

CITY OF INDIAN HILLS
CITY COUNCIL MEETING AGENDA
September 19, 2019
Louisville Boat Club 6:00 p.m.

- 1) Call to order
- 2) Recognize any Visitors
 - (a) Audit Draft Presentation – Dean Dorton Auditors
- 3) Minutes – Mailed
 - (a) August Minutes
- 4) Committee Reports – Mailed
 - (a) Finance & Budget Report
 1. Finance Report-August – Dunbar/Ulmer
 2. Approval of Disbursements (City & Police Disbursement Details) – August
 - (b) Public Safety Report – Doheny & Spratt & Garlove
 1. Police Report – Chief Spratt
 - (c) Public Works & Building - Graven
 1. Public Works Director Report - Graven
- 5) Other Reports
 - (a) Waste Management Report - Graven
 - (b) Environment Committee Report – Zinniel/George
- 6) Council Members Comments
- 7) Old Business
- 8) New Business
 - (a) Jefferson County League of Cities - Membership Renewal
- 9) Legal – Cato
 - (a) Annexations
 1. Locust Grove – Ordinance No. 6, Series 2019 – Second Reading
 2. Phoenix Hill Ct – Update
 - (b) Waste Management District 109 Board - Lawsuit Update
- 10) Mayor’s Comments
- 11) Executive Session and/or Adjournment

*Next meeting – October 17, 2019, 6:00 p.m. – Louisville Boat Club

CITY OF INDIAN HILLS
 CITY COUNCIL MEETING
 September 19, 2019 Minutes of Regular Meeting
 Louisville Boat Club
 4200 River Road (40207)
 6:00 p.m.

PRESENT:

Mayor: Chip Hancock

Council: Frank Doheny
 Laura Dunbar

 LuAnn George
 James Giesel
 Kate Lindsay
 Kay Matton
 Gary Ulmer
 Mimi Zinniel

Attorney: Finn Cato

Public Works: Jim Graven

Police Chief: Kelly Spratt

City Clerk: Donna M. Sinkhorn

City Accountant: Robin Roberts

ABSENT

Lee Garlove

<u>Visitors</u>	<u>Address</u>	<u>Purpose</u>
Jim Tencza-Dean Dorton	500 W. Jefferson-Ste 1400	Audit
Kim Vo-Dean Dorton	500 W. Jefferson-Ste 1400	Audit
Simon Reemer-Dean Dorton	500 W. Jefferson-Ste 1400	Audit
Vance VonBorries	64 Indian Hills Trail	Observe
George Davidson	25 River Hill Rd.	Observe
Juliette Willis	25 River Hill Rd.	Observe

- 1) Call to Order – Mayor Hancock called the meeting to order at 5:57 p.m.
- 2) Recognize any Visitors – Mayor Hancock recognized the visitors.

(a) Audit Draft Presentation-Dean Dorton Auditors – Jim Tencza, Dean Dorton Director in charge of City Audit, presented the City’s annual Audit Report for FYE 06/30/2019 to Council. The audit was given a clean unqualified opinion which is the best opinion the City could receive. There were no material weaknesses with the internal controls that were tested; there were no audit adjustments. They have reviewed the State Auditor’s report and findings. After looking at the Mayor’s response and plans to address them, they feel the findings are being addressed appropriately and handled appropriately. Councillor Zinniel moved to accept the audit as presented by Mr. Tencza contingent upon any questions or concerns that may come up by September 26, 2019; Councillor Matton seconded; motion passed unanimously.

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3) Minutes – Mailed

(a) August Minutes – Councillor Doheny moved to approve the August Minutes as mailed; seconded by Councillor Matton; motion passed unanimously.

4) Committee Reports – Mailed

(a) Finance and Budget Report

1. City Accountant's Report- August (Ulmer) – Councillor Ulmer presented the City Accountant's Report to Council.

2. Approval of Disbursements (City & Police Disbursement Details-August) – Councillor Giesel moved to accept the Financial Report as presented and approve the City and Police checks disbursed; seconded by Councillor Lindsay; none opposed.

Mayor Hancock stated Robin Roberts will be resigning as City Treasurer but will continue being the City's Accountant; however, she will no longer be a signatory on checks and two signatures are required. Councillor Giesel moved to have the City Clerk, Donna Sinkhorn, placed on the signature card to sign checks; seconded by Councillor Matton; none opposed.

(b) Public Safety - Spratt & Doheny & Garlove

1. Police Report – Chief Spratt – August –Chief Spratt's report included six thefts from unlocked vehicles; three collisions; 42 citations issued; and year-to-date stats.

(c) Public Works & Building - Graven

1. Public Works Director Report – Graven – Mr. Graven's report included Stonebridge paving finished; Cherokee section paving should begin in the spring; deer; problem property on Bainbridge Row Drive has been sold but Mr. Graven has placed Stop Work Orders on property due to construction company not applying for permits; the other problem property on Phoenix Hill has been sold but owner is not cutting the grass so he has had it done and will bill the new owner. Mayor Hancock and Mr. Graven reported the City has received the delinquent taxes and abatement fees on the Phoenix Hill property; and Miller Pipeline, an LG&E contractor, has reimbursed the City for repairing a washout on Wampum Road caused by the contractor not fixing it properly.

5) Other Reports

(a) Waste Management Report – No report.

(b) Environment Committee – Zinniel/George – Councillor Zinniel report included an update on Tree Risk Assessment Project which is not quite finished. Mr. Lewis, the arborist, has provided a list of trees that he has marked for removal or pruning, some are on City property and some are on rights-of-way.

Councillor Zinniel moved that the Councilmembers agree to have the City pay for the repair or removal of trees on city-owned property and that the homeowner pay for the repair or removal on private property where the right-of-way goes through or where trees are on the rights-of-way. Attorney Cato stated, based on City Ordinance, Councillor Zinniel's motion would be a resolution by the City Council condemning any dead or decaying trees on City property that is on the present list; Councillor Matton seconded. Following lengthy discussion; Councillor Zinniel moved that the abutting homeowner is responsible for the removal or repair of trees that are identified by the City through this notice and that the homeowner will be given 30 days to respond. Following more discussion, Councillor Zinniel retracted her proposed resolution/motion until the Arborist has finished assessing the trees on city-owned property and rights-of-way; turns in his final report with recommendations as to priority of the removal of the trees he assesses that are dangerous and/or decaying and he believes should be removed.

6) Councilmembers Comments – Councillor George commented that she and Attorney Cato have been working on the list of building deposits and how the City may recover the sum of about \$88,000. They talked to the State Treasurer’s Department. The City’s ordinance needs to be amended so hopefully next month they will have a new ordinance to be read. In the meantime, Councillor George proposed that the City send a letter to the payor; this has nothing to do with homeowners, this is the payor. She volunteered to pull all the permits that are online on the portal to make sure they have met their obligations. In our ordinance, it says that they “may” request a refund; not “shall” so they do not have to request one. The City will be going above and beyond by acknowledging they are in compliance and giving them 90 days to request their money; and should they not respond within 90 days the money will then revert back to the City’s general fund. Attorney Cato said the City’s ordinance does not state what happens to the bond money if nobody claims it. He does not think the City is responsible or at fault in any way; it is really the obligation of the builder to come back with the Certificate of Occupancy and an application for release of the bond. If they do not do that, the money just sits in the bank account. Councillor George’s suggestion is very much an accommodation on behalf of the City to get in touch with the builders who received a Certificate of Occupancy from the City of Louisville. Following discussion, there was general agreement amongst the Council to have Attorney Cato and Councillor George send letters to the builders who are in compliance and have received a Certificate of Occupancy.

7) Old Business – None

8) New Business

(a) Jefferson County League of Cities – Membership Renewal – Councillor Matton moved to approve the expense of \$500 to renew the City’s membership with Jefferson County League of Cities; seconded by Councillor George; motion passed unanimously.

9) Legal – Cato

(a) Annexations

1. Locust Grove – Ordinance No. 6, Series 2019 – Second Reading – Following Attorney Cato giving second reading, Councillor George moved to approve Ordinance No. 6, Series 2019 relating to the annexation of Estates of Locust Grove and request for approval of annexation by Louisville/Jefferson County Metro Council; seconded by Councillor Dunbar. Mayor Hancock proceeded to take the following roll call vote:

Mr. Doheny	Yea	Ms. Lindsay	Yea
Ms. Dunbar	Yea	Ms. Matton	Yea
Mr. Garlove	Absent	Mr. Ulmer	Yea
Ms. George	Yea	Ms. Zinniel	Yea
Mr. Giesel	Yea		

Motion passed unanimously. (Ordinance No. 6, Series 2019)

2. Phoenix Hill Ct. – Update – Attorney Cato stated there is one property on Phoenix Hill Drive that has been included in the annexation but the property owners have not been responsive. He has talked to Mark Wilmoth, the surveyor, about leaving this property out of the annexation and just annex Phoenix Hill Court properties. This is the direction that is being considered.

(b) Waste Management District 109 Board – Lawsuit Update – Attorney Cato stated the Jefferson County Attorney’s office has now filed a Motion for Discretionary Review in Supreme Court of Kentucky. The Supreme Court will decide whether they want to accept it and to hear it. If they do not accept it, Court of Appeals decision stands and the Home Rule Cities and Jefferson County League of Cities win.

10) Mayor’s Comments – Mayor Hancock encouraged everyone to come to the Octoberfest. He and Attorney Cato met with Karen Paulin to work through some issues with the contractor vs employee issues. They believe

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they may have it resolved and will work with Mr. Graven. Richard Cleary was sworn in on the Ethics Board. Elaine Crockett has agreed to be the third person on the Ethics Board.

11) Executive Session and/or Adjournment – Councillor Matton moved to adjourn the meeting at 7:50 pm; seconded by Councillor Zinniel; motion passed unanimously.

Next Meeting:
Thursday – October 17, 2019
6:00 p.m. – Louisville Boat Club

/S/ _____
Donna M. Sinkhorn, City Clerk

/S/ _____
Chip Hancock, Mayor