

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
April 8, 2024

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 Roberts called the meeting to order.

ROLL CALL: The following were present:

MAYOR

Dr. John Roberts

COUNCIL MEMBERS

Helen Davis-ABSENT
Kate Greer
Marianne Rademaker
Suzanne Spencer
Steve Teaford
Julie Theiler

OTHER CITY OFFICIALS

Christine Haner, Clerk
Timothy Mayer, Attorney
Don Ryan, Code Enforcement

MINUTES:

Councilwoman Greer moved to approve the minutes of the March 11, 2024, council meeting; seconded by **Councilman Teaford**. The motion passed unanimously.

FINANCIAL REPORTS, APPROVAL OF BILLS:

Councilwoman Rademaker moved to approve the March 2024 Financial Reports which included the Profit & Loss Statement as well as the Balance Sheet; seconded by **Councilwoman Greer**. The motion passed unanimously.

Mayor Roberts briefly mentioned that the Council also reviewed an ARPA snapshot with a balance of \$16,778.16 as of March 31 and a Road Fund snapshot with a balance of \$63,944.46 as of March 31 to easily see activity and remaining balances in those funds.

Councilwoman Greer moved to approve the March checks, totaling \$54,394.07; seconded by **Councilwoman Rademaker**. The motion passed unanimously.

RESIDENTS' COMMENTS/CONCERNS: Three residents signed up before the meeting with the intention to speak about raised garden beds in the front yard of 307 Old Farm Road.

The first to speak was **Jodie Mudd** from Old Farm Road. He mentioned that originally, he knew of eight residents unhappy about the raised beds but now knows of eleven who wish to see them gone. He believes they do not belong in the front yard as they are an eyesore.

Mayor Roberts shared that the City received a petition signed by 32 residents, which read:

We the undersigned residents of Old Farm and Greenbriar Roads are concerned that the presence of raised bed vegetable gardens that occupy most of the front yard at 307 Old Farm Road will attract more wildlife, become more unsightly in late summer, and could potentially diversely impact property values.

Changing the aesthetic quality of our neighborhood is something we are hesitant about. We know of no other residence in Windy Hills that has created a similar situation and would like to prevent this from becoming a norm for our community.

We also recommend that any resident who wants to significantly alter the front of their property in Windy Hills must submit the plan to the City Council for approval.

The second resident to speak was **Gus Baldwin** of 305 Old Farm Road. Mr. Baldwin stressed that the raised garden beds are out of character aesthetically to the area and are simply an eyesore among the typical more manicured front lawns.

The third resident to speak was **Marian Cochran** from Greenbriar Road who has lived and gardened in Windy Hills for 13 years. She encourages gardens in Windy Hills and noted that grass-only lawns typically use chemicals to control weeds and other vegetation which is harmful to humans and the environment. She mentioned that the homeowner, Stephanie, of 307 Old Farm Road, has a disability which makes the raised beds the best choice for gardening as is the front yard for sun. Marian also noted shame at the way the new neighbors at 307 Old Farm Road were treated by nearby residents. She believes the baby boomer generation owes it to millennials to demonstrate gardening and more natural landscapes for a healthier environment.

City Attorney Tim Mayer, had a response. Windy Hills has a resolution for nuisance, but it is mainly for the height of grasses and weeds. There is nothing related to gardens. He also stated there is no ordinance prohibiting raised garden beds by Windy Hills or Metro Louisville.

Councilman Teaford stated that similar topics have come up in the past to the council. Gardens can be grown anywhere if they are not in the Rights Of Way (ROW). Windy Hills can't really oppose Metro Louisville or Jefferson County nuisance ordinances. All we can do is monitor the ROW and height of the grasses and weeds. There are other addresses in Windy Hills that have vegetable plants in their front yards, but they are not as visible to a great number of passersby.

Mayor Roberts stated that one concern of his is the metric by which the council is being asked by the petitioners to approve or disapprove of a significant alteration to the front yard of a home. Everyone will have a differing opinion of what is appropriate which will cause issue and therefore be inherently unfair in its application across the City.

Councilwoman Spencer entered into the conversation to state that most all residents of Windy Hills take good care of their properties, work hard on their lawns, and take pride in their properties. She prefers manicured lawns and has a concern that with the gardeners, once the plants are harvested, they will go to weeds or lay untended too long. She referred to the Community Standards Resolution as a guideline for keeping the look of the neighborhood well-kept and tidy.

Councilwoman Rademaker re-iterated Mayor Roberts' remarks that she doesn't want to be the judge or determine someone's plans as being approved or not. It is their private property.

Upon some banter among the residents in attendance, the meeting was brought back on track by **Mayor Roberts**.

COMMITTEE REPORTS:

Mayor Protem, ARPA Committee, Finance – Councilwoman Davis (Absent):

In Councilwoman Davis's absence, the City Clerk shared that the annual ARPA report is due by the end of April and will be completed timely by Councilwoman Davis.

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

The grass on the Green was quite long before getting cut. Next year we might possibly start grass cutting earlier as the growing season seems to be starting earlier.

There are three bare areas on the Green by the new walkway that need grass sown. Klausing Group will do this work, but it is likely the installers of the sidewalk should have completed this final step.

Thanks goes to Mike and Wendy Skelton for painting the letters on the signs at each of the three signature entrances to keep them looking nice.

The Tree Board is currently revising the Tree Ordinances. As a Tree City USA City, we want to see more trees planted. We hope to see 4 trees instead of the current 2 for our tree rebate program for our residents. You will see our Tree Board at the 4th of July Parade & Picnic. There will be a door prize drawing for a free tree. The next Tree Board Meeting will be May 15th, 7PM, at the Coach House Party Room.

Councilwoman Spencer asked if Councilwoman Greer was aware of a bush that has not greened up yet at the signature entrance of Rudy Lane and Brownsboro Road, fearing it may be dying. Councilwoman Greer stated it is simply a different cultivar than other bushes and is simply slower to turn green.

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

Welcome to Windy Hills: There were two new residents in March, seemingly a light number for March.

Health and Fitness: Windy Walkers walked Sunday, April 7th, at Cave Hill Arboretum. We met at the Baxter Avenue entrance at 2PM. Eight walkers, including one non-windy Hills resident reserved a spot. The walking event was free of charge for all as we had a volunteer “docent” so we did not have to pay any fees. I have some pictures and will forward them to Councilwoman Theiler along with a few notes about interesting trees and some of the fun we had on our walk. Future walks are in the planning stages.

Dedication/commemorative plaques on the Green: Five plaques, four from B Sign Group and one repaired by Pohl Ironworks will be installed the week (by April 12th) at \$85 per hour. We still have several paid-for trees available to accept plaques and I will work on a new “map” of trees on the Green.

Public Works – Councilman Teaford reported:

- Parking stops/bumpers have been installed on the Green.
- The wastebasket on the Green has been reordered after an incorrect one arrived. The pad has already been poured and the new wastebasket will be installed by Libs Paving when it arrives.
- Libs Paving was delayed in fixing the grates on Deerfield Lane that are clanking. Corrections will be made before the end of the month.
- The drinking fountain for the Green has been selected and ordered. The location of the fountain was determined to be on the Rudy Lane side, in line with the existing water meter. The council was previously given a map to confirm the location of the new fountain and it was unanimously agreed to be in the area recommended.

Councilman Teaford made a motion to expend the remaining ARPA funds in payment of the drinking fountain and trash can along with some general funds needed to complete payment in full. **Councilwoman Greer** seconded the motion which passed unanimously by the council.

- Regarding paving for 2024, City Engineer Mark Madison is working up the bid specifications. Known potholes will be added to the bid. The legal ad will be placed April 17th, and the bid opening will be May 7th giving us enough time to review before the May 10th Caucus work session. The three streets for paving are: Antrim Road, Foeburn Lane, and Windrow Place. There will be a Road Fund Hearing the night of the Council Meeting on May 13th.

Newsletter, Windy Hills Breeze, Communications, Social Events – Councilwoman Theiler reported: Christ United Methodist Church graciously offered their location if it rains for Shakespeare in the Park on April 21st at 2PM.

The new website will be made live in a week or so.

In addition to Shakespeare in the Green on Sunday, April 21st at 2PM, we are looking forward to the July 4th celebration.

We need volunteers for the the 4th of July event. There will be petting zoo of baby animals, an inflatable obstacle course, and music. City BBQ will feature pulled pork, chicken, and sides.

Code Enforcement – Don Ryan: On April 9th, I will be attending a training a Coden Enforcement Training in Lexington.

Popular citations given out in Windy Hills are typically for parking in front of a home overnight between 2-5AM and parking in the grass of a yard. Boats and RVs in driveways are popular this time of year as folks prepare those recreational vehicles for the summer. If they are actively cleaned and maintained and not parked for long periods of time, we will not have a problem.

Signs are always an issue in Windy Hills. Currently there are signs for air duct cleaning that often are in the ROW or left in a yard too long after the work is completed. The ROW typically is 30-45 feet from the center of the road or 15-20 feet from the edge of the road.

Councilwoman Spencer mentioned that political signs will be seen popping up soon which reminded Mayor Roberts that the deadline for running as a Windy Hills City Official is in June as we have no primary.

City Clerk – Christine Haner reported:

On April 2nd, 4 liens were filed with the Jefferson County Clerk for delinquent 2023 Property Taxes.

Currently there are a total of 13 unpaid tax bills since 2015 involving 6 homeowners.

There is a notice on the door to City Hall announcing the July Special Caucus meeting on Friday, July 12th and the Special Council meeting on Monday, July 15th. This is due to the Independence Day holiday requiring a change to the normal meeting schedule.

We had a CD mature in March at Independence Bank. It was retired and 2 new CDs were set up. One was for \$40K at 5.25% maturing August 2024 and one for \$60,800 at 5% maturing February 2025.

When determining where to house City funds, we look at the top rates among several local banks, observe maturity dates to ensure liquidity if it is needed, and monitor Federal Reserve activity and potential rate changes.

MAYOR REPORT – Dr. John Roberts:

- With sadness, the mayor acknowledged the passing of Jackie Phillips, the wife of former Mayor Lou Phillips. Mrs. Phillips died on March 22, 2024. She was 91 years old. Her husband, a longtime City Councilmember, and a former Mayor, had died in August 2023.
- The Windy Hills' City Caucus meeting scheduled for Friday, June 7th at 10 am has been cancelled and a special Caucus meeting has been scheduled for 9 am on Friday June 7th, 2024, instead. The City Council meeting scheduled for Monday, June 10th at 7 pm is unchanged. Councilwoman Helen Davis will preside over these meetings as the Mayor Pro tem. Notice has been posted at the City Hall Office door.
- In addition, because of the 4th of July holiday, the July 5th Caucus meeting and July 8th City Council meetings have been cancelled. A Special Caucus meeting will be held at 10 am on Friday July 12, 2024, at the City Hall office and a Special City Council meeting will be held at the Sojourn East church on July 15th at 7pm. Both meetings will be presided over by Councilwoman Helen Davis, serving as Mayor Pro tem. Notices will be posted on the City Hall office door.
- Four residents have failed to pay their 2023 property taxes and liens have been placed on their property.
- The Kentucky League of Cities has agreed to assist the City of Windy Hills in conducting a city-wide survey and town hall forums to collect the thoughts of our residents to strategically plan the future of our city. The last city-wide survey and Strategic Plan was conducted in 2008.
- Police Report - There were 82.4 hours of policing performed by the Lyndon Police during the month of March for a total cost of \$5,273.60. Four overnight parking violations were issued on Copperfield, Tottenham, and Victoria Place (2).
- The City of Windy Hills and the Klausing Group have agreed to exercise the contract option for an additional year of city landscaping services.

- Roads and Road Fund – The City of Windy Hills will be proposing to commit \$50,000 of the Road Fund money, and an additional sum of money from the City’s general funds, to pave 3 streets (Foeburn Lane, Antrim and Windrow Place) and to add, update, or replace several street signs throughout the city. A Special meeting to discuss the road fund expenditures will be held prior to the June City Council meeting. Notices will be posted.
- This week the City placed a notice in the Courier Journal requesting bids for street snow removal and road clearance for the coming winter.
- 7th District Councilwoman, Dr. Paula McCraney, is sponsoring Shakespeare on the Windy Hills’ Green on Sunday, April 21st at 2 pm. The Christ Church United Methodist Church, 4614 Brownsboro Rd. has graciously agreed to be the alternate site in the event of rain or inclement weather.

UNFINISHED BUSINESS:

KLC, the Kentucky League of Cities, will assist the City of Windy Hills with strategic planning. The 2010 Strategic Plan and Surveys will be helpful to review as a similar process will happen this year. We anticipate 2 meetings. During May surveys will go out to residents. It will likely be July or August when results will be compiled and reviewed.

NEW BUSINESS:

New business included the swearing in of the City Clerk, Christine Haner, and Code Enforcement Officer, Don Ryan, by City Attorney Tim Mayer:

“Do you solemnly swear to support the Constitution of the United States and the Constitution of this Commonwealth, and be faithful and true to the Commonwealth of Kentucky so long as you continue a citizen thereof, and that you will faithfully execute, to the best of your ability, your office in the City of Windy Hills, Kentucky, according to law; and do you further solemnly swear that since the adoption of the present Constitution, you, being a citizen of this State, have not fought in a duel with deadly weapons within this State nor out of it, nor have you sent or accepted a challenge to fight a duel with deadly weapons, nor have you acted as a second in carrying a challenge, nor aided or assisted any person thus offending, so help you God.”

Both Clerk and Code Enforcement Officer replied, “I will”.

ATTORNEY COMMENTS: Attorney, Tim Mayer, stated he has been working on tasks as normal business arises. Mayor Roberts tasked the attorney with reviewing City Ordinances for update considering changes in Kentucky and Metro law and in the effort to make sure all Ordinances are reviewed every 5-6 years for accuracy and further updates. The goal is to modernize the Ordinances and streamline them.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE: None

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 7:48PM.

Dr. John Roberts, Mayor

Christine Haner, City Clerk