

Minutes for the City of Worthington Hills
Mail: info@cityofworthingtonhillsky.gov
Website: www.cityofworthingtonhillsky.gov

Date: July 18, 2023

Present: Robert Stonum Linda Beville Crystal Adams Dennis Metcalf
Susan Maupin Dan Small Bev Lush

Citizens Present: 4

Derby City Protection: 0

The meeting was called to order at 7:00 pm by Mayor Stonum with motion by Commissioner Adams and seconded by Commissioner Maupin. Vote was unanimous. The Pledge of Allegiance to the Flag of the United States was recited, followed by a moment of silent prayer.

Citizen Concerns: None

Minutes: The June 2023 minutes were brought up for approval. Motion to accept was made by Commissioner Beville and seconded by Commissioner Adams. Vote was unanimous.

Financial Report: The July 2023 Financials had been distributed to the Commission for review and posted on COWH website prior to the City Meeting. Motion to approve was made by Commissioner Adams and seconded by Commissioner Metcalf. Vote was unanimous.

Expense Review: The cover sheet of July invoices along with invoice copies were passed around for Commissioners to review and initial. No approval motion was needed since Commissioners had already initialed and approved.

Old Business:

- Commissioner Adams reminded us that there is a tree down since April on Rustburg Court. We are now into the new budget so she requested bids from Maximus' tree guy and Mason with Mow Better. They both said \$900.00.
- Commissioner Adams also asked about possibly cementing the picnic tables and garbage can into place. Mayor Stonum suggested she contact Harold Hall about this because they probably need to be moved for mowing. Mow Better can get a garbage can from Indian Springs golf course. She will move forward on this.
- Commissioner Beville is concerned about piles of mulch and the possibility of fire. Mayor Stonum advised that Harold Hall takes care of mulch from downed trees.
- Snow & Ice Removal contact expires October 31st. Commissioner Beville is going to contact Mow Better regarding this matter.
- Commissioner Beville brought the commission up-to-date on the Boydton Court construction project. Concrete has been poured. She thanked Mayor Stonum and Commissioner Metcalf for delivering the flyers and parking permits to the Boydton residents and informing Derby City Protection to prevent citations. Commissioner Maupin asked why there is still standing water. Mayor Stonum explained water is running from rain and the sprinkler system's runoff through a break in the curve and is sitting in the damaged area. When the improvements are completed, water should not stand. Just wait and see.
- All Terrain also fixed the rut at Bristol Bay and Northumberland Drive . It has been filled in with left over gravel from the Boydton Court project. Already driven over it. Hopefully the new Bristol Bay speed hump will slow down and/or divert traffic.

New Attorney:

- *Invitations were extended to two attorneys to attend our meeting. Bob DeWees attended to answer questions as legal services – not city attorney.*
 - *Commissioner Adams asked how long he has been practicing.*
 - *14 years*
 - *Both Kentucky and Indiana Bankruptcy courts and Federal courts*
 - *Mayor Stonum asked about government law experience*
 - *No expert, but does interact with government agencies, Codes and Regulations, and handle liens filings and collections*
 - *Mayor Stonum explained how COWH delinquent tax bills are currently being done by our attorney and he includes his charges in the filings for that service. Mayor Stonum is not concerned with foreclosures.*
 - *Mayor Stonum advised that we would need to use an attorney for ordinances each year. New ordinances usually only require a change in wording. Suggested Mr. DeWees check our current ordinances on our website. Normally only have new ordinances for new budget (in June) and property tax amount (in May). FYI – this has already been handled for this year.*
 - *The Mayor added that this year, we passed an ordinance for insurance premium tax increase by the March 23 deadline and he explained how that relates to City of Louisville. As of 7-1-2023, we are at 8%. However, if Louisville increases to 10%, Louisville would be able to get that extra 2%. COWH would want to increase ours to 10% due to garbage collection expense increase.*
 - *Mayor Stonum informed Mr. DeWees that when he took office in 2019, we were 5 audits behind, but we were able to catch up in 2 years.*
 - *Mayor Stonum advised Coldstream to submit UFIR and other DLG reports to receive road funds.*
 - *Mayor Stonum asked if we need documents prepared by an attorney.*
 - *Mayor Stonum advised COWH would like an attorney to file delinquent tax liens. Attorney would prepare liens and gather the monies.*
 - *Correspondence would need to be written documentation; not just telephone calls.*
 - *Mayor Stonum explained how COWH recently changed the penalty and interest for delinquent taxes. As of October 1, we added a \$50.00 administration fee. Mayor Stonum mentioned looking at the web site again.*
 - *Mayor Stonum wanted Mr. DeWees to know that both the Mayor and Commissioner Metcalf have taken numerous education courses. Advised Mr. DeWees to obtain the latest handbook from KLC.*
- *Mr. Dewees filled us in on some of his history. He is from Southern Indiana. University of Louisville graduate. Served time in the Marines in North Carolina and Cuba. Worked in Chicago as a pharmacy salesperson and then attended law school. Currently lives in the Iroquois Park area. He is a good communicator and would keep us informed.*
 - *Commissioner Maupin asked if KLC has a liaison to work with attorneys.*
 - *Mayor Stonum advised that KLC is excellent to work with, helps you be informed, and keeps us out of trouble.*
 - *Commissioner Maupin recommends Mr. DeWees. She has worked with him in the past and feels he keeps communication open, has an open door policy and she has visited in his office regarding East Bay business.*
 - *Commissioner Beville has experience with Mr. DeWees as HOA attorney and he does answer his phone.*
 - *Commissioner Adams asked if he is familiar with different types of contracts:*
 - *Trash providers*
 - *Snow removal*
 - *Cable Companies**Mr. DeWess said he does have that type of experience.*
 - *Commissioner Adams also inquired about his fees per services. He said \$250.00/hour with no travel charge.*
 - *Mayor Stonum advised that the only time for attorney to be required to attend meetings would be to read ordinances.*

- Mayor Stonum would like to make the contract decision for new attorney during the August and/or September meetings.
- Treasurer Small mentioned that delinquent tax letters would need to go out in early October. Delinquent tax letters have been done by Bev Lush through previous attorney. Mayor Stonum said Treasurer Small would provide the delinquent list. He has been irritated that it was March until the liens were filed. In the future, hopefully by the end of December prior to Jefferson County property tax bills. Asked Mr. DeWess if his lien timeframe would be 30 days.
- Mr. DeWess will prepare his contract and send to Commissioner Beville.
- The Commission thanked Mr. DeWess for his visit to our meeting during such nasty weather.

Old Business:

- Liens have been filed. City Clerk Lush will contact Steve Schwager to confirm it is time to mail the lien notices to the property owners.
- Update on Westport Business Center – Jennifer told Mayor Stonum that the lot is for sale. Still under the association and the association gets to approve any possible improvements. One thing that has been mentioned is a storage facility. As of now, it's off the table.
- Green space litter problem still good. Mayor Stonum and Commissioner Metcalf check every Wednesday or Thursday.
- Commissioner Adams asked why Mayor Stonum and Commissioner Metcalf were recently on Luray Court. They had noticed a car door open and stuff hanging out. When they drove around again, the stuff had been put away.
- Mayor Stonum asked if commissioners had read over the Salary Schedule Plan. Deadline is Spring 2024. Commissioner Adams wants anything against the motion to increase to \$500/month which equals \$9500. Covered by the \$20,000 carryover money. Mayor Stonum said this will be discussed next month with any concerns. He will send out an updated one.
- Commissioner Metcalf advised radio check to be on Channel 15 tonight.

New Business:

- Commissioner Maupin asked about the spotlights at entrance being on when she noticed on July 13. Mayor Stonum said he had been in there to turn off water and may have tripped the lights. LG&E worked on lights in May.
- Commissioner Beville brought up the shrubs in Boydton island and flagpole areas. They are an eyesore and have a fungus. Weed Man comes, but we still have weeds growing. Commissioner Adams advised Maximus Lawn Care of this on July 16. Both Commissioners Beville and Adams discussed the roses which also have a virus and they need to be pulled out plus soil. Mayor Stonum has talked with Maximus about the fungus and that the roses are dead. Front entrance, too. Commissioner Maupin informed us that Frank Otte's has 50% off sale in August. Mayor Stonum suggested crepe myrtles. Commissioners Maupin, Beville and Adams discussed landscaping bushes. Commissioner Maupin mentioned American Beauty Berry. Commissioner Adams suggested that maybe some commissioners could go shopping as a group.
- Commissioner Beville mentioned that the light and shrubs on Boydton island were not disturbed or moved during recent construction. Mayor Stonum reminded us of our tax-exempt form to be used with purchases.
- Crime Protection Policy - \$344 Insurance Policy needed to be added to the FY 2024 Budget
- Budget 2024 Adjustments
 - Authorize training
 - Sanitation – adjusted
 - Mayor Stonum made a motion to approve the 2024 Budget adjustments. Seconded by Commissioner Beville. Vote was unanimous.
- Commissioner Maupin asked for status of the 3 year contract with Rumpke. Mayor Stonum advised we are just starting the 2nd year of the 3 years. He also advised we are contractually forced to accept an annual CPI adjustment.

- *Commissioner Maupin is concerned about future negotiations with Rumpke. A city in Southern Ohio had the same price with Rumpke for years until recently. New pricing was offered, but Rumpke was chosen again.. Ours will have an 8% increase*
- *Commissioner Maupin mentioned she saw Anytime dumpsters at Fenwick Apartments. Mayor Stonum said Anytime may have had trouble supplying dumpsters during Covid.*
- *Information on 4711 Middlesex Drive construction project – Land Development Code (LDC) Accessory Dwelling Units (ADU). (Mother-in-law units). Initial plan requires that close residents must approve. This owner has not had permits for prior construction projects. 21 x 40 foot new construction in the backyard “expanding storage shed”. Mayor Stonum guessed at the approximate roof height of 25-30 feet. Back porch. Mayor Stonum suspects possible ADU. Have been caught. Neighbors upset. Both Mayor Stonum and Commissioner Adams have received phone calls. Current situation – as of July 19, there will be a Planning & Zoning board hearing and Mayor Stonum will attend. There was a stop work order, but work continued. Work has now stopped. Mayor Stonum wants the building disassembled, material removed and grounds put back to original condition. Commissioner Maupin asked if it would be OK if it was to be used as a garage. Commissioner Adams said there must be an easement at the rear of the lot. New construction is being built over MSD easement. Pool? Pavilion? Structure? Pie-shaped lot. Mayor Stonum said Louisville does what they want to do. He feels due to size and easement, permit should be denied and will probably go to court. One of the original developers of the area has spoken with Mayor Stonum and will get involved. Court hearing would be between the property owner and Code and Regulations..*
- *Mayor Stonum saw HVAC work being done on Lunenburg. Any work must have permit and Mayor Stonum has checked and found no permit for this work. Codes and Regulations said no permit. Mayor Stonum advised that there must also be a permit issued to replace a water heater. All of this is listed on web-site with phone numbers. Mayor Stonum has developed a relationship with Codes and Regulations and they like COWH for this reason.*
- *Commissioner Adams asked why the smaller invoice amount was put onto the July Expense Review from Courier Journal. Why was there a past due amount?*

Commissioners’ Reports

Safety Commissioner Metcalf:

- *Drove city on multiple occasions.*
- *Went to PO with Mayor Stonum multiple times.*
- *Went to storage area with Mayor on one occasion*
- *Went to Dan Small's office with the Mayor on one occasion.*
- *Delivered parking passes.*
 - o *11908 Queen Annes Ct.--7/8/23*
 - o *11905 Boydton Ct. -- 7/9/23*
 - o *4507 Micklenburg Ct.-- 7/2/23 -- 7/6/23*
 - o *4431 Bay Garden-- 6/25/23 - 6/28/23*
 - o *4505 Micklenburg Ct. 7/15 23*
 - o *4515 Lunenburg 7/8 & 9/23*
 - o *11900 to 11905 Boydton Ct for road project.*
- *On 7/8 23 at 1AM while driving the city I observed a young lady sitting on the sidewalk. I stopped and asked her if she was ok. She said she was but I didn't feel she was. I called 911 and they dispatched EMS. When they arrived she had left the scene.*
- *On 7/14/23 while returning from PO, Mayor Stonum noticed a domestic situation occurring on Halifax Dr near Lunenburg Dr. We pulled over and after the Mayor stated he would call LMPD, the male subject left.*
- *As domestic subject was leaving, a resident stopped to let us know her car had been stolen that morning from 4711 Lunenburg Dr. Car was recovered .*
- *Issued Parking permits on Luray Ct. 7/15 & 16 for two locations.*

Property Maintenance Commissioner Adams:

- Will participate in the radio checks with Commissioner Metcalf and everyone tonight – July 18th.
- Had one citizen request. This one was regarding the improvements going on at 4711 Middlesex Drive. Called citizen back and left voicemail advising that we have involved Metro Codes Enforcement and are actively working on this issue.
- Received via email the quote from Maximus Lawncare for the tree down in the greenspace near Rust-burg Place. The quote from Maximus was \$900.
- Met with Mason of MowBetterKY and got him to quote the downed tree in the greenspace near Rust-burg Place. Mason quoted \$900 also. I would like to note that I did not provide any information on either quote to the other landscaping contractor.
- Mason with MowBetterKY also offered services for cementing the picnic tables in place and getting us a trash receptacle for the greenspace.
- Will continue to monitor the bushes and landscaping for wilting and stress. Will continue to monitor the temperature and the rain/storms to determine the need for the sprinklers to be turned on.

Utilities Commissioner Maupin:

- 7-1-23 Drove city for streetlight check
- 7-15-23 Drove city for streetlight check. Streetlight out at entrance to Boydton Court and 4707 Lunenburg Drive.
- 7-15-23 Streetlight out at 11907 Tazwell Drive
- 7-15-23 Noticed a significant amount of trash on curb at 11906 Queen Annes Court. Will report to code enforcement next week.
- 7-18-23 Reported streetlights out to LG&E
- 7-18-23 Mayor Stonum called requesting for Rumpke to be notified not to drive onto Boydton Court the next trash pickup day 7-21-23.
- 7-18-23 I emailed Christopher Pierce and stated that we are having a city meeting tonight and I will email him in the morning with instructions.
- 7-18-23 Attended city meeting and will participate in radio check with Commissioner Metcalf on channel 15.
- 7-18-23 Possible flyer for garbage pickup this week on Boydton

Road Commissioner Beville:

- 6/21/2023 – Sent an email to Bill Funk at Evergreen Irrigation with photos of the proposed Boydton Island renovations and requested Evergreen have a representative on site when the work gets underway in the event modifications to the existing tubing need to be made. I told him I would contact Evergreen 48 hours prior to the when they needed to be on site and he replied, “ok, no problem”.
- 6/22/2023 – Contacted All Terrain and requested a copy of their certificate of liability insurance, they quickly complied and I forwarded the certificate to Bev and Mayor Stonum.
- 6/23/2023 – Created a road repair flyer which will be given to the homeowners on Boydton Ct. 48 hours prior to the work beginning, requesting they park alongside Lunenburg Dr. Contacted Commissioner Metcalf and asked if he would provide parking passes for the homeowners.
- 6/25/2023 – Continued to work with Mayor Stonum on creating the attorney recruitment letter and sent a copy of the proposed letter to members of the Commission and Staff along with a list of potential candidates. I informed everyone that the letter would be sent out on July 5th and requested input from everyone. There was none.
- 7/5/2023 – 7/12/2023 - Emailed the City Attorney recruitment letter to seven attorneys. Four replied either by email or phone and provided me with information which I passed along to the Mayor. Invitations to attend the July meeting were extended and two attorneys, Mr. DeWees and Ms. Ritsert accepted.

7/14/2023 - Mayor Stonum and Commissioner Metcalf delivered the flyers and parking passes to the homeowners on Boydton Court.

- 7/15/2023 – Ordered five "No Parking on the Street at Any Time" signs and two speed hump signs from Saftico. Two will replace the existing "No Parking Any Time" signs on Pacelli Place. The others will be installed at 4106 & 4107 Northumberland and 12017 Halifax. The new speed hump signs will be installed on Bristol Bay Place between 4023 & 4101 Northumberland on the easement.
- 7/17/2023 – 7/18/2023 – Boydton Court roadway renovations were carried out and completed on schedule.

Mayor's Comments

At last month's City Meeting, a resident commented on someone leaving an anonymous information sheet on mailboxes, and how the information made his family feel like they were common criminals. It took a great deal of will power for me not to respond, but an intellectually sound explanation is necessary.

This resident did not state what the informational sheet had on it, nor did he indicate whether he had received it before. One side of the informational sheet had **KRS 186.150 "Residents not to use license of other states."** and **KRS 186.435 "Application for operator's license by driver who becomes Kentucky resident -- Verification of status in other jurisdiction -- Procedures for permanent residents -- Application of driver who becomes Kentucky resident."** The other side of the informational sheet was "Rate Evasion is considered a form of insurance fraud."

Why was this information sheet left folded between the mailbox and it's flag? This property owner has been a resident since the fall of 2019, and for most of that time, a vehicle with a Florida license plate has been seen "garaged" in his home's driveway and garage. There is also evidence that there are children living in that home.

Why does it matter whether one of the vehicles has an out-of-state license plate?

- The vehicle is using state, county, and city streets
- There is a possibility the owner has children enrolled in Jefferson County Public School System
- And if the vehicle were to be involved in an accident, one of Jefferson County's Fire Districts would be called to respond.

All these mentioned items have a cost associated with them, and that expense is suppose to be shared by all KY residents via a tax collected on car registrations.

In regards to the "Rate Evasion" information, it's the "Garaging" factor! With individuals receiving renewal notices virtually, and being able to do virtual renewal payment transactions, mailing address changes may be considered unnecessary by the insured. **But it is important to the insurance carrier!** Insurance rate calculations include "Risk Factors". The six I'm similar with are:

1. Amount and Type of Coverage – Collusion, Comprehensive, & Liability
2. Vehicle Model & Equipment
3. Type Use & Annual Mileage
4. Owner(s) & Operator(s) Age(s)
5. Credit Risk Rating
6. Vehicles normal operating area, or its 'garaged' location.

More importantly, a insurance claim can be denied for intentional or unintentionally failing to report the vehicle's garaged location. If you don't believe me, ask your insurance agent or web search "garaging". I found a blog, where a person is complaining that Progressive is denying to pay their accident claim because of not having an up-to-date address for their vehicle's garaged location.

Why does this matter to COWH City Officials? Loss Insurance Premium Tax Revenue, which was 43% of our total FY 2023 revenue source as of May 31, 2023, which we are using to pay:

1. Waste Collection, **which we received an 8% increase from Rumpke for FY 2024**
2. Property Maintenance – Which includes unforeseen tree damage and removal.

3. Road Maintenance – Snow & Ice removal and signage
4. Contracted Supplemental Security
5. and other COWH operational expenses

By the way, any person can call out violators of KRS 186.150, by reporting them via the Department of Revenue's program called "FreeRoaders" I will be linking the "FreeRoaders" reporting webpage on our website's homepage soon.

As a reminder, Commissioner Reports must be submitted to Bev No-Later-Than the Friday after the City Meeting.

The meeting was adjourned at 8:40 PM with a motion by Commissioner Adams and seconded by Commissioner Maupin..

Signatures:

City Clerk: _____

Date: _____

Mayor: _____

Date: _____