

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
November 14, 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 - ABSENT

Kate Greer

Marcia Myers

Marianne Rademaker

Suzanne Spencer

Laura Trachtenberg

OTHER CITY OFFICIALS

Christine Haner, Clerk

Attorney Timothy Mayer

Don Ryan, Code Enforcement

MINUTES:

Councilwoman Greer moved to approve the minutes of the October 10, 2022, Council meeting; seconded by Councilwoman Rademaker. The motion passed unanimously.

FINANCIAL REPORTS, APPROVAL OF BILLS:

Councilwoman Rademaker moved to approve the October 2022 Financial Reports; seconded by Councilwoman Trachtenberg. While the motion passed unanimously, Councilwoman Spencer brought up the question as to why the ARPA checking account was listed on the Balance Sheet with the other cash accounts rather than separated. Mayor Davis answered that our CPAs and auditors are in agreement that ARPA should not be separated from other accounts in regard to the Financial Statements.

Councilwoman Greer moved to approve the October bills, totaling \$49,710.86 and was seconded by Councilwoman Trachtenberg. The motion passed unanimously.

SPECIAL RECOGNITION:

Mayor Davis requested to deviate from the Agenda in order to thank a particular resident of Windy Hills. **Mr. David Lee** was issued a **Good Neighbor Award** to thank him for leading the charge in his role in community response to the Westport Road Rezoning proposal. The Louisville Metro Planning Commission voted to recommend denial of the proposal. That recommendation will go to Metro Council and the St. Matthews City Council for votes by those

bodies. Mr. Lee was key in collecting signatures to move the hearing location and time and for sharing information about the impact of this potential project on Windy Hills and the surrounding area.

RESIDENTS' COMMENTS/CONCERNS:

None

MAYOR'S REPORT:

Police Report: There were 100 hours of police support and we paid for 96. There were 4 parking citations. The police became involved in a neighbor dispute involving water lines and spent 2 weeks patrolling between the 2 houses. I too had been contacted by both neighbors. I explained to both neighbors that the City had no jurisdiction over the Water Company. I gave them Water Company contact information.

I was contacted by a Foeburn resident who was upset with MSD. He requested that the City act as his negotiator with MSD. I explained that we have no authority over that agency, but I did reach out to my MSD contact. He informed me that although they had no liability, they had reached out to the resident and provided services beyond what was required. The resident did not call me back, so I presume the issue was settled.

A Wexford Place resident notified me that his car was broken into early Monday morning, November 14. There was almost \$5,000 damage done to the car. I am going to ask for stepped up overnight patrols.

The new owner of 726 Indian Ridge is hard at work rehabbing the property. The neighbors have been very appreciative.

LG&E has started its Windy Hills upgrades. I had emailed the President of LG&E last spring and the company agreed to complete a citywide energy audit. LG&E made a few initial upgrades in late spring and early summer. I was surprised when an Indian Ridge resident contacted City Hall on Wednesday about electric poles. I went to Indian Ridge and spoke to the contractor explaining that we had a "right-of-way" encroachment form that needed to be completed so we could notify our residents about upcoming work.

LG&E is starting the work 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.

The City had a wonderful turnout for the Westport Road Rezoning Hearing. I want to again thank David Lee and the City Attorneys for all their help. It was a long hearing, but the Planning and Zoning Commission voted to not recommend the rezoning. Afterwards, I thanked one of the commissioners for her eloquent words of support. She then thanked me for the effort that our City put into our opposition and our strong turnout. Our next step is to attend the St. Matthews meeting where this will be decided.

I have been working with the City Attorneys on the revisions to our ordinances. We will discuss this under new business.

COMMITTEE REPORTS:

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

Finance

There was nothing to report regarding finances.

ARPA

The ARPA committee met on Wednesday, November 9th. Councilman Blue was not in attendance. Councilwoman Rademaker and Councilwoman Myers had two guests attend the meeting. The ARPA procedure to request funding was reiterated. The ARPA committee plans to continue meeting monthly on the Wednesday morning before the monthly Caucus meetings. They meet at 11AM in the conference room.

Green/ARPA

Work by the City Engineer has continued regarding the new walking path and subsequent enhancements to the Green. The East side of the path has been updated on a map provided to the City. There will be an asphalt parking lot containing six parking spots. Electrical outlets will be installed to accommodate the need for electricity close to the parking area. This will be especially helpful to the ice cream truck. Additional lighting is also in the new plans.

\$150,000 was approved for this project. In light of the expansion of parking, lighting, and electric provisions, **Councilwoman Rademaker** made a motion to expand funding for this project on the Green to an additional \$50,000 of ARPA funds for a total of \$200,000 allocated. This motion was seconded by **Councilwoman Spencer** and the motion passed unanimously.

Code Enforcement: **Don Ryan** reported:

There was nothing out of interest to report. Regular rounds have been going well.

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

Progress is being made at the Metro Public Works Center on Hubbards Lane. Communications have begun with the City of Windy Hills, Sara Beth Sammons, and Metro Public Works. The cinder block building has been torn down.

SavATree has installed the lights on the holiday tree for **Glow on the Green**. The timer will be delivered closer to the event date.

Glow on the Green plans are in place. The accordion player will be there. Councilwoman Paula McCraney should be in attendance and will pay for the accordion player out of secured funds from Metro Public Works. We may possibly have some Nutcracker performers from the dance studio above Brownsboro Hardware. Councilwoman Myers has graciously taken care of the goody bags for the children in attendance with the help of her grandchild. New containers were purchased to hold the hot cider. Cookies will be provided from Costco. The event will be on **Wednesday, November 30th, at 5PM.**

We are still watering Westport Road trees. Pray for rain, but not on November 30th!

Newsletter/Parade & Picnic - **Councilwoman Myers**:

NEWSLETTER REPORT

The October edition of The Windy Hills Breeze was sent to all subscribers on October 13th. 66 % were opened.

In addition, 4 other email notifications were sent to residents this month, both from my office and from the city office. This flexibility has proven to be a great asset and should be continued, if possible, in the new year.

The deadline for the November Breeze is **Wednesday, November 16th at noon** and the edition will be sent out within 24 hours of the deadline. I can take your announcements as soon as you have them ready.

The December issue of the newsletter is planned as a Year End print. The deadline for that issue will be **Wednesday, December 14th at noon**. It will be the “swan song” for this council.

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

Councilwoman Spencer reported the following:

Welcome to Windy Hills: There were six new residents in October.

Caring Community: Councilwoman Myers has offered to place a notice in the Breeze telling people how they may donate food and other necessities to St. MAM's during the holiday season. Donations for St. MAM will be collected at Glow on the Green. Details will be in the digital Breeze.

Health and Fitness: No report.

Holiday Decorations:

63 teardrop swags are ready to be installed on light posts as holiday decorations. Signature entrance swags will be finished in time for Brownsboro Lawn to install the week before Thanksgiving.

Public Works – **Councilman Blue (ABSENT):**

Mayor Davis expressed that in Councilman Blue's absence there was no report but the Snow and Ice Removal Contract will be discussed under Unfinished Business.

Food Truck – **Councilwoman Trachtenberg** reported:

No report.

City Clerk – **Christine Haner** reported:

TECHNOLOGY

City Hall has upgraded to Microsoft 365 from Office 2007 on both the Clerk and Mayor's computers.

CYBERSECURITY

On October 20th Mayor Davis and I attended a Cybersecurity seminar hosted by Independence Bank and Byrne Insurance Group consisting of a panel of professionals from insurance, banking, FBI, and technology industries.

We were provided with plenty of information to think about regarding Cybersecurity. This will be an ongoing process requiring diligence. Mayor Davis and I have been discussing potential options for best

practices in City Hall. Examples are Two-factor authentication for signing into various places and using password lockers or similar to save more sophisticated and lengthy passwords. There was a discrepancy among the IT professionals as to whether we should use Microsoft or Google to generate and hold passwords or it best we use an outside source (non-email provider) like Bit Warden. We have reached out to Mr. Veeneman's CPA office to inquire what Cybersecurity measures they use to minimize our exposure from that outside source. I have verified that our Carbonite back-up system allows us to go back as far as 60 days in time to reset the Clerk computer in the event of a breach if needed. In addition, I will be completely shutting down my computer daily when leaving the office.

90% of all breaches come in an email from someone you know and work with. This means all the councilmembers need to physically call the office to verify any strange email before opening.

OCTOBER

The office was busy in October with residents paying their property tax bills in person, refunds being issued for overpayments or duplicate payments, and extra deposits from the Quarterly Municipal Insurance Premium tax income.

97% of all properties in Windy Hills paid their 2022 Property Tax Bills by October 31, taking advantage of the 45% discount.

NEWSLETTER

Councilwoman Myers met with me to go over how the newsletter is produced. A big part of this process is simply learning the software through time on task.

AUDIT

The Audit is in the final stages, and we are hopeful the results will be presented at the December Council Meeting.

UNFINISHED BUSINESS:

Mayor Davis reported that no public bids were received regarding the ice and snow contract for 2022-2023. Therefore, the City entered into private negotiations for the contract. Brownsboro Lawn Care, owned by Mr. Adam Vogelsang, will do the work under acceptable terms with the City.

NEW BUSINESS:

Ordinance Revisions:

Councilwoman Greer made a motion to hear the **First Summary Reading of Ordinance 22-01**. This was seconded by **Councilwoman Trachtenburg**. The motion passed unanimously but just prior to the Clerk reading the summary, Councilwoman Spencer interjected the First Summary Reading be postponed until December with a vote planned for January. Mayor Davis clarified the point of order since the motion had already passed to read the First Summary Reading.

The Clerk read the First Summary Reading “Ordinance No. 22-01, An Ordinance of the City of Windy Hills, Kentucky Establishing a Code Enforcement Board.”

Councilwoman Greer made a motion to hear the **First Summary Reading of Ordinance 22-04**. This was seconded by **Councilwoman Trachtenburg**. The motion passed as Councilwoman Spencer was the only nay vote.

Mayor Davis read the First Summary Reading “Ordinance No. 22-04, An Act of the City Council of the City of Windy Hills, Kentucky Amending an Ordinance Related to the Code Enforcement Officer.”

Councilwoman Greer made a motion to hear the **First Summary Reading of Ordinance 22-02**. This was seconded by **Councilwoman Trachtenburg**. The motion passed as Councilwoman Spencer was the only opposed vote.

Mayor Davis read the First Summary Reading “Ordinance No. 22-02, An Act of the City Council of the City of Windy Hills, Kentucky Amending the Ordinance Establishing Nonelected City Officers.”

Councilwoman Greer made a motion to hear the **First Summary Reading of Ordinance 22-03**. This was seconded by **Councilwoman Rademaker**. The motion passed as Councilwoman Spencer was the only opposed vote.

Mayor Davis read the First Summary Reading “Ordinance No. 22-03, An Act of the City Council of the City of Windy Hills, Kentucky Repealing an Ordinance Related to the Citation Officer.”

The Second Summary Reading of these four proposed revisions will be at the December Council Meeting.

ATTORNEYS COMMENTS:

City Attorney **Tim Mayer** stated his time has been spent reviewing Ordinances for necessary revisions, especially the four that were just read, and following along with the Westport Road Rezoning project.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE:

Resident **Audrey Larkin** of Killiney Place requested an email be read into record as she was unable to attend this Council meeting in person. Her submission that was emailed to **Councilwoman Greer** is attached:

I am a Windy Hills resident who is very concerned about lack of police presence in our neighborhood. I know this to be true. Prior to Graymoor/Devondale police merging with Lyndon's police force, they were very much in evidence. I walk my dog everyday barring rain/ice/sleet. I don't walk at a particular time of day but rather when it suits my schedule. Since the police merger, I have yet to see one police car on the streets of Windy Hills. In the past, as I was walking, the streets were being patrolled. As I walked down Rudy Lane, they'd be driving in and out of side streets and they'd wave at me when I passed. They were friendly and got to know me. Some would be sitting on side streets along Ambridge with radar waiting to catch speeders. Same with side streets on Rudy Lane. I have talked with several other neighbors who are regular walkers and they've said the same thing. Where are the police? Our roads are becoming speedways, especially the two mentioned above. I won't walk on Rudy with traffic to my back. I always walk facing the traffic so I could jump out of the way if a speeding car is coming towards me.

Before my husband passed, I was up through the night and I'd look out my front window and they'd be riding down the street. This gave me great comfort knowing our streets were being patrolled. In the past if an abandoned car was left overnight on street, it would be towed the next day because police had seen it the night before. A month or two ago, an abandoned car was left on my street and finally after it sitting there for three days, I called police. It took the next day but was finally towed.

Contractually I have no idea how many hours the police are assigned to Windy Hills, but whatever it says, we're certainly not getting our moneys worth. I no longer feel safe walking our streets or even being alone in my house knowing streets are not being patrolled.

I'm asking for this matter to be looked into for the safety of the Windy Hills residents.

Respectfully,

Audrey U. Larkin
1308 Killiney Place

Councilwoman Greer moved to adjourn the meeting at 7:38PM; seconded by Councilwoman Rademaker, and the motion passed unanimously.

Helen Davis, Mayor

Christine Haner, City Clerk