



December 2022

*A City of Historic Homes*

[www.cityofwindyhills.com](http://www.cityofwindyhills.com)

## From the Mayor's Desk...



Dear Neighbors,

It is hard to believe that it has been almost 4 years since I took the oath of office as your Mayor and this will be my last newsletter note. I want to thank our retiring Council Members, Marcia Myers, Bruce Blue, and Laura Trachtenberg, for their dedication and hard work on behalf of the city. We continue to be blessed in, that through careful financial management, we have increased city Services while keeping our tax rate low.

We have had some "good news" regarding our finances. The auditors completed the 2021-22 fiscal year audit. The Council adopted the audit at the December 12, 2022 meeting and an abbreviated copy is included in this newsletter. I am happy to report that we again completed the year with a surplus while maintaining a high level of city services and a 45% tax discount for early payment.

If you missed the Glow on the Green, you missed a fun event! We want to thank Metro Councilwoman, Paula McCraney, for sponsoring the accordion player, Mike O'Bryan who led us in caroling. Special thanks goes to Kate Greer and Marcia Myers for putting together the children's "goodie" bags.

I want to thank all of our residents who signed the Westport Road rezoning petition, attended, and spoke at the Rezoning Hearing. At the conclusion of the LONG meeting, I spoke to one of the Zoning Board members. She was VERY complimentary of our city. She said that the Board members were impressed by our turnout, our dedication to maintaining Windy Hills' residential character, and the thoroughness of our presentation. A special thanks goes to resident, David Lee, who led the "fight" and our attorneys for their hard work. Most of you have probably heard that

the Zoning Commission turned down the developer's rezoning application.

I want to congratulate our new Mayor, Dr. John Roberts, and our two new Council Members, Julie Theiler and Steve Teaford. Please take some time to congratulate them! The Mayor and Council will take the oath of office on December 30, 2022 at City Hall.



I want to thank you for the opportunity to serve as your Mayor. I have been very honored to represent you. Your passion and love for our city is unsurpassed. You truly care about maintaining the warm neighborhood atmosphere where neighbors support and encourage each other. You make our jobs much easier, and we thank you!

On behalf of your Windy Hills staff and the outgoing and incoming Council members, we hope you have a blessed and safe Holiday Season filled with joy and love!

Helen

### IN THIS ISSUE....

From the Mayor's Desk	Snow Plan for Windy Hills
2023-24 Council and Mayor	Improvements
Glow on Green & Food Drive	Development Projects
Good Work, Windy Hills!	LGE Project
Audit Report	Trees and Property Lines
ARPA Report	Waste Schedule

**community pride tradition shady lawns great neighbors**

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## Windy Hills Officials

The votes are in and John Roberts has been elected Mayor of Windy Hills for a four-year term.

These persons have been elected to serve as Council 2023-2024:

Helen Davis, Kate Kirwan Greer, Marianne Rademaker, Suzanne Spencer, Steve Teafor, and Julie Theiler.

They will be sworn in on December 30th at city hall. Christine Haner continues as Clerk and Don Ryan as Code Enforcement Officer.



Mayor Elect John Roberts with Mayor Helen Davis

## Update on Development Proposals

### 4301 Westport Road

Following the Planning Commission decision to “recommend to deny” the proposal for the development of a self-storage unit at 4301 Westport Road, the proposal was withdrawn from consideration by St. Matthews city council. Because a portion of the property is in Windy Hills which does not have its own zoning authority, it was considered by the Louisville Metro Council on December 15th and was denied.

### Westport and Ridgeway

The “Gilman’s Point apartment complex proposal (Westport and Ridgeway) is proceeding through the Metro Planning Process with formal consideration to occur during the first quarter of 2023. A citizens’ petition has been submitted to move the meeting to a time and place for more community access.

## Snow Plan for Windy Hills

Winter weather is in the forecast! Your City Council has contracted with Brownsboro Lawn Care to keep our roads drivable this winter. They will salt the hills and intersections in the city and plow when necessary to keep the streets open. Caution, however, should always be used. Because Rudy and Hubbards Lanes are Metro Louisville Roads and Brownsboro and Westport Road are managed by Kentucky Department of Transportation, we do not maintain them.

In view of the size of the city, all streets can’t be treated at the same time; however we do pre-treat when possible in anticipation of a storm and plow when it is deemed necessary with priority giving to hilly streets and intersections first.

## Good Work, Windy Hills!

Almost 97% of our property owners paid their taxes by October 31st and thereby took advantage of our 45% discount. As this newsletter goes to press, there are only 38 remaining Property Tax Bills for 2022 unpaid. Thank you for your cooperation. If you have not yet paid your bill, please do so by December 31st to avoid penalty.

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## Planned Improvements to The Windy Hills Green

Since early in 2022, City Council has planned to upgrade the surface of the path on The Windy Hills Green using an environmentally friendly impervious surface that will improve walking for everyone especially parents with strollers and seniors. The Kentucky Department of Transportation then announced changes to the Brownsboro and Rudy Lane intersection. This will take a strip of The Green along Rudy Lane taking out trees, the current parking pad, and encroaching upon our current path. To accommodate this, the path will be moved slightly west and new trees will be planted. Visitors will notice stakes marking the planned change. Parking will be expanded from the present 2 spaces to 6 spaces. Funds from the American Rescue Plan Act and from the sale of the land to the Highway Department will be used to improve this beautiful area for the use and enjoyment of all our residents.

## Glow on The Green and Food Drive

Glow on the Green was held on Thursday, December 1st after a delay due to weather forecast for rain and strong winds. The cider was hot, the music was great, the crowd was merry, and the tree is beautiful. Food, household, and hygiene items were collected for St. Matthews Area Ministries. Goodie bags filled with treats from the city were presented to each of the children by Rudolph and an elf. Thanks to the accordion player, Mike O'Bryan for providing the music (supported by a grant from Councilwoman Paula McCraney), Brownsboro Hardware for the tables, Buddy Mattingly for the firewood, and to Kate Greer for managing the event.

Photos by Ed Bridge



## Louisville Gas and Electric Project

As a result of an energy audit of our city, LG&E is in the process of a series of upgrades to strengthen power delivery in Windy Hills. LG&E made a few initial upgrades in late spring and early summer.

Now LG&E is working in the northeast sector (Brownsboro Road) of our city. The initial work includes replacing all the main electric poles (27) and the secondary splitter poles. The company will then be going back to install new transformers. The work should continue through March 2023. According to the LG&E contractor, the service reliability should increase dramatically. Individual residents will probably experience an hour of no electricity while the contractor is working on their property. Individual residents will probably experience an hour of no electricity while the contractor is working on their property.

CITY OF WINDY HILLS, KENTUCKY  
FINANCIAL REPORT JUNE 30, 2022

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and each major fund of the City of Windy Hills, Kentucky, as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the City of Windy Hills, Kentucky's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the City of Windy Hills, Kentucky, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)  
Financial Information

The following condensed financial information has been derived from the government-wide financial statements.

The total assets of the City increased by \$580,330 during the fiscal year ended June 30, 2022. This was primarily the result of an increase in the City's cash and money market accounts, as they received a large sum of money from the American Rescue Plan Act.

The following table provides a summary of the City's net position at June 30, 2022 and 2021:

ASSETS	2022	2021	Variance
Current assets	\$ 2,141,251	\$ 1,550,429	\$ 590,822
Nondepreciable capital asset	400,000	400,000	- -
Depreciable capital assets	182,819	193,311	(10,492)
Total assets	<u>2,724,070</u>	<u>2,143,740</u>	<u>580,330</u>
LIABILITIES			
Current liabilities	19,237	10,057	9,180
Total liabilities	<u>19,237</u>	<u>10,057</u>	<u>9,180</u>
NET POSITION			
Invested in capital assets	582,819	593,311	(10,492)
Restricted	335,646	305,499	30,147
Unrestricted	1,786,368	1,234,873	551,495
Total net position	<u>\$ 2,704,833</u>	<u>\$ 2,133,683</u>	<u>\$ 571,150</u>

The following table provides a summary of the City's changes in net position for the years ended June 30, 2022 and 2021:

	2022	2021	Variance
Total revenues	\$ 1,214,709	\$ 658,314	\$ 556,395
Total expenses	<u>643,559</u>	<u>599,073</u>	<u>44,486</u>
Change in net position	571,150	59,241	511,909
Net position, beginning of year	2,133,683	2,074,442	59,241
Net position, end of year	<u>\$ 2,704,833</u>	<u>\$ 2,133,683</u>	<u>\$ 571,150</u>



## Windy Hills ARPA Funding

When American Rescue Plan Funds were first made available, Mayor Davis researched the process, acceptable uses, and made application on behalf of the City of Windy Hills. The city has been granted \$512,925 to be used under federal guidelines by 2026.

As the intent of the funding was to assist those adversely impacted by the pandemic, Windy Hills businesses were the first to be approached and invited to complete application forms to document their need. Because of the loyal support of area residents and other funds available, only one business applied for relief, but did not meet the federal guidelines.

The City Council has approved two resolutions to guide the use of ARPA funds and the application process. They are:

### **Council Resolution October 2021**

*The City of Windy Hills intends to use its American Rescue Plan: Local Fiscal Recovery Funds for investments in 1. stormwater projects which will have a positive water quality benefit and/or water conservation and efficiency; 2. Public parks, plazas, and other outdoor recreation improvements which are tools to healthier living especially for seniors and children; and 3. assistance, in the form of grants, to small businesses and non-profits to mitigate the financial hardship from the public health emergency.*

### **Council Resolution September 2022 (Resolution No. 1, Series 2022-23)**

*This resolution sets out the policy to be followed by the Windy Hills ARPA Committee in recommending the disbursement of ARPA funds. Recommended projects should have city wide impact. Projects should benefit all of the city or a part of the city. Suggestions could, perhaps, come from a neighborhood group on behalf of a specific area of the city. All proposals should be presented to the ARPA Committee at least ten days prior to a council meeting for possible recommendation to the Windy Hills City Council. All final decisions will be made by the full council.*

Because non-profit organizations experienced significant demands on their services during the pandemic while being unable to sell tickets or hold fund-raisers, non-profit organizations known to serve Windy Hills residents were invited to apply for relief by documenting their need. Three applied while others declined with appreciation. Recipients have been most appreciative of our support as they serve our residents in a variety of ways.

Because of our grant to The Healing Place, the City of Windy Hills was recognized with great appreciation on October 20th at an event at The Waterfront Botanical Gardens. Mayor Davis, and ARPA committee members Marianne Rademaker and Marcia Myers heard inspiring stories of the impact our support will have on the lives of those struggling with addiction.

At the same time, the Windy Hills Council has been planning significant improvements that will benefit all residents and has earmarked the majority of city ARPA funds for those purposes. The first of these projects – improvements on The Green – has been in the planning process since spring, but state road work on the intersection of Brownsboro and Rudy Lane has slowed our implementation. It is expected that the work will begin March 2023.

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**TOTAL ARPA FUNDS RECEIVED TO-DATE    \$512,925**

**ARPA Funds Distributed To-date**

\$20,000	Louisville Orchestra
\$10,394	The Healing Place
\$10,590	St. Matthews Area Ministries
\$800	The Moon Dogs Band for 2 cancelled Windy Hills events
\$1600	Haywood Dairy for 4 cancelled Windy Hills events
\$1194.95	Bench for Old Farm Road/Greenbriar Road greenspace

**TOTAL            \$52,578.95 (as of 12/14/22)**

**Funds Allocated To-date for city ARPA Projects**

New surface and additional parking on The Green	\$200,000
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**TOTAL FUNDS ALLOCATED as of 12/14/22            \$252,578.95**

The Council appointed a three-person committee to review applications, project proposals and make recommendations to the Council. ARPA committee meetings are open to the public. Any applications or proposals must be submitted in writing ten days in advance to allow careful consideration.

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## **Save Some Leaves for Wildlife**

Insects get a bad rap. Mosquitoes deserve it. But, for the most part, insects play a big role in the environment. They provide food for birds. Baby birds must have worms and caterpillars while in the nest. Insects are pollinators for flowers, fruits, and vegetables. This is where leaves enter the picture. Rather than raking all your leaves and placing them out on yard waste days, blow or rake some of them into your flower beds or around your trees. This allows any caterpillar eggs a chance to hatch in the spring. If they are around trees, they can climb up into the trees for mother birds to gather for their young. The leaves in your garden will add protection to your perennials. They will be able to emerge in the spring. If you have a few leaves left on the lawn, use the lawnmower to mulch them. This adds fertilizer to the lawn.

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## Trees and Property Lines

We often get questions about trees that grow near property lines. This excerpt from an article by Steven J. Franzen, Campbell County Attorney answers the questions and clarifies responsibilities.

*In 1985, Kentucky has adopted what is known as the "Massachusetts' Rule" governing problems with trees between adjoining property owners. Simply, a property owner is not liable to a neighbor for tree limbs and roots that extend into the neighbor's property from a tree that is alive. Moreover, the owner is not required to remove limbs and roots that extend over and into the adjoining property of others. The theory behind the rule is that a property owner should be able to grow all the trees he wants on his own property without repercussion.*

*Although the neighbor cannot force the owner to cut back the trees, the neighbor has the right to cut off intruding limbs or roots on his own property. For example, if a neighbor's trees were hanging over your driveway or your house causing problems or the roots from the tree were buckling your sidewalk or driveway, then you would be permitted to cut the roots and the limbs back to the property line. Nevertheless, if you exceed past the property line, you can be liable for civil damages caused by your actions.*

*On the other hand, if the tree is dead and likely to fall and cause injury, a neighbor can file a nuisance suit requesting the adjoining property owner be required to remove the dead or damaged portions of the tree. The theory behind this is that it would be futile to require the neighbor to remove a portion of a dead tree back to the property line while leaving the hazard of a large portion of the total tree to remain in a threatening position. If the tree has already fallen, you can also file suit for the damages caused by the fallen tree.*

*In most cases, the best starting point to resolving a problem would be contacting the neighbor, explaining the problems and trying to work together to eliminate the problems. There may be several issues involved including for example where exactly the property line is actually located or if the property is owned by the government. If in doubt or an issue arises, it is always best to consult an attorney to assist and advise you with your specific problem because the law in this area is still being developed.*

From <https://www.campbellcountyattorney.com/news/rights-of-adjoining-landowners-as-to-trees-and-bushes#:~:text=In%201985%2C%20Kentucky%20has%20adopted,a%20tree%20that%20is%20alive.>



**CITY OF WINDY HILLS**  
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Windy Hills, Kentucky 40207

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## City Officials and Important Links

### Mayor:

Helen Davis

Phone.....(502) 893-8238

Email.....helen.davis@cityofwindyhills.com

### City Council:

**Bruce Blue** (Public Works)

Phone.....(502) 593-4738

Email.....bruce.blue@cityofwindyhills.com

**Kate Greer** (W.H. Green/City Maintenance/  
Newsletter co-chair/Tree Board Liaison)

Phone.....(502) 893-2059

Email.....kate.greer@cityofwindyhills.com

**Marcia Myers** (Newsletter co-chair/Fourth of July  
parade/picnic)

Phone.....(502) 417-1687

Email.....marcia.myers@cityofwindyhills.com

**Marianne Rademaker** (Finance/Mayor Pro tem)

Phone.....(502) 896-1957

Email.....marianne.rademaker@cityofwindyhills.com

**Suzanne Spencer** (Community Caring/Health-  
Fitness, Welcome to Windy Hills)

Phone.....(502) 821-8740

Email.....suzanne.spencer@cityofwindyhills.com

**Laura Trachtenberg** (Community Standards  
Chair/Ordinances)

Phone.....(502) 897-7056

Email.....laura.trachtenberg@cityofwindyhills.com

### City Clerk:

**Christine Haner**.....(502) 895-4778

City Email.....info@cityofwindyhills.com

City Website.....www.cityofwindyhills.com

### Public Works/ Code Enforcement:

**Don Ryan**.....(502) 895-4778

Email.....don.ryan@cityofwindyhills.com

City Council meetings are held the 2nd Monday of  
each month, 7:00 pm at Sojourn Community Church,  
2501 Rudy Lane. Observers are welcome at Council  
Work Sessions at 10 A.M. at City Hall the Friday before  
the regular meeting.

### Other Important Contacts:

EMS.....911

Graymoor/Devondale Police .....327-2677

Thru Sheriff Dept. Dispatch .....574-5471

St. Matthews Fire District (Business) .....893-7825

District 7 Metro Councilwoman,

Paula McCraney .....574-1107

Metro Call.....574-5000

or.....311

Animal Control Protection .....361-1318

Dog or Cat Complaints .....363-6609

Health Department .....574-6520

Jefferson County Clerk .....574-5700

(All branches can be reached at above number)

LG&E .....589-1444

or text OUTAGE to 454358

MSD Customer Service .....587-0603

Planning and Design Services .....574-6230

Recycling Center .....896-1293

St. Matthews/Eline Library .....574-1771

Ecotech Waste Services .....502-935-1130

*Blessed is the season which engages the whole world in  
a conspiracy of love — Hamilton Wright Mabie*

Clip and Keep



## ECOTECH Waste Pick-up Schedule

**Monday** - Yard Waste      December 5th and 19th

January 2nd, 16th, 30th

February 13th and 27th

Weekly pick up will resume in March.

**Tuesday** – Recycling and Garbage Collection

No waste service changes are expected for Christmas, or New Year's  
this year.

Please call **502.935.1130** to schedule a large item or report a problem.

Check [www.ecotechky.com](http://www.ecotechky.com) for holiday or weather-related changes.