

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
March 13, 2023

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 John Roberts called the meeting to order.

Mayor Roberts welcomed those who were present and reminded anyone who wished to speak to sign in and limit their time to 3 minutes.

ROLL CALL: The following were present:

MAYOR

John Roberts

COUNCIL MEMBERS

Helen Davis

Kate Greer

Marianne Rademaker

Suzanne Spencer

Steve Teaford

Julie Theiler

OTHER CITY OFFICIALS

Christine Haner, Clerk

Attorney Timothy Mayer

Don Ryan, Code Enforcement

MINUTES:

Councilwoman Greer moved to approve the minutes of the February 13, 2023, council meeting; seconded by **Councilwoman Davis**. The motion passed unanimously.

FINANCIAL REPORTS, APPROVAL OF BILLS:

Councilwoman Davis moved to approve the February 2023 Financial Reports which included the Profit & Loss Statements as well as the Balance Sheet; seconded by **Councilwoman Rademaker**. The motion passed unanimously.

Councilwoman Rademaker moved to approve the February bills, totaling \$47,158.08; seconded by **Councilwoman Greer**. The motion passed unanimously.

RESIDENTS' COMMENTS/CONCERNS:

Mike Skelton, a resident of 700 Rudy Lane, and a former Windy Hills Councilmember, was the only resident who signed in to speak.

Mr. Skelton firstly thanked the current Mayor and Council for their service to the City and welcomed those who were new to their roles this year.

Mr. Skelton brought up the transaction of the purchase of part of the Green by the Department of Transportation. He could not find a copy of the Deed and wished to discuss the Windy Hills Signature Entrance as it related to the area of the property that was transferred. The LOJIC map he viewed did not satisfactorily answer his question. **Councilwoman Davis**, who was Mayor at the time of the transaction, stated that Windy Hills still owns the land the Signature Monument sits on.

Mr. Skelton's second topic was to address the City of Historic Home signs. Many are covered by brush and bushes that prevent them from being easily seen or read by passersby. **Councilwoman Greer** responded with a plan in the works this spring and stated the area behind the Signature Monument will also be cut and maintained with this City maintenance project.

Mr. Skelton brought up a third topic regarding the plan for a permeable sidewalk in the Green as those can be expensive. **Councilwoman Rademaker** and **Councilwoman Davis**, both on the ARPA (American Relief Plan Act) Committee, stated that ARPA funds cannot be used to pay for a purchase of concrete or asphalt surfaces. Additionally, the permeable surface is best suited for the needs of older residents. **Councilwoman Davis** additionally shared that the type of material to be used on the Green is currently installed in a particular area of the Louisville Zoo with positive results.

COMMITTEE REPORTS:

Financial Advisor/ARPA Committee Chair/Mayor Pro Tempore – Councilwoman Davis:

The plans and dates shared last month regarding the Green walkway are no longer valid as the bidding process has been delayed by the City Engineer. Bid information will go out this week (week of March 13th). After being posted for ten days, bids will be collected. In light of this new timeline, it may be necessary for the City to hold a Special Council Meeting to review bids in a timely manner and vote in enough time for the work to begin.

The City of Windy Hills is a “non-entitlement City”. We are required to report expenses through March 31 in an annual April ARPA report. The funds need to be earmarked for expenditure by December 26th, and the funds must be spent one year from that time.

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

GREEN: The Rosemarie Magnolia and Appalachian Redbud were planted Wednesday, March 1. I rushed up to the Green Saturday morning to see what damage had occurred from the 75+ wind

gusts. The only damage was debris from the older trees. I picked up most of it and put it under trees.

Mother Nature was kind to City projects. Unfortunately, there was a loss of many trees—especially evergreens. Many do not have taproots and were full of needles. The ground was saturated. A house on Ambridge near Rudy was seriously damaged when a large tree fell on it.

TREE BOARD: It met February 22. Most of the discussion involved planting more trees and the Arbor Day Celebration in October. You should have the minutes on the website. The next meeting is April 19.

REGENCY AND MERRIFIELD FENCES: Steve Teafor and I have tried to clean these. Merrifield looks good. The South fence of Regency looks decent, but the North side still needs cleaning. The “Wet and Forget” didn’t work. I will try a Clorox spray but will have to be very careful so that none gets on the vegetation. Adam would power wash it for \$200. That is a bit pricey. I declined his offer.

RECYCLING CENTER: There is a lot of action going on dredging out the creek and stabilizing the creek bed. That is the cause of the recent traffic stalls.

MISCELLANEOUS: A friend of mine, Joan Gaston, who lives in Indian Hills, whom I know from the Kilgore Garden Board, sent me a \$500 check made payable to the City to be used for the Green maintenance because she and her husband Lamar love it so much. I told Christine to put it into the account set up for the Green when we sold off our land. I am beginning to think that we made a mistake creating the memorial trees. We have already replaced at least 4. And we will be replacing more when the ones on Rudy are removed. Trees are a lot more expensive than they were 10 years ago.

Resident, Joyce Bridge, will be helping to coordinate the Food trucks this year, from April through the summer, thanks to making contact with the person from the Food Truck Association. We are going to try to have a food truck during the night of our monthly Council Meetings to encourage more residents to participate.

Mayor Roberts stated that he sent a letter of thanks to Ms. Gaston that included wording sufficient to support her donation for tax purposes.

ARPA Committee - Councilwoman Rademaker:

Councilwoman Rademaker had nothing additional to add to Councilwoman Davis’ report.

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

Welcome to Windy Hills: There were no new residents that we know of in February which was highly unusual.

Caring Community: Nothing new to report.

Commemorative Plaques on the Green: One inquiry for a new plaque came in. I have invited the individual to walk the Green and see the available trees. A new Rose Marie Magnolia has been planted replacing one that was either severely damaged or diseased on the western side of the Green. The plaque was replaced under it.

Health and Fitness: A group of walkers met March 6th, to discuss forming a regular walking routine. We decided to advertise a first walk to be held on Saturday, April 15, at 2 p.m. Other locations were discussed and this first walk is sort of “testing the water”. Our group is comprised of Robin Goodin, Mark & Leigh Ray, Joseph and Karen Vickers, Bryan & Amy Carter, and Emily Pruett. The walk on Saturday, April 15th at 2 p.m. will begin in the Green. The plan is to walk on Rudy Lane to Two Springs cul-de-sac and back.

Public Works – **Councilman Teaford:**

- 13 street lights were fixed this month. Please email Steve or Christine if you have any street lights to report.
- Bids have been sent out to replace 87 street signs and other sign maintenance. The bids are due back March 31. The results will be discussed at the April meeting.
- All potholes reported to date were repaired by Libs Paving. Repairs were satisfactorily completed and Christine has been advised to pay the bill.
- There is a sidewalk safety issue at 6711 Windhurst Road. We have received bids to remove two nuisance trees and are awaiting bids to reconstruct the sidewalk before contacting the homeowner. It is likely to cost the homeowner \$2,500 to fix their portion related to the trees. The City will likely spend \$4,500-\$4,700 to repair the sidewalk(s) as cost of concrete and related-expenses are much higher now.
- The City desires to meet ADA (Americans with Disabilities Act) compliance as it relates to City sidewalks. Rudy is primarily the concern at this time.

Print Newsletter/The Breeze digital newsletter – **Councilwoman Theiler:**

- City-wide emails were sent regarding the stolen car/break-in, as well as an email about the power outages.
- The February newsletter had an open rate of 68.3%, consistent with past newsletters. I will include information about the digital version in the March print issue.
- The city's Facebook page has 54 members.
- I want to do a “refer a friend” contest on the Facebook page. For each of your friends/neighbors that join (they will be able to indicate who referred them), that resident will receive an entry for a drawing. I will ask Brownsboro Hardware, Noosh Nosh, and Shady Lane if they want to provide a gift card.
- The March print issue will go to the printer on Wednesday, March 15.
- Regarding Food trucks, the first one looks to be Monday, April 10th, to coincide with the Council Meeting. Prince Mediterranean is on the schedule. Future dates and trucks will be communicated.

Code Enforcement – **Don Ryan** reported:

If any signs are noticed to be in need of repair, or if there are any potholes to be addressed, they have been reported to Councilman Teaford in my effort to support Public Works.

Inspections of Rental Properties have started.

Councilwoman Spencer has been communicating with me about distribution of Welcome Packets to homes we know to be rentals.

Councilwoman Theiler has been communicating about sharing important Ordinance and Code Enforcement topics with residents via the newsletter or other communications.

City Clerk – **Christine Haner** reported:

There are nine unpaid 2022 Property Tax Bills. Four are for those who have delinquencies in past years, as well. One unpaid 2021 Property Tax Bill was recently paid and Lien will be released soon.

On March 2, 2023 the Paper Predator from Shelbyville, KY, shredded approximately 4 cubic feet of documents from the City.

- Series L0971, Paid Property Tax Bills and/or copies thereof for years 2013-2019

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- Series L5043 Qtly Municipal Insurance Premium Tax Returns for all quarters of 2020 and 2021.
 - Series L5044 Annual Reconciliations of Insurance Premium Tax Returns for years 2014-2017.

A Records Destruction Certificate was mailed to the Kentucky Archives & Records Management Division.

While it may seem improper to shred the 2021 records, this was congruent with the Kentucky Department for Libraries and Archives guidelines for both Municipal Governments and Local Governments. This was also verified during the Municipal Clerks Association meeting held on February 1st, where the Clerk was in attendance for the recordkeeping seminar.

There are still documents in City Hall that are within recommended guidelines for destruction. Similar to our efforts with Cybersecurity, this is an ongoing effort that takes careful planning and care for accuracy rather than speed of completion. Mayor Roberts and I have been in active discussions about cybersecurity and updates to City procedures to further secure our records.

ATTORNEY'S COMMENTS:

Tim Mayer, City Attorney, mentioned he has simply been working on City business as questions come up as there are no big projects at this time.

MAYOR REPORT – Dr. John Roberts reported:

Mayor Roberts shared his sentiment of appreciation to the citizens of Windy Hills, especially for their resiliency and dedication to clean up in regards to the weather event of Friday, March 3rd. Two houses were significantly damaged. Tarps were needed. No injuries were reported to the Mayor.

Mayor Roberts also thanked the LG&E crews and other contracted workers who worked long hours. Their dedication certainly helped the Windy Hills recovery effort.

Mayor Roberts mentioned and confirmed the bid process for the walkway on the Green. Samples of the material for the walkway are in City Hall.

Regarding Cybersecurity, it was the re-insurer, used by the Kentucky League of Cities (KLC) where Windy Hills purchases insurance, that is requiring additional questioning and accountability regarding office procedures. Mayor Roberts shared that sound cybersecurity procedures make the difference between a cybersecurity event deductible being \$50,000 or \$5,000. Processes like cloud-based backup systems, two-factor authentication, etc. can make a difference.

OLD BUSINESS:

Councilwoman Davis made a motion, seconded by **Councilwoman Greer**, to vote to hear the Second Reading of Ordinance No. 23-01. The motion passed unanimously.

The **Clerk, Christine Haner**, read:

ORDINANCE NO. 23-01
AN ACT OF THE CITY COUNCIL OF THE CITY OF WINDY HILLS, KENTUCKY
AMENDING THE ORDINANCE ESTABLISHING A SCHEDULE OF MONTHLY
REGULAR AND BUSINESS MEETINGS OF THE CITY COUNCIL.

This is an act amending Section 32.16 of the Windy Hills Code of Ordinances to strike various provisions that are superfluous, outdated, duplicative of state law requirements, or confusing.

Councilwoman Spencer asked the question if this Ordinance will be used when a Special Council Meeting is called or a meeting date is changed. **Attorney Tim Mayer** confirmed and reminded the City to post a public notice about meeting changes.

Councilwoman Davis made a motion to vote to pass Ordinance 23-01; seconded by **Councilwoman Greer**. The motion passed unanimously.

At this point, **Councilman Teaford** made a motion to move the April Caucus Meeting to Thursday, April 6th, from Friday, April 7th, to avoid any conflict with Good Friday.

Councilwoman Spencer seconded the motion. The motion passed unanimously.

It was stated by **Mayor Roberts** the Monday, April 10th Council Meeting remains unchanged. Only the work session / Caucus meeting was moved.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE:

The question was asked by a resident regarding the lights at the sidewalk in front of Sojourn Community Church – East. Mr. Doug Maurer, resident and employee of Sojourn Community Church, stated that Councilwoman Paula McCraney had the lights installed. There was a question as to who pays the LG&E light bill for them as Mr. Maurer knows it not to be Sojourn. This question will be investigated by Councilman Teaford, Public works.

There being no further business to address nor questions to answer of the Council, **Mayor Roberts** adjourned the meeting at 7:46 p.m. with no objections.

John Roberts, Mayor

Christine Haner, City Clerk