

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

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Helen Davis, Mayor

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Christine Haner, City Clerk