

CITY OF WINDY HILLS

Minutes of Regular Council Meeting  
August 12, 2024

The Council and Officers of the City of Windy Hills met at Sojourn Community Church East, 2501 Rudy Lane, at 7:01 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

Susan Spencer

Steve Teaford

Julie Theiler

**OTHER CITY OFFICIALS**

Christine Haner, Clerk

Timothy Mayer, Attorney

**MINUTES:**

**Councilwoman Greer** moved to approve the minutes of the July 15, 2024, council meeting; seconded by **Councilwoman Davis**. Having no discussion, the motion carried.

**FINANCIAL REPORTS, APPROVAL OF BILLS:**

**Councilwoman Davis** moved to approve the July 2024 Financial Reports which included the Profit & Loss Statement as well as the Balance Sheet; seconded by **Councilwoman Spencer**. With no discussion necessary, the motion passed unanimously.

**Councilwoman Rademaker** moved to approve the July checks, totaling \$62,067.93; seconded by **Councilwoman Greer**. No discussion was necessary; the motion passed unanimously.

**RESIDENTS' COMMENTS/CONCERNS:** **Mr. Jeff Hormann** of 3 Pin Oak Lane signed in to inquire what to do about a neighbor whose tree is regularly dropping "huge branches" and poses a potential hazard. He would like the City Arborist to look at the tree. **Councilman Teaford** stated this appears to be a neighbor problem and not a City problem if the tree is not on City property. It was mentioned the City Arborist is \$25 payable to the City of Windy Hills. **Metro Louisville Deputy Mayor Nicole George** was in attendance and asked if this is really considered a Code

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Enforcement issue. **Councilwoman Davis** answered that it is. Typically, the Arborist would be sent out and a Code Violation Letter be sent by the City demanding action if confirmed by the Arborist as needed. If the homeowner does not remedy the situation within a specified period of time, the City will take care of the tree and file a lien on the property owner for collection. Ultimately, it was decided that **Councilwoman Greer** will contact the **City Arborist, Caroline Westfall** to observe the tree at 4 Pin Oak Lane and decide.

### **COMMITTEE REPORTS:**

#### **Mayor ProTempore, ARPA Committee, Finance – Councilwoman Davis:**

Due to Mayor Roberts' recent absence, this serves as the Mayor ProTem report. Firstly, residents have shared they appreciate our Ordinances as they serve a purpose. Our Ordinances came into play while Mayor Roberts was away when we identified unregistered rental properties and made headway on a known vacant property that had previously not been registered or paid the fee. Since that time the property has been cleaned up, as well.

In addition, two properties were declared nuisance properties and formal letters sent with instructions for cleanup and inspection.

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

I met with Luke Tedder Thursday. He is the Manager at Klausing Group who does our City maintenance. The two of us drove all around the City and evaluated the work. He is dealing with a whole new crew and manager. I have sent him every complaint that I have had. He promises that things will get better. Just today we learned that the plaque honoring Erin Morris was hit by a mower.

The grass on the Green near the parking pad will be cut. This is where Klausing had to repair the job that was not done correctly by the company that put in the walk. The crew had to let the seed get established before they cut it. It will be cut and weeded shortly. Klausing is also going to work on the mess LG&E left on Brownsboro Road.

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

**Welcome to Windy Hills:** There were five real estate transfers in July.

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**Health and Fitness:** Windy Walkers will meet in August as there are lots of people out of town in July.

**Commemorative plaques on the Green:** The family of Patrick Williams will purchase a plaque for another neighbor who was related to Patrick for \$700. An out-of-town member will be sending a check for that amount. Two plaques were knocked off their posts during LG&E's work putting in the new poles. They are being soldered to aluminum post material and will be ready to "plant" in a couple of weeks. Just today we learned that the plaque in honor of Erin Morris was chewed up by the mowers.

Public Works – Councilman Teaford reported:

The road paving by Libs Paving is now complete. We anticipate the bill at \$113K and will pay \$50K out of the road fund and the remainder out of our main operating account to cover it.

I am investigating a lighting complaint by residents on Indian Ridge Road about an area being dark.

Regarding the drinking fountain on the Green, the council has decided to discontinue the project as the estimates and ongoing maintenance, permits, etc. has been found to be too expensive to pursue. The remaining ARPA funds will be discussed as the plan is to use it for more modest projects.

I will be working on getting some road striping painted at the area of Ambridge and Rudy Lane.

We are investigating a 15MPH speed limit sign for Old Stone as well as investigating the cost and use of solar radar detectors for Indian Ridge to combat speeding in that area.

Code Enforcement –: **Mayor Roberts** reported that **Don Ryan** had resigned as Code Enforcement Officer on Wednesday. Later in the meeting the discussion of an Interim Code Enforcement Officer will be brought up in new business.

City Clerk/Treasurer – Christine Haner reported:

We will be moving the collection of property taxes inhouse this year. The PVA has been sent notification of our Property Tax Ordinance, the change in address on our tax bills, and Mr. Veeneman, our CPA, was amenable to the change. I will be working on the daily deposits for October before normal office hours.

I will have an article for the print September edition of the newsletter with more information.

**Mayor Roberts** added the discount rate for the property tax bill is 53% this year to help offset the new assessments for our City property owners by the PVA. We are anticipating everyone to pay by October 31<sup>st</sup> to receive the sizeable discount.

#### **ATTORNEY COMMENTS:**

City Attorney, Tim Mayer, stated he has two contracts to work up that are owed to the City and other than those tasks, he has been responding as issues arise.

#### **MAYOR'S REPORT:**

As mentioned in the City Clerk's report, we will be collecting the property taxes this year at the Windy Hills City Offices. For years the accounting firm of Charles Veeneman has been assisting us in the tax collection and processing. Now that we have a City Clerk with expertise in accounting it makes sense to bring this function in-house. Hopefully, it will help decrease duplicate payments of tax bills, facilitate deposits more efficiently, and avoid confusion. Mr. Veeneman's firm will continue to assist us with other accounting functions.

Metro Louisville has launched an online traffic and speed survey to gather input from residents with the intent to improve driving and road safety. This is part of the Louisville Metro Vision Zero program. More information will be included in this month's newsletter. All residents are strongly encouraged to participate.

The Kentucky League of Cities will assist the City of Windy Hills in conducting surveys and townhall meetings with the purpose of developing a strategic plan for our cities. These activities will be conducted between September and November with a final plan being developed in early 2025. Residents are encouraged to begin gathering their thoughts about what they see Windy Hills looking like in 10 to 20 years.

**UNFINISHED BUSINESS:**

**Councilwoman Greer** made a motion to have the Second Summary Reading of Ordinance 24-25 #1; seconded by **Councilwoman Davis**. The vote was unanimous.

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

**Councilwoman Davis** made a motion adopt the Ordinance; seconded by **Councilwoman Rademaker**. Discussions were opened. **Mayor Roberts** suggested an amendment to the wording within the proposed Ordinance. It should state “The City Clerk/Treasurer shall be appointed by the Mayor with the approval of the City Council...” This amendment would make the language consistent with state law. **Councilwoman Davis** made a motion to amend the Ordinance to the newly suggested language; seconded by **Councilwoman Rademaker**. Having no further discussion a roll call vote was taken:

Councilwoman Davis: Yes

Councilwoman Greer: Yes

Councilwoman Rademaker: Yes

Councilwoman Spencer: Yes

Councilman Teaford: Yes

Councilwoman Theiler: Yes

The council, therefore, voted unanimously to adopt Ordinance 24-25 #1 as amended.

Discussion moved to the Second Summary Reading of Ordinance 2024-2025 No. 2 – An ordinance pertaining to the Prohibition of Cannabis Business Operations in the City of Windy Hills. This ordinance would prohibit any business related to the cultivation, processing and dispensing of medicinal cannabis within the city limits of Windy Hills. Legislation adopted by the Kentucky General Assembly in the 2024 legislative session (HB 829) allows cities to make such

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prohibitions. **Councilwoman Greer** made a motion to have a Second Summary Reading, seconded by **Councilwoman Davis**. The council unanimously agreed to the Second Reading.

The Clerk read:

ORDINANCE 24-25 #2

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

Discussion ensued. During the discussion it was made clear that this was not about marijuana, which is illegal in Kentucky. Rather this ordinance deals with medical cannabis, a tightly controlled and regulated product of the cannabis plant. By law there will be 16 licenses awarded to cultivate the plants, 10 licenses awarded to process the plant material into the edible medicinal form (this product is not smoked/inhaled), and 48 licenses will be awarded to dispense this medication. The licensed sites would be equitably distributed across the Commonwealth of Kentucky so that no patient who needs this treatment would have to travel great distances to acquire it. It is anticipated that Metro Louisville would have two dispensing clinics. The product must be prescribed by a medical provider and only prescribed for a limited number of severe or chronic illnesses, such as cancer, ALS (Lou Gehring Disease), multiple sclerosis, terminal illnesses, etc. One councilwoman expressed her feelings that Windy Hills should allow the dispensing of this product within the Windy Hills City limits so that our residents who qualify for and need this medical treatment would not need to travel outside our city to acquire it.

After both sides of the argument were discussed, **Councilwoman Rademaker** made a motion to accept the Ordinance; seconded by **Councilwoman Davis**. A roll call vote was taken:

Councilwoman Davis: Yes  
Councilwoman Greer: Yes  
Councilwoman Rademaker: Yes  
Councilwoman Spencer: Yes  
Councilman Teaford: Yes  
Councilwoman Theiler: No

With a vote of five for and one against the ordinance prohibiting any business related to the cultivation, processing or dispensing of medical marijuana was adopted.

**NEW BUSINESS:**

**Mayor Roberts** stated the Code Enforcement Officer is a non-elected position. He recommended Municipal Order, Series 2024-2025, Number 1, be put in place to recommend **Martha Davis** as Interim Code Enforcement Officer for the remainder of the term until which time candidates are identified and interviewed to fill the position with the expectation of swearing in the new Code Enforcement Officer in January 2025 in accordance with our Ordinance. Currently there is not a firm job description for this role.

**Councilwoman Spencer** inquired about training for the position. It was determined that proper training will be provided by Councilman Steve Teaford who held the role of Code Enforcement Officer for many years, as well as Councilwoman Davis who offered her services since she wrote many of the ordinances related to code enforcement we use today.

**Councilwoman Theiler** stated she would approve the recommendation as long as the job description is firmed up to better understand the role by anyone holding the position.

**City Attorney, Tim Mayer**, also brought up the question as to whether or not Martha Davis was on the Code Enforcement Board. It was confirmed that she was previously an alternate and her term had expired.

**Councilwoman Davis** made a motion to appoint Martha Davis as Interim Code Enforcement Officer; seconded by **Councilwoman Rademaker**. The vote was unanimous. Note: Signed Municipal Orders are filed in City Hall.

At this time, **Christine Haner** was sworn in as City Clerk/Treasurer (previously sworn in as Clerk only) and **Martha Davis** was sworn in as Interim Code Enforcement Officer by **Attorney Tim Mayer**.

**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 8:01PM.

City of Windy Hills Minutes  
August 12, 2024

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Dr. John Roberts, Mayor

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Christine Haner, Clerk/Treasurer