

CITY OF WINDY HILLS

Minutes of Regular Council Meeting
July 15, 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 Protem Davis called the meeting to order.

ROLL CALL: The following were present:

MAYOR PROTEM

Helen Davis

COUNCIL MEMBERS

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 June 10, 2024, council meeting; seconded by **Councilwoman Rademaker**. Having no discussion, the motion carried.

FINANCIAL REPORTS, APPROVAL OF BILLS:

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

Councilwoman Greer moved to approve the June checks, totaling \$57,121.74; seconded by **Councilwoman Rademaker**. No discussion was necessary; the motion passed unanimously.

RESIDENTS' COMMENTS/CONCERNS: None

COMMITTEE REPORTS:

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

Luke Tedder of Klausing Group and I will be going on a drive through the City on Friday to review mowing areas.

The plantings at the I-264 and Westport Road area do not look good, and it is disappointing. **Mayor Protem Davis** explained that in the past, we paid \$2,500 to Operation Brightside to maintain that small green space by the Watterson Expressway at Westport Road shared with neighboring cities. This year the planting and maintenance of that area was done by the Kentucky Department of Highways for District 5, overseen by one of their Certified Arborists with the cost remaining at \$2,500. Several councilmembers chimed in at their disappointment with the final product. **Councilwoman Rademaker** suggested that **Mayor Roberts** send a letter about the dissatisfaction with the work. **Councilwoman Theiler** would like to see the Windy Hills sign removed from that spot, at a minimum, as it is not something we are proud to put our name on. **Councilwoman Greer** additionally added that the City can donate native perennial plants to fill out the area.

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

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

Health and Fitness: Windy Walkers recognized another four Good Neighbors in June. There were two in Westgate, one on Hill Top, and one in Wexford Place. I will send Julie notes on a new date and another short explanation of our small signs.

Commemorative plaques on the Green: We have another request for a commemorative plaque from the same family as Patrick Williams. They were given information about which trees were available but have not decided yet. They also were interested in a plaque for a bench but have since changed their minds.

Public Works – Councilman Teaford reported:

I met with Kyle Pfeiffer of Libs Paving and Mark Madison, City Engineer, to address the list of paving concerns from both the City and from residents after Libs recently paved several City streets. Two residents, in particular, have serious complaints. A sign that was damaged has been corrected and the bill paid for \$75. That amount will be deducted from the payment to Libs. Repairs, corrections, and/or cleanup will be made at several locations including 4330 Foeburn, the top of Antrim/Waterford Road, and additional curb

work will also be done. There was a long list of items for correction and close attention will be paid to make sure the final product is acceptable before paying the final bill.

We have approximately \$13K remaining in our ARPA account. The latest bid to put in a human/pet drinking fountain on the Green should come tomorrow. There was a quick discussion among City council members regarding the desire for the drinking fountain. It was confirmed that as long as the new bid, in total, does not exceed \$25K, which was the lowest bid so far, the fountain will move forward as planned.

Newsletter, Windy Hills Breeze, Communications, Social Events – Councilwoman Theiler reported:

4th of July Celebration:

- 139 adults and 50 kids were registered. Based on attendance last year, I'm confident we would have had well over 200.
- Door Prizes went to:

Grill (Brownsboro Hardware) - Betsy Heck

Noosh Nosh Gift Card - Tierney Lanham, The Arbra Family, James & Courtney Young

Inch by Inch Salon - Josephine Gordon

CND Nail Salon - Donna Fisher

Splitting Hairs - Ashley Wise

Brownsboro Center Barber (six haircuts) - Mike Brown

Batt's Tickets (set of four) - Tom Scanlon, Melinda Breslin, Bruce Michael, Paula Main,

Donna Bondehagan, Rebecca Lay, Lauren Newcomb, Christine Price, Mandy Hoge

- \$500 deposit to Astro Jump, which will be held for next year's event
- \$100 Comfy Cow Gift Cards that can be saved for another event.
- \$60 Lemonade and Iced Tea
- \$1,477 City Barbeque (Donated to Lyndon and St. Matthews Fire Department as well as "Loaves and Fishes Inc" ([Loaves and Fishes INC | Louisville KY - Facebook](https://www.facebook.com/loavesandfishesinc)) (<http://www.loavesandfishesinc.com>] www.loavesandfishesinc.com) Loaves and Fishes is located in Smoketown on East Caldwell Street. In addition to feeding the homeless and the economically disadvantaged, the program helps them set up homes once they get one. Mr. Curtis Taylor, the Executive Director, said that if any of the Windy Hills residents want to donate gently used furniture or appliances, Loaves and Fishes would be very appreciative. And he was very grateful to receive the City Barbeque! I will include information about Loaves and Fishes in the July Newsletter
- \$1,637 Total Cost for 2024
- Lesson learned...do not make a decision until the day of the event.

June Newsletter:

Minuteman Press, the printer we use for our newsletter, incorrectly used an old database for the June newsletter, resulting in errors on the mailing labels. They hand-addressed newsletters to residents we knew had not received one. In the future, we will send them the database each month even if there are no changes to make this less likely.

Code Enforcement – Don Ryan: No Report but **Councilman Teaford** asked Mr. Ryan if some signs currently on Hubbard's Lane could be moved behind the sidewalk so they are not in the Right-of-Way. Mr. Ryan acknowledged he would move them.

City Clerk/Treasurer – Christine Haner reported:

Three Certificates of Deposit with Eclipse Bank matured on June 23rd. They were renewed at 5% APY for 12 months. These funds are City reserves and not used for day-to-day operations.

City Hall has continued to see delays in both incoming and outgoing mail. One resident in Windy Hills received a refund check from us 292 days after it was mailed. These issues have created enough of a hardship in the office that we are carefully moving toward some electronic transactions as we maintain internal controls and consult with our cybersecurity and IT vendor for layers of security.

Regarding the unaudited Financial Statements of this fiscal year end of June 30, 2024, compared to last fiscal year end of June 30, 2023:

Total revenues of \$814K were up 15% from last year and were over the budgeted expectation. This was mostly due to Interest income, a little boost in Municipal Insurance Premium Tax Income as insurance premiums are more expensive, and some collections of delinquent/stale taxes where penalties & interest helped. HB413 for Public Safety and HB510 Income for the Road Fund were also up slightly.

Regarding expenses, Total General Government Expenses were down 17% and was under budget handily but with several fluctuations.

Public Safety / Police Support expenses were down almost 21% from the previous FY as the Lyndon Police have changed the way they track officers in the City and bill for their services.

The Road Fund Expenses were up \$160K due to summer 2023 paving getting caught up.

Sanitation was up 33% as expected by contract.

A quick report shows a net operating loss of (\$496,700) for FYE June 30, 2024, but if we separate the Road Paving catch up and remove ARPA as it stands alone from Federal Funds during COVID that were spend this closing FY, we show a strong profit of \$111,296 in the General Fund.

I look forward to working with our auditors toward the end of August to prove support for these numbers.

ATTORNEY COMMENTS:

City Attorney, Tim Mayer, stated he has been working on City issues as they arise.

MAYOR REPORT shared by Mayor Protem Davis

On July 1st, Mayor Roberts met with Jacob Munoz, a reporter for Louisville Public Media, to discuss the changes to the Land Development Code relating to Middle Housing. Windy Hills does not have zoning rights and we would be obligated to comply with any zoning rules established by Metro Louisville. The proposed change to the Land Development Code would allow property owners to convert their single home properties to duplex, triplex, fourplex, Townhouses, Walking Courts and Cottage Courts, if certain specifications (location, orientation, size, setback, design, height and parking) met without having to apply for a zoning change and without requiring a public hearing. Mayor Roberts will have more information in his July Mayor Article in the Breeze.

Mayor Roberts attended a public hearing on June 25th at the St. Matthew's Library related to a change in zoning to allow a doctor's office to be located at 4251 Westport Road - adjacent to the Westport Place Health Campus. This is in St. Matthews but will affect the Westport corridor. Approximately 30 people were in attendance, including the mayor of Woodlawn and Paula McCraney. It is early in the process. The attendees' opinions were mixed – Any zoning change would have to be approved by the St. Matthews City Council.

Mayor Roberts had requested that Metro look into placing a convex mirror on Rudy Lane across from the entrance at Old Stone. Louisville Metro Public Works replied that after investigating, the installation of a convex mirror is not recommended by LMPW at this time. Convex mirrors are not considered traffic control devices nor are they included in the manuals used for traffic guides. Additionally, crash history could not find even one crash from the intersection since 1/1/2021.

Mayor Roberts had requested Metro and Kentucky Transportation consider lowering the speed limit on Westport Road from 45 mph to 35 mph, to consider a round-about at the intersection if they would not permit a traffic light, and to extend the center turning lane closer to the Waterson Expressway so that cars have the ability to cross the first half of Westport before having to navigate the traffic on the other two lanes. The suggestions were rejected by the Kentucky Transportation Department.

Now on to Mayor Protem Davis's report:

There is a Nuisance Property in Windy Hills. This has been an ongoing challenge since 2017. A demand nuisance letter was hand delivered by me on July 12, 2024, along with attachments of our Ordinances. The letter stated that previously cited deficiencies would have to be corrected within five business days. The City can enforce fines and even file a lien if the property is not corrected.

NEW BUSINESS:

Mayor Protem Davis explained that an Ordinance revision is in order to remove the City Clerk position and remove the Treasurer position to effectively combine them into one role, currently held by Christine Haner. This was deemed a best practice and recommended course of action by KLC, the Kentucky League of Cities, for this type of fundamental change in a position to a City Official role.

Councilwoman Greer made a motion to have the first reading of Ordinance 24-25 #1, seconded by **Councilwoman Rademaker**. No discussion was necessary, and the council voted unanimously to read the Ordinance into record.

The City Clerk read:

ORDINANCE 24-25 #1
AN ORDINANCE REVISION RELATING TO THE NONELECTIVE CITY OFFICE OF CITY
CLERK/TREASURER, EFFECTIVELY REMOVING THE CITY CLERK POSITION AND THE TREASURER
POSITION BY COMBINING THEM INTO A SINGLE CITY OFFICE

Mayor Protem Davis further explained a necessary Ordinance regarding Cannabis Business Operations. The Department of Local Government informed us that all local governments, counties, and cities are automatically allowing cannabis business operations in their jurisdictions. Counties and cities must enact ordinances in order to opt-out or establish

restrictions on cannabis business operations in their jurisdictions. It is recommended this step soon as business licenses will begin to be issued in September 2024.

Councilwoman Greer made a motion to have a first reading of this Ordinance read into record; seconded by **Councilwoman Rademaker**. There was no discussion for a first reading. The council voted unanimously to read the Ordinance into record.

The Clerk read:

ORDINANCE 24-25 #2

AN ORDINANCE RELATING TO THE PROHIBITION OF CANNABIS BUSINESS OPERATIONS IN THE CITY OF WINDY HILLS

UNFINISHED BUSINESS:

After placing two ads in the Courier-Journal for bids for the Snow & Ice Contract for 7/1/2024-6/30/2025, only one bid was received from Brownsboro Lawn Care. **Councilwoman Spencer** made a motion to accept the bid; seconded by **Councilwoman Theiler**. There was a short discussion as **Councilwoman Rademaker** wanted safeguards for potential over charges. **Councilman Teaford** responded that past problems with billing are no longer problematic and that improvements with procedure and communications will also eliminate surprise billing. Going forward Brownsboro Lawn Care will proceed with a particular plan of action regarding any snow or ice event only after confirmation and communication with the Mayor or Councilman Teaford. The motion then passed unanimously to award the Snow and Ice Contract to Brownsboro Lawn Care.

COMMENTS/QUESTIONS TO THE COUNCIL AS A WHOLE:

Resident Doug Mauer of Wicklow Road asked where he could get a copy of the proposed Ordinances. He would like to read them in their entirety before a vote by the Council since only the heading was read aloud this evening. **Mayor Protem Davis** replied that copies may be obtained by request from City Hall. First readings do not include discussion during Council meetings.

There being no further business to address nor questions to answer of the Council,

City of Windy Hills Minutes
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Councilwoman Greer made a motion to adjourn, seconded by **Councilwoman Rademaker**. The motion passed and the meeting was officially adjourned at 7:35PM.

Helen Davis, Mayor Protem

Christine Haner, City Clerk