

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
June 12, 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 Pro-Tempore Helen Davis called the meeting to order.

ROLL CALL: The following were present:

MAYOR

Absent

COUNCIL MEMBERS

Helen Davis-Mayor ProTem
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 May 8, 2023, council meeting; seconded by **Councilman Teaford**. The motion passed unanimously.

FINANCIAL REPORTS, APPROVAL OF BILLS:

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

Councilwoman Greer moved to approve the May bills, totaling \$45,358.46; seconded by **Councilwoman Rademaker**. The motion passed unanimously.

PUBLIC HEARING ON SPENDING ROAD AID FUNDS ON CITY PAVING:

Mayor ProTem Davis read the following:

The Public Hearing is not a Town Hall meeting since Windy Hills has representative government. As residents, you have the opportunity to have input at the beginning of the hearing. For residents' information, the Road Funds come from the Kentucky State Gasoline Tax Revenue. At

the May Council meeting, the Council voted to accept the low bidder, MAC Construction & Excavating, Inc. to perform the 2023 road paving.

Councilman Steve Teaford will now explain what roads will be paved during the 2023-2024 fiscal year and the process of choosing said roads.

Councilman Steve Teaford spoke:

In 2021 the City contracted with Milestone Design Group, civil engineers who specialize in public works for smaller municipalities throughout this region. We asked them to do a survey of our roads, to analyze which may need to be resurfaced, and to designate those that needed to be done first. City wide, this had never been professionally done before, and our goal was to develop a consistent annual program of street resurfacing, while meeting within budgetary constraints at any particular year. Last year we resurfaced four streets and did pothole repairs on three others.

This summer we have designated Foeburn Way, Grassy Fork Court, Greenbriar Road, Kaelin Drive, Old Farm Road, Windsong Court, and Windsong Place, and designated the repair of the drain place on Indian Ridge.

After additional review and testing by the contractor and Milestone Design Group, we also intend to repave Deerfield Lane, provided no other additional engineering problems are uncovered, requiring excessive additional funding. Work will begin after July 1.

Mayor ProTem Davis continued:

Before the City officially disperses the Road Fund money for paving in Windy Hills, we will open the floor for any comments. **The Hearing officially opened for public comment at 7:04PM.**

Seeing no desire, and verifying no desire, for comment from the residents in attendance, **Mayor ProTem Davis** stated:

The Public Hearing on Spending Road Aid Funds on City Paving is now closed. The contract with MAC Construction & Excavating, Inc. will be signed and the preliminary work will begin immediately. **The Hearing officially closed at 7:04PM.**

RESIDENTS' COMMENTS/CONCERNS: None

COMMITTEE REPORTS:

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

No report

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

The Tree Board met May 27th. We went over the Tree Board Ordinances at the request of Mayor Roberts and decided several changes should be made.

The Windy Hills Garden Club has a meeting scheduled for Saturday, June 17th, 10AM, at the Coach House Party room. People have been notified.

Harley Dougherty visited Rudy the Bear for annual maintenance. Rudy was in good shape, needed minimal work, and another coat of protectant was applied to keep Rudy in good condition.

We sent a letter to Nancy Ott-Nobles to notify her that she is being replaced for not attending or zooming the Tree Board meetings. The Board would like to appoint Martha Davis, this with Mayor Roberts' approval.

Councilwoman Greer made a motion to appoint **Martha Davis** to the Tree Board; seconded by **Councilman Teaford**. The vote passed unanimously.

ARPA Committee - **Councilwoman Rademaker:**

No report as **Councilwoman Rademaker** mentioned that the ARPA funds will be used to fund the Green path and replacement of some Windy Hills signs which will be discussed later in the meeting.

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

Welcome to Windy Hills: There were three new residents in May – all in CoachGate.

Health and Fitness: Windy Walkers will complete their walks to Historic Homes in Windy Hills on June 17, at 2PM. We will meet at the Windy Hills Green and walk to the Richard Taylor House at 726 Waterford. New owner, Michael Cunningham will join us. He has been researching its history and has promised new insights into the early owners. We will continue to Victoria Lane and the Rudy family headstones before returning to the Green.

Our next walk, in July, will be around Locust Grove and walks after that to some of the summer gardens in Windy Hills.

The yoga group has a new instructor and we will have more information on how to sign up for the sessions which will be held at Broadway Baptist Church on Brownsboro Road.

Community Caring:

We will have a table set up at the 4th of July Picnic and have firefighters with us to discuss smoke alarm maintenance and installation.

Major Leffler, of the St. Matthew's Fire Department on Sears Avenue, and I spoke about setting up a program during which individual Windy Hills residents can sign up and set an appointment to receive help in their homes with smoke alarm installation and battery replacements.

Public Works – Councilman Teaford:

No Report as Public Works business will be discussed later in the meeting.

Print Newsletter/The Breeze digital newsletter – Councilwoman Theiler:

Wednesday, June 14th is the deadline for any submissions to the newsletter. It will go to the printer by the end of that week.

This printed newsletter will include the Budget Ordinance and Ad Valorem Property Tax Levy Ordinance. Also included will be articles related to safety from the Lyndon Police in light of recent car break-ins. The Ordinance related to parking will be referenced in the Code Talk segment. The Metro Louisville leash law will be highlighted.

We are excited to host the 4th of July Parade and Picnic at Sojourn East on Tuesday, July 4th. The newsletter will include information about Registering for food and a reminder to bring a side dish for potluck. There will be music by The Moon Dogs, Ice Cream from Haywood Dairy, prizes, giveaways, and more.

Code Enforcement – Don Ryan reported:

Because it is summertime, we have seen more RV's, boats, and trailers around. The homeowners, just like the City, are eager to get them where they need to be so with a little time, those issues have gone away.

The retaining wall building project on Foeburn has been completed which means the Port-O-Potty has been removed.

For those of you who are doubting the effectiveness of Lyndon Police patrolling the City, please know that I was pulled over for suspicious behavior! The officer was doing what officers do and properly noticed my behavior. I told him who I was and what I was doing and we both had a good laugh.

It was suggested by someone that Don have a special sticker for his vehicle.

City Clerk – Christine Haner reported:

The uncertified 2023 preliminary property tax assessment roll for Windy Hills was received from Colleen Younger, Jefferson County Property Valuation Administrator during April. It was reviewed by me and Mayor Roberts for accuracy with the help of Councilwoman Davis. Its purpose is to verify the number of parcels of land included in Windy Hills in advance of printing the property tax bills. We were comfortable in submitting a validation form attesting to accuracy.

Chief Rob Schroeder of Lyndon Police has been providing copies of any Citations handed out by his officers to me shortly after they happen rather than waiting until his monthly report to Mayor Roberts. This has been exceedingly helpful in communicating with our residents to pay their citations within the 10-day window to avoid an excess charge. It also helps me in staying on top of tracking any unpaid citations prior to them becoming too stale.

During May we opened a new 6-month Certificate of Deposit with First Financial Bank to take advantage of a Public Funds Rate of 4.51% APY. \$250,000. We have a few CDs that will mature this month with Eclipse Bank. We will be shopping around at local banks to ensure the best future rate of interest.

ATTORNEY'S COMMENTS:

Tim Mayer, City Attorney, mentioned he has simply been working on City business as questions come up. He recently attended a conference in Elizabethtown, Kentucky, for Attorneys of Municipal Cities.

MAYOR REPORT – Dr. John Roberts:

In the Mayor's absence, the report was communicated by the Clerk:

Police Report: There were 92 hours of policing during the month of May with a cost of \$5,336.00. The 92 hours represents an average of approximately 3 hours (180 minutes per day). Of note very few hours of patrol occur between 1 am and 6 am. Because of several complaints of Windy Hills citizens about overnight parking occurring on their streets and because of reports of car break-ins in cities surrounding Windy Hills, I have asked Chief Schroeder to increase patrolling during the early morning hours and to issue warnings and citations for street parking between the hours of 2 am and 5 am per our ordinance. This resulted in two parking citations in May. There was also one verbal warning for speeding on Rudy Lane. There were 3 houses on

house watch. Finally, I have also received notice from Lyndon Mayor Brent Hagan that beginning July 1 the hourly rate for policing time will increase from \$58 per hour to \$64 per hour and Windy Hills will be billed for the time patrolled. He stated that he will try to keep it close to the 96 hours we desire.

There have been several calls about the traffic buildup on Rudy Lane due to the new traffic signaling sequence and timing at the intersection of Rudy and Brownsboro. This has impacted access to the shops in Brownsboro Center. I have filed two reports with Metro 311. I have asked that someone reassess this intersection. The Kentucky Department of Transportation and our contact person Adrienne Hoffman will also be contacted regarding the intersection.

There is considerable construction and remodeling going on in Windy Hills with significant enhancements and additions to several homes along Rudy Lane. The VA Hospital construction continues without incident.

This June City Council meeting will deal with numerous fiscal items as you know. Including, decisions about the Road Fund expenditures for 2023-2024, the Sanitation/Recycling Contract, the contract for landscaping services, the contract for replacing City Street signs with ARPA funds, the second readings of the Budget Ordinance and the Ordinance to levy taxes. I want to sincerely thank Former Mayor and current Councilwoman Davis for shepherding these important items through the council meeting in my absence.

NEW BUSINESS:

Sanitation Bids:

Mayor ProTem Davis shared there were two bids submitted to the City for sanitation services. The details were documented on the 2023 Bid Tabulation Spreadsheet. For once weekly curbside pickup, Rumpke's bid with 950 single family homes and 105 Coachgate condominiums totaled \$313,335 and EcoTech's totaled \$330,945. The bids for once weekly backdoor pickup with 950 single family homes and 105 Coachgate condominiums totaled \$376,635 by Rumpke and \$404,475 by EcoTech.

Councilman Steve Teaford made a motion to accept the lowest bidder of Rumpke for the City sanitation services; seconded by **Councilwoman Rademaker**.

A roll call vote was taken:

Councilwoman Greer – Yes
Councilwoman Rademaker – Yes
Councilwoman Spencer – Yes
Councilman Teaford – Yes
Councilwoman Theiler – Yes

Rumpke was awarded the contract.

Councilman Teaford then made a motion to change the Windy Hills trash pickup to curbside pick-up; seconded by **Councilwoman Greer**. Discussion followed centering on the cost difference between backdoor and curbside pick-up and the impact curbside pick-up would have on Windy Hills senior residents.

A roll call vote was taken:

Councilwoman Greer – Yes
Councilwoman Rademaker – No
Councilwoman Spencer – No
Councilman Teaford – Yes
Councilwoman Theiler – Yes

The motion passed 3 to 2. The new contract will be effective July 1, 2023.

Maintenance Bids:

Mayor ProTem Davis moved on to the City Maintenance Bids. The 2023 Bid Tabulation showed the lowest bidder was Klausing Group, Inc. at \$26,517.47. The next lowest bidder was Jody Nalley at \$32,800. Brownsboro Lawn Care came in at \$42,145 and the highest bidder was Greenway Landscape at \$45,782.

Councilwoman Greer made a motion to accept the lowest bidder, Klausing Group, for the City Maintenance contract; seconded by **Councilman Teaford**.

A roll call vote was taken:

Councilwoman Greer – Yes
Councilwoman Rademaker – Yes
Councilwoman Spencer – Yes
Councilman Teaford – Yes
Councilwoman Theiler – Yes

The Maintenance Contract was officially awarded to Klausing Group, Inc.

UNFINISHED BUSINESS:

Second Reading of Ordinance 2, Series 2022/2023 Ad Valorem Taxes for 2023/2024:

Councilwoman Greer made a motion to have Ordinance 2, Series 2022/2023 regarding the Ad Valorem Taxes for 2023 read into record. **Councilwoman Rademaker** seconded the motion and it passed unanimously. City Clerk, Christine Haner, read the summary of Ordinance 2, Series 2022/2023 into record.

Councilwoman Greer made a motion to adopt Ordinance 2; seconded by **Councilwoman Rademaker**.

A roll call vote was taken:

Councilwoman Greer – Yes
Councilwoman Rademaker – Yes
Councilwoman Spencer – Yes
Councilman Teaford – Yes
Councilwoman Theiler – Yes

Ordinance 2 was officially adopted.

Second Reading of Ordinance 3, Series 2022/2023 Budget for Fiscal Year 2023/2024:

Councilwoman Rademaker made a motion to have Ordinance 3, Series 2022/2023 regarding the Budget for Fiscal Year 2023/2024 read into record. **Councilwoman Greer** seconded the motion and it passed unanimously. City Clerk, Christine Haner, read the summary of Ordinance 3, Series 2022/2023 into record.

Councilwoman Rademaker made a motion to adopt Ordinance 3; seconded by **Councilman Teaford**.

A roll call vote was taken:

Councilwoman Greer – Yes
Councilwoman Rademaker – Yes
Councilwoman Spencer – Yes
Councilman Teaford – Yes
Councilwoman Theiler – Yes

Ordinance 3 was officially adopted.

Road Signs Bid:

Councilman Teaford made a motion to accept the bid of \$29,953 by B-Sign Group, Inc. to replace 86 street signs, one City sign, and one directional sign including the removal and installation using existing brackets. Additional maintenance and painting are also included in

the bid. ARPA funds will be used to pay for this contract in 3 payments. This was seconded by **Councilwoman Greer**. The motion passed unanimously.

Trail/Path Project on the Green:

Councilman Teaford made a motion to cap the renovations on the path/trail at the Green by Milestone Design Group at \$425k; seconded by **Councilwoman Rademaker**. The motion passed unanimously.

BUDGET REPORT:

Mayor ProTem Davis mentioned that sanitation costs and public safety were two prominent expenses that increased significantly for the new fiscal year. Since cities are prevented from increasing tax revenue by more than 4% without a public hearing, a portion of the prior years' surpluses was transferred into the 2023-24 budget to properly balance the budget.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE:

Former councilwoman Laura Trachtenberg asked about the timing of the pickup for trash, recycling, and yard waste with Rumpke. Answered: pickup days of the week will not change. Councilwoman Davis added that there can be up to 4 basement cleanouts per year and residents can also schedule large item pickups with Rumpke.

Former councilman Bruce Blue expressed that he and other residents are unhappy with the vote to remove backdoor pickup as this will affect numerous residents who are unable to move cans to the curb/street.

Resident Doug Mauer discussed the use of the fork-like arms that trash trucks will use to pick up the trash and recycling cans. Residents can use their own paper bags or plastic or metal trash cans for yard waste.

There was a brief discussion about using new property tax values when determining the maximum 4% increase in the property tax rate by law.

There being no further business to address nor questions to answer of the Council, **Councilwoman Greer** made a motion to adjourn, seconded by **Councilwoman Rademaker**. The motion passed and the meeting was officially adjourned at 7:53PM.

Helen Davis, Mayor ProTem

Christine Haner, City Clerk