

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
May 13, 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

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 April 8, 2024, council meeting; seconded by **Councilwoman Davis**. The motion passed unanimously.

FINANCIAL REPORTS, APPROVAL OF BILLS:

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

Councilwoman Davis moved to approve the April checks, totaling \$55,129.60; seconded by **Councilwoman Rademaker**. At this time **Councilwoman Spencer** inquired about two checks to Klausung Group. One was for monthly contracted maintenance; The other was for repairing the Green lawn after the sidewalk was completed. The Green continues to be a concern because LG&E/K-U and other entities are completing utility work ahead of the KYDOT road work. **Mayor Roberts** indicated he will monitor any disturbances to the Green and make sure the proper entity repairs the lawn. **Councilwoman Spencer** asked about the replacement or moving of the trees with plaques affected by the KYDOT road work. **Councilwoman Greer** replied that

Arborist Caroline Westfall will assist in determining the best placement to either move or replace trees.

After that interaction, the motion to approve the April checks passed unanimously.

PUBLIC HEARING ON SPENDING ROAD AID FUNDS ON CITY PAVING

Councilwoman Rademaker made a motion to open the Hearing to discuss expending Road Aid Funds on City Paving Projects. This was seconded by **Councilwoman Davis**; passed unanimously. The Mayor read:

State Law requires that a meeting be held whenever State Road Funds are to be expended. Therefore, I would now like to pause the City Council meeting and hold a public hearing regarding the proposal to spend Road Aid Funds on City Paving.

As you know, we significantly depleted our City's State Road Fund Account with the paving of part or all of 8 roads this past year, at a cost of \$206,000. That means that the Road Fund will begin the next fiscal year with a balance of approximately \$68,000. We anticipate that the City will receive an additional sum of \$48,000 from the state in the course of the next fiscal year. With investment interest of approximately \$1000 on these funds, the total source of Road Fund Revenues will be approximately \$117,000.

Our City Engineer has determined that four roads are in need of paving this year in order to maintain their safety, integrity and value. Those roads are Antrim Road, Foeburn Lane, Windygo Court and Windrow Place. A request for bids was advertised and we received bids from 6 companies.

Bids ranged from a low of \$109,206 from Libs Paving to a high of \$167,000 from Hall Contracting.

The other bids were:

Flynn Brothers - \$119,000

Riverside Paving - \$124,777

Louisville Paving - \$ 138,984

MAC Construction - \$ 146,450

I propose that we spend \$50,000 of our Road Aid Fund monies toward any contract we accept and that the balance of costs for the paving to come from City General Revenues.

In full disclosure, this afternoon, I received a voice message from one resident this afternoon who expressed his feelings that Antrim Road does not need paving this year.

Councilwoman Rademaker asked why the resident did not want Antrim paved. **Mayor Roberts** stated the resident did not believe Antrim needed paving.

Mayor Roberts further stated that the **City Engineer, Mark Madison**, of Milestone Design Group, conducted a study of the roadways in Windy Hills in 2021. The roads were rated 1-10 so that we know which roads to repave before they become hazardous. We try to pave the worst roads on the list each year.

At this time **Mayor Roberts** paused to ask if any residents would like to speak. There were no speakers.

Councilwoman Davis stated she would support the \$50K from the Road Fund toward these paving recommendations with the remaining balance of the cost coming from the General Fund.

Councilman Teaford made a motion to accept the bid from Libs Paving Company, Inc. in the amount of \$109,206; seconded by **Councilwoman Greer**. The motion passed unanimously.

Councilwoman Spencer asked if there is a required amount we must maintain in the Road Fund by law as she had a recollection of a conversation with KLC attorney, Morgan Patterson. **City Attorney Tim Mayer** spoke to say he is unaware of a minimum balance to maintain in the Road Fund account. **Mayor Roberts** stated that we want to maintain enough in the Road Fund for potential storm cleanup, sign damage, or any other unplanned road repairs.

Councilwoman Davis made a motion to close the Road Hearing; Seconded by **Councilman Teaford**. The motion passed unanimously.

RESIDENTS' COMMENTS/CONCERNS:

Sim Chatha, a resident of Ambridge Drive, signed in to request Solar Powered Speeding Signs be investigated by the City to deter speeding, notably on Ambridge Drive. **Councilman Teaford** replied that we are currently researching this option, looking at the costs, and determining which streets would best benefit from that type of speed deterrent.

Mayor Roberts added that while speeding on Rudy is a common complaint, it is a Metro Road. He also mentioned the concern of Westport Road at 45MPH compared to other roadways intersecting the Watterson Expressway (I-264) that are set at 35MPH.

Joyce Bridge, a resident of Royal Coach, signed in to discuss safety for walkers in Coach Gate. She would like to see striping on the pavement to indicate a narrow walking lane distinctly for walkers along with the usual striping for driving lanes. **Mayor Roberts** replied that the council would discuss and consider her request.

COMMITTEE REPORTS:

Mayor Protem, ARPA Committee, Finance – Councilwoman Davis:

The annual ARPA report was completed and submitted by the April 30th deadline. It included the completed walking path, parking lot, and other activities since the previous year's report. The last of the funds in the ARPA account will be used for the drinking fountain.

With the help of Metro Councilwoman Paula McCraney, the Hubbard's Lane Recycling Center was earmarked to be cleaned up a few years ago. There was a delay to this project due to COVID. Happily, the area is now cleaned up, paved, and striped. The City agreed early on to assist with the replacement of plants once the paving and clean up was complete. It is anticipated that Caroline Westfall, City Arborist, will assist Metro with the best choices of plants for the area.

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

Klausing Group completed their grading, seeding, fertilizing, and correcting of the lawn on the Green from damage leftover after the completion of the walking path.

Since then, LG&E/K-U have been damaging the area while conducting utility work ahead of the road widening project. They will need to fix any mess they make to our Green.

Rudy the Bear had his annual maintenance completed, including a fresh coat of varnish and a spray for any ants or termites. In the fall, we will look for any other ant or termite activity and spray again.

Klausing Group was notified to not mow the Green when the grass is wet or after heavy rains because mowing would destroy the ground. In addition to complaints about the grass in the Green being too tall, Klausing Group did miss some City spaces on Clerkenwell and Bentwood Place. Those areas have been remedied but not after a long waiting period due to rain and a turnover of Klausing Group employees which caused a few areas to be missed for a time. We have communicated with them about these issues and expect no problems in the future.

The Tree Board will meet on Wednesday, May 15th at 7PM at Coach Gate.

We are aware of the complaints of residents about the ditch at Kinglan Road and Rudy Lane. This is a MSD issue. MSD has been informed the ditch is overgrown to the point where it creates a safety issue for drivers unable to see.

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

Welcome to Windy Hills: There were five new residents in new residents in April.

Health and Fitness: *Windy Walkers* walked the residential streets of Windy Hills and as the spring developed, we all discussed how especially beautiful April was this year – from the Redbuds to the daffodils, to the early bulbs and perennials. Also – how remarkably well many neighbors throughout the City maintain their yards and homes. We could not resist sharing their efforts with you and thinking of them as award winning GOOD NEIGHBORS. Please check this month's E-Breeze, and be sure to send your email address to City Hall if you are not already receiving our monthly communications.

Commemorative plaques on the Green: We still have several paid-for trees available to accept plaques and I will be working on a new “map” of trees on the Green this month (May) – perhaps ready for publication in our next E-Breeze.

Public Works – Councilman Teaford reported:

- The drain grates on Deerfield Lane have been secured. There is no noise . . . for now.
- The wastebasket was installed on the Green. This completes the job list for Libs Paving and all work was completed to our satisfaction.

- Laswell Electric restored light to the east entrance of Wexford Place (faulty photocell) and reinstalled the photocell under the Christmas tree on the Green. There was no charge as that work was under warranty.
- I relocked most electrical outlets throughout the City and affixed labels for directions for future use. I need to purchase four new locks for the new service on the Green. Due to construction of those boxes, the remaining locks I had will not work. New locks will be purchased from Willis Klein and installed soon.
- I helped B Sign Group remove a City sign in front of Brownsboro Center due to utility construction to begin on that ROW. The sign and post are now stored in our City storage locker.
- Regarding the drinking fountain for the Green, the Louisville Water Company will not let us use the existing meter for the sprinkler system, which we had hoped to use to save on costs. We will need to install a separate meter for the fountain, adding about \$2K to the cost of installation. Mr. Madison, City Engineer, will begin to secure bids for this work hopefully next month.

Newsletter, Windy Hills Breeze, Communications, Social Events – Councilwoman Theiler reported: The new website is now live and working well. If you see any inaccuracies or issues, please send that information my way.

The City Facebook page has seen interest in a City-wide yard sale. While we do not discourage that sort of thing and the residents certainly have a right to organize the effort, this event is NOT a City-sponsored event.

In the next newsletter there will be a link to a Sign Up Genius page to collect volunteers for our 4th of July Parade and Picnic celebration. Please consider helping make the event a success.

Councilwoman Greer mentioned that in years past the City tried to sponsor a City-wide yard sale but it failed due to lack of participation. It ended up not being worth the effort.

Mayor Roberts then mentioned concerns over parking in Windy Hills during a City-wide yard sale event because so many of our streets are narrow. If the event occurs, please be careful and courteous of others.

Code Enforcement – Don Ryan: On April 9th I attended a Code Enforcement training event in Lexington. It was attended by folks just like me, many who work for other municipalities and cities. Mr. Ryan’s advice: Please be neighborly. Please follow our Ordinance related to signs. They cannot be in the ROW.

City Clerk – Christine Haner reported:

The uncertified property tax rolls from the Jefferson County PVA arrived so that we would know the new assessments for the parcels of land in Windy Hills, and any additions or deletions to property values. After careful examination by Mayor Roberts and myself, a Statement of Accuracy was mailed to the PVA.

Two Records Destruction Certificates were mailed to the Division of Libraries and Archives in Frankfort as the painstaking process of going through obsolete, non-historical, and irrelevant records have been destroyed in compliance with Municipal Government recordkeeping guidelines.

I am continuing to monitor interest rate changes within our City accounts as well as continuing to communicate with local bank branches to ensure our City maximizes resident tax dollars in all our accounts, not just when CDs mature. Recently rates have been more favorable in our existing Money Market Account.

The new website is much more secure. Activity was monitored especially closely the first week of going live. Any potential security issues were remedied quickly by LAL Computers and Z-Jak, whom we use for web design, IT support, and Cybersecurity.

City Hall will be closed Thursday, May 23rd, Friday, May 24th, and Monday, May 27th for Memorial Day. Calls and emails will be forwarded and answered as soon as possible.

ATTORNEY COMMENTS: Tim Mayer stated he is reviewing and revising, as needed, the City ordinances. It is important to update ordinances, so they do not conflict with changing Kentucky law. Contracts have been reviewed as they come up along with any other business matters relayed from Mayor Roberts.

MAYOR REPORT – Dr. John Roberts:

I just have three items to report on tonight - as the majority of the meeting will deal with the proposed budget and property tax ordinances.

First, I wish to report that the Lyndon Police provided 89.5 hours of policing in April for a total cost of \$5,728. Radar speed monitoring was performed on 6 occasions along Rudy Lane and Ambridge Drive. This resulted in 2 warnings being issued. There was also one traffic warning issued at the intersection of Indian Ridge and Kitty Hawk. The Lyndon Police issued 3 overnight street parking citations, one each on Copperfield, Clerkenwell and Victoria Place.

Second, LG&E-KU has begun working along Brownsboro Road in front of our Green in preparation for the Brownsboro Road - Rudy Lane intersection reconstruction. This has caused concern by residents exiting onto Brownsboro Road from Antrim Drive. The Lyndon police have been sent to assess the safety of the situation on three occasions. LG&E-KU have also notified us that they will be in the Merrifield and Southgate Street area later this month as they reroute services in preparation for the Waterson Expressway - Brownsboro Road Interchange reconstruction.

Finally, the Kentucky League of Cities has agreed to serve as consultants and facilitators of a city-wide survey and a series of town hall meetings to ascertain the thoughts of Windy Hills residents regarding future planning for the City of Windy Hills. The process will take place in August and September this year.

That is my report. Are there any questions?

UNFINISHED BUSINESS: None

PUBLIC HEARING ON MAYOR'S BUDGET FOR FISCAL YEAR 2024/2025:

As Mayor of the City of Windy Hills, I respectfully submit to our City Council the proposed budget for the fiscal year beginning July 1, 2024, and extending through June 30, 2025. I am acutely aware that the homes in Windy Hills recently underwent a property valuation and that many residents are concerned about rising property taxes. Be assured that I have made every attempt to keep the cost of running the city as low as possible and still provide the services and amenities that our residents expect.

On average, the value of Windy Hills homes rose by 21.4 % since the property valuation conducted 4 years ago. The total value of homes in Windy Hills is now estimated to be over \$478 million, 208 thousand dollars.

Windy Hills has one of the lowest property tax rates in Jefferson County at 17 cents per 100 dollars valuation. To comply with State Law and raise no more than 4% more revenue by property taxation than was raised last year, the Ordinance dealing with taxation calls for a 53% discount if one pays the property tax bill by October 31, 2024. This should generate approximately \$390,000 in revenue. Other major sources of revenue include the Municipal Insurance Tax of approximately \$270,000, the Cable TV Franchise income of \$18,000 and investment income of approximately \$26,000. To balance the proposed budget and not increase the property tax rate, my budget proposes that we use \$150,000 from our reserves. The City of Windy Hills is in a strong financial position and can afford to do this. We have over \$1.5 million in investments and cash on hand and \$2.3 million in total assets (including the fixed assets: The Green and the value of our roads). All sources of revenue should generate approximately \$872,000 of operating revenue.

The budget proposal calls for the following major expenditures:

1. General Expenses of running the Government - approximately \$328,000 - this is \$12,000 less than last year's proposed budget. Yet, it includes an increase in the stipends for City Council Members and for the hourly rate paid the City Clerk.
2. Policing and Public Safety - \$ 70,000
3. Paving our Roads and filling potholes - \$100,000, along with the \$50,000 from the State Road Fund authorized by the Council earlier tonight.
4. Sanitation and Recycling - \$300,000
5. Snow and Storm debris removal from roadways - \$40,000
6. Contingency Fund of approximately \$34,000 (approximately 10%)

So, the total expenditures of approximately \$872,000 will equal the total sources of revenue, as required by law.

The Two Ordinances are included in the meeting packet for your consideration at this time.

NEW BUSINESS:

The Clerk read:

ORDINANCE NO. 1 Series 2023-2024, AN ORDINANCE RELATING TO THE LEVY OF AD VALOREM TAXES FOR THE CITY PURPOSES FOR FISCAL YEAR ENDING JUNE 30, 2025.

A motion to accept the reading was made by **Councilwoman Rademaker**; seconded by **Councilwoman Davis** and the motion passed unanimously.

A motion was made to read Ordinance No. 2, Series 2023-2024, by **Councilwoman Davis**; seconded by **Councilwoman Greer**. The motion passed unanimously.

The Clerk read:

ORDINANCE NO. 2 Series 2023-2024, AN ORDINANCE RELATING TO THE ADOPTION OF A BUDGET FOR THE CITY OF WINDY HILLS FOR THE FISCAL YEAR JULY 1, 2024 THROUGH JUNE 30, 2025, ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT.

A motion to accept the reading was made by **Councilwoman Greer**; seconded by **Councilwoman Rademaker**. The motion passed unanimously.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE: None

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

Dr. John Roberts, Mayor

Christine Haner, City Clerk