

Minutes for the City of Worthington Hills
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Date, May 21, 2019

Present: Robert Stonum Dennis Metcalf Carol Campbell Dan Small
 Steve Schwager Linda Beville Dawn Eichenberger Bev Lush

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

Citizens Participation: There were 11 citizens present with questions & concerns including letters that were sent to some residents regarding where their yard fences are in relation to actual property lines.

Concerns regarding these letters:

Commissioner Beville wanted it noted that the commissioners were not aware of the letters; nor did they approve of the letters being mailed under the attorney's signature.

Commissioners Eichenberger wanted it noted she had no clue about these letters, so leave her out of it.

Commissioner Campbell feels that one of Attorney Schwager's main duties is to keep COWH out of trouble.

Attorney Schwager explained that the letters were sent regarding adverse possession and common law.

A resident made a comment that June 1 was too short of a timeline with the letters dated May 9.

Letters were sent out by Attorney Schwager under the Mayor's direction.

Attorney offered to pull up deeds and plats at his office.

After much discussion, a motion was made by Commissioner Eichenberger and seconded by Commissioner Beville with a unanimous vote. It was decided that COWH would pay for a survey to determine exactly the city's right-of-way easement lines which adjoin the affected properties. (2 on Micklenburg and 1 on Jonell). A motion was made by Commissioners Campbell and seconded by Commissioner Eichenberger to extend the timeline for compliance. Once the survey is completed, they will be notified as to the result and be given 90 days to comply.

Attorney Schwager thinks COWH should pay for fence repair from the downed tree and costs to remove the tree.

Other citizens concerns included:

Corner of Pulaski and Lunenberg – shrubs and grass
11005 Lunenberg Court – dog issue. It was noted that Derby City Protection did a door knock
Barking dogs on Dickerson Court

Minutes: The March 2019 minutes were again brought up for approval. Motion was made by Commissioner Beville and seconded by Commissioner Eichenberger to approve the minutes. Voting was unanimous.

The April 2019 minutes were brought up for approval. Motion was made by Commissioner Campbell and seconded by Commissioner Beville to approve the minutes. Voting was unanimous.

Financial Report: The Financials were posted on COWH website for the Commissioners to read. Approval motion was made by Commissioner Campbell and seconded by Commissioner Eichenberger. Voting was unanimous.

May Expense Review: The spreadsheet of May invoices along with the cover sheet was passed around for the Commissioners to review and initial. Approval motion was made by Commissioner Campbell and seconded by Commissioner Eichenberger. Voting was unanimous. It was also discussed to move monthly utility invoices and Website invoices to auto-approval due to invoice due dates. Motion was made by Commissioner Campbell and seconded by Commissioner Beville to approve this. Voting was unanimous.

Presentation by City Attorney:

Renters' Registration – Ordinance #3, Series 2019 - Attorney Schwager discussed the created form. Noted that if not registered, there is a fine. Will make the registration process simple email/on-line task for property owners. Not sure that COWH can do rental inspections, but if the property is Section 8, US Government is allowed. Attorney Schwager expressed desire that Commissioner Beville and Mayor Stonum meet with him at his office to knock this out soon. After the second reading of this rental registration ordinance, Mayor Stonum suggested a small wording change. Attorney Schwager will make this change; then another reading will be at the June meeting with the ordinance to be voted on and effective July 1, 2019.

Code Enforcement Board – COWH has a code enforcement ordinance, but no enforcement board in place currently. Need to bring this up in the June meeting to get members picked for this board and discuss when and where they would have the appeal hearings. Possibly at the monthly meeting place; just a little earlier in the evening.

Colemans' SUI hearings – Mayor Stonum and Commissioner Metcalf met with Attorney Schwager. Their claims were approved, but both decisions were reversed. The Colemans appealed, but due to mis-information given to COWH, the telephone conference for Mr. Coleman was postponed until May 28, 2019 and Mrs. Coleman's was continued because Attorney Schwager was involved in a court trial. The new date for Mrs. Coleman was May 9, 2019. This was a tele-conference held in the attorney's office with Mayor Stonum and Commissioner Metcalf in attendance. Awaiting decision as of meeting time. Mayor Stonum suggested a motion be made that if either claim is approved, COWH moves ahead to again appeal. This motion was made by Commissioner Campbell and seconded by Commissioner Eichenberger. Voting was unanimous.

Parking Ordinance – Confusion over how the ordinance is being enforced. Also discussed temporary parking permits for residents to use whenever needed. These permits will be posted on-line. Also discussed no permits needed for holidays such as Christmas, Derby Day, etc.

Vacant Property Ordinance – 1st Reading - COWH wants to be notified by lenders as to upcoming possible foreclosures. 2nd Reading to be at June meeting.

Old Business:

Meeting location - Mayor asked for any ideas. Sylvia LaPorte will contact Chancey Elementary. Mayor Stonum had met with Andrew, General Manager at Holiday Inn about COWH using the current meeting room on a month-to-month basis. No pre-pay needed by hotel. No long-term agreement. The Mayor signed up to use the hotel through June 2020. The Mayor will notify the hotel 1 week prior to confirm our monthly meetings.

Girls Scouts project update - They are getting started on Boynton Court and have done a great job. Have had a couple inquiries as to what the white blocks painted on the streets are for.

Storage unit and files - Mayor Stonum will email the retention schedule to Commissioners and Clerk so it will be understood what to keep and what to shred. It was suggested to begin first with sorting by year into boxes; then organizing each year. It was noted that Commissioners Beville, Campbell and Eichenberger have already spent some time at the storage unit and have made great progress in improving the looks and file situation.

New Business:

It was decided in November 1979 to develop COWH. On January 31, 1980, the first trustees were named. Of those 5 trustees, only 1 is left and that is Estelle Quisenberry. Commissioner Campbell, while searching through some old files, found the original invitation to the first meeting of COWH in March 1980. She had the invitation framed and presented to Ms. Quisenberry.

June meeting will discuss budget. It was suggested that the commissioners read over the budget to understand it and be ready with any questions.

Parking on street issue will be discussed again once COWH has a Code Enforcement Board in place.

Mayor Stonum informed us that the back up drives from the old Mac computer were searched and found some deleted files.

Commissioner Beville asked about official COWH letterhead. Mayor Stonum advised that we do have letterhead and it is at the top of these minutes. Clerk Lush agreed to use for the future.

It was suggested by Commissioner Beville that future COWH correspondence to residents first come from the mayor; not the attorney. If there are further communications needed, possibly then come from Attorney Schwager.

KLC Insurance Proposal – Deductible will be \$500.00, and the cost is \$800.00/annually. Commissioner Beville discussed several items on the policy that are necessary that we have.

General Liability

Workers' Compensation

Car Insurance is needed when city official is driving personal car for city business.

What about coverage for Internet?

A motion to approve insurance coverages for General Liability and Workers' Compensation was made by Commissioner Beville and seconded by Commissioner Eichenberger. Voting was unanimous. Mayor Stonum will confirm insurance coverage on storage unit.

PVA Tax bills – PVA has our new lock box number and will be producing the tax bills. Mayor Stonum needs approval to again use Mail Louisville to mail our bills. 2017 COWH was charged \$433.21 and 2018 COWH was charged \$317.25

by Mail Louisville. Their 2019 estimated proposal is \$371.25. This will include First Class Postage to mail the tax bill and 1 insert – Rental Ordinance notification flyer. Approval motion was made by Mayor Stonum and seconded by Commissioner Campbell. Voting was unanimous.

Commissioner Beville started her comments with “she was encouraged to do this” and “no malice is intended.” Commissioners have discussed our current City Attorney, Steve Schwager. He started working for the city in 1982 and has helped us a lot over the years. It has been noticed that recently Attorney Schwager’s workload has increased; thus his availability has decreased. The fence letters should have been questioned and stopped by Attorney Schwager until they were run past the commissioners. Commissioner Beville suggested that a motion be made to move forward on receiving resumes and choosing a new attorney by July 1. This motion was never made; nor seconded and followed thru with.

A couple residents spoke up at this time and suggested that the issues with Attorney Schwager should not have been discussed in an open meeting; Attorney Schwager should have been notified of any wrong doings, voice tone, etc. to improve before this was brought up at a meeting; and they felt this showed disrespect for Attorney Schwager.

Attorney Schwager expressed his views on this unexpected subject in addition to the fact that he does a lot of work for COWH and is always available.

COMMISSIONER REPORTS:

Safety: Commissioner Metcalf

- 1) Drove City on multiple occasions
- 2) Issued two parking permits
- 3) Answered 2 emails
- 4) Made 4 phone calls
- 5) Mayor Stonum and I went to storage area and picked up yard sale signs and placed them around city.
- 6) Mayor Stonum and I had a meeting with Tate Mason of Derby City Protection.
- 7) Mayor Stonum and I went to storage area and placed yard sale signs back in storage.
- 8) Mayor Stonum and I picked up mail at Lyndon Post Office each Friday.
- 9) Called Tate Mason about a refrigerator at curb on Lunenburg Dr. with door still in place and had not been tagged showing freon had been removed. The refrigerator was removed from street.

Derby City Protection Activity Report 4/16 to 5/18

- 1) Parking Citation/Warning 16
- 2) Theft Deterrent 3
- 3) Dispatched Run 1
- 4) Resident Complaints 4
- 5) Traffic Stops 29
- 6) Suspicious Vehicles 3
- 7) Pedestrian Stops 8

Property Maintenance: Commissioner Eichenberger

4/23 Responded to a resident’s email regarding downed trees in the city open green space bordered by Lunenburg Drive, Rustburg, and Queen Anne.

4/24 Received a phone call from a resident inquiring what he could do and who he needs to contact regarding a neighbor running a repair shop out of his home.

4/30 Received email from Maximus Lawn Care regarding several cleanup issues. Mayor Stonum walked the open green space and provided input. MSD has also been contacted and advised of issues with water run off ditches. Advised approximately 30-45 days before could be checked due to weather and mowing season. MSD provided tracking #5275269 for follow up.

4/30 Letters sent to residents regarding downed limbs and debris

5/9 Received email from Commissioner Campbell regarding drainage issues on Northumberland and Bay Run Drive and drain located in backyard between 3907 and 3909 Northumberland. MSD has been contacted and will send an inspector out within 30-45 days and tracking #5280234 was provided for follow up.

5/9 Received an email from a resident claiming the tree service working in the open space damaged her property while driving his equipment through the easement. Upon further inspection by our landscaping specialist and several others, advised resident via email what options were available and no damage was present.

5/9 Received an email from a resident regarding MSD issue on Northumberland Drive. Says standing water in yards. Contacted MSD They will send inspector within 30-45 days and provided tracking #5280920

5/11 Addresses of 4409 and 4415 Bays End Court lawns have been mowed.

5/12 Received email from resident regarding Bays End cul-de-sac. Inquiring about the dead shrub and mowing. I advised possibly behind due to rain last 2 weeks.

5/14 Resident at 4513 moved downed privacy fence from open space. Generating a nuisance letter for fence clean up currently.

5/14 Received report from Maximus Lawn Care listing breakdown of activity performed in city since last meeting.

5/16 Completed cyber security online training thru Sophicity.

5/20 Forwarded an email to city attorney advising to disregard sending nuisance letter to 4513 Micklenburg Court.

Utilities: Commissioner Beville

Did weekly light checks.

On 4/03 the light at 12106 Bay Run was not working .

On 4/10 all lights were working.

On 4/16 the light at 12106 Bay Run was not working.

On 4/22 the light at 11018 Bay Run was not working and the light at 11909 Tazwell was leaning approximately 60 degrees and was reset on 4/24.

On 4/30 all street lights were working .

On 4/19 I received a text from the City Clerk that Rumpke had dropped trash and left it on her street. I immediately contacted Chris Pierce our Rumpke Rep and he sent the driver back. I arrived at the same time as the driver and we picked up some paper and a coke can.

I also received two calls about recycling being missed. I received a follow-up call from both people that Rumpke had made a second run through the neighborhood and the recycling had been picked up.

I had a caller with an inquiry about how many bags of yard waste will be picked up in one run and I informed the caller that Rumpke would pick up 14 items in one stop. It could be yard waste in approved bags or bundles.

Did the mail run with the City Clerk on 4/10 and 4/23.

Met with Mayor Stonum & Attorney Schwager on 4/26 to discuss the rental ordinance.

Road Maintenance: Commissioner Campbell

After discussion at the April 16, 2019 meeting, I added 3 signs to the Saf-Ti-Co order. They will read as follows:

"No Parking on Street Anytime"

4/30 Finalized all signs needed at this time and identified the location where they would be placed

5/1 Met with Andrew Friebert at Saf-Ti-Co and presented the list of signs needed, their location, as well as a Stop Sign post that is leaning and needs to be reset. Also specified that anti-graffiti coating be added to all signs.

5/6 Drove all streets in the COWH to identify potholes and their specific locations

5/7 Met with Steve Triplett and Mayor Stonum to pinpoint all locations of potholes within the city, and place their locations on a large map. This work will be done in June, 2019.

The meeting was adjourned at 9:45 PM with a motion by Commissioner Metcalf and seconded by Commissioner Campbell. Voting was unanimous.

Sign:

City Clerk: _____ Date: _____

Mayor: _____ Date: _____