

# City of Orchard Grass Hills City Council Minutes

November 8, 2011

Mayor Yarberry called the meeting to order at 7:40 p.m.

**Council Members Present:**

Connie Kirchner  
Jami Springer  
Gail Horsley  
Bob Dalton

**Others Present:**

Kyle Hubbard – City Attorney  
Kim Taylor – City Treasurer  
Ruth LeMaster – City Clerk  
Angi Johnston – City Engineer  
Ed Basquill – OC Environmental Authority  
Kevin Gibson - OC Environmental Authority  
Bob McCue  
Eric Payne  
Charlie Fudold

**Absent:**

Doug Lalli  
Jim White

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## MINUTES

A **Motion** was made by Connie Kirchner to dispense with the reading of the Oct. 11, 2011 minutes. Bob Dalton seconded the **Motion**. **The Motion passed.** A **Motion** was made by Jami Springer to accept the Oct. 11, 2011 minutes with amendment and Bob Dalton seconded the **Motion**. **The Motion passed.**

## TREASURER'S REPORT

The October, 2011 Treasurer's Report was presented by City Treasurer, Kim Taylor. Bob Dalton **motioned** to accept the October, 2011 Treasurer's Report. Gail Horsley seconded the **Motion**. **The Motion passed.**

Treasurer asks City Attorney to write a letter to the following residents:

- Amy Flowers at 9500 Autumn Bent Ct. for 2 years of delinquent taxes.
- Walter Freeman at 9327 Plumwood Pl. for 3 years of delinquent taxes.
- David and Shirley O'Connell at 7326 Sideoats Dr. for 4 years of delinquent taxes.
- Christopher Ricci of 7440 E. Orchard Grass Blvd. for 4 years of delinquent taxes.
- Kristian Trapp of 7112 Apple Orchard Ln is also delinquent 2 years.

Treasurer will inform City Attorney of amounts due plus penalties and interest for all delinquent residents.

7404 Woodreed Pl. may be coming up for sale. A buyer is interested in potentially flipping the house.

LG&E bill fluctuations discussed. Bob Dalton asks for a breakdown of cost.

Connie Kirchner reported that the October and November, 2011 audit reports will be given next month.

### **POLICE REPORT**

No Oldham County police were present at today's meeting. Mayor Yarberry read the October, 2011 monthly Oldham County police report summary. The Mayor had a discussion with Judge Voegelé regarding having tickets written for running stop signs. Officer Wakefield said tickets are given only for speeding over 5 miles per hour above the speed limit.

Mayor says the unsightly sign on Haunz Lane and 22 is managed by the highway department.  
Mayor informs of scams regarding home security sales.

### **PUBLIC DISCUSSION**

**None**

Project Manager for Oldham County Environmental Authority/Veolia Water – Ed Basquill and assistant Kevin Gibson gave a presentation regarding the Oldham County Environmental Authority. Their role is to be caretakers of safe waste water and storm water. From 1940-2000 the population has increased in Oldham County. In 1970 most of the wastewater treatments were put in place. However, recent housing growth has rendered this insufficient. 1996 MSD acquired these plants because the streams were becoming polluted by developers. In 1999 they were still in bad shape. In 2004, a new plant was built on the Ohio River. Oct. 31, 2008, the Division of Water began enforcement actions against Oldham County due to violations and overflows. Crestwood joined the OC Sewer District in Jul 13, 2005 and left 12, 18, 2008 in the midst of pending enforcement actions.

Veolia Water began managing OCSD in Nov. 2008 and violations reduced over time. Rates increased in 2008 and 2010. In 2008, OC created the storm water authority because of new regulations regarding storm water quality so water flowing into streams is clean. In 2009, the Orchard Grass Hills plant had a new air header installed to combat odor complaints. Several plants and lift stations are over 30 years old and are due to be phased out or replaced. Chlorine gas was removed from the OGH plant due to its toxicity.

Orchard Grass and Willow Creek Plant should go off line and go to the Hite Creek Plant – negotiations are still in process.

Phase 1 is to build a pump station to connect Willow Creek and Orchard Grass to set us up for a line to Hite Creek or to build a new plant. They will repair sewer lines to reduce INI (infiltration inflow – aka overflow from rainfall into the sewer system). When OGH was built, sewer lines were made out of terra cotta clay. Poplar Hill is mostly PVC. Short term we will flow some sewage from Willow Creek to Orchard Grass. If a new plant needs to be built, it will not be near homes.

Resident Bob McCue asks what safety measures will be in place if there is a new pumping station since OGH is low lying. Telemetry would read levels from the lift station and would call Ed Basquill's cell phone if there is an issue. There would be a back-up generator if there is a power failure. Overflow, if telemetry fails, would be to the creek, but not into the houses. Next week there will be a bid for the INI work. Repairs and studies will be done to make sure this will be done correctly. Scope into pipelines to determine cracks etc...

Phase 2) Build a new plant.

Mr. Basquill distributed brochures on what to do in the event of a sewer backup.

Mayor remarked that most residential complaints are from being charged to dig up the sewer line in the street, not on residential property. Also, the issue is the Y or Siamese connections that connect 2 houses to one line. OCEA is responsible for the main line, but if resident sewer line extends partway into street and it

needs to be dug up, it is the resident's responsibility. Eric Payne, resident at 7325 Sideoats Dr. ([payneco@gmail.com](mailto:payneco@gmail.com)) says he has had a fair negotiation with OCEA regarding repair of the Siamese joint. A permit is required to dig up any street so it's better for the utility to dig it up but resident is still charged time and materials. If a main backs up into someone's basement, it is OCEA's responsibility. Most houses in OGH do not have a cleanout point at the end of the siamese joint. If there is a problem they would try and add a back-up valve and also a cleanout point.

Eric Payne has home owners insurance on his sewer line but unless it is completely collapsed, it is not covered. He has had plumbers out 6 times. He recommends residents call both the plumber and OCEA when there is an issue to determine where the clog is so that the plumber doesn't dig up basement or property unnecessarily.

In the Nov. 2011 OC ordinance it also states the property owner is responsible for repairs up to the water main or in some instances the right of way. Mayor asks in what instances the right of way is. MSD's policy is similar.

City Council is concerned because the city taxes pay for city street repairs.

## OLD BUSINESS

### ENGINEERS REPORT:

Cline Construction completed the 7438 E. Orchard Grass project. It was 9529 Poplar Hill Drive not 9527 Applewood that had its erosion problem repaired. An invoice will cover both.

See Attached Revised priority list. Items 4 & 5 on list are part of sidewalk project and are removed from the list.

City Engineer will take a look at 9540 Poplar Hill Rd. issues – item #1 on list – will check if there is an easement behind Applewood Ct. before recommending repairs.

City Engineer is in contact with Belinda Demas of OC Planning and Development regarding the sidewalk project and grant money.

City Engineer has called 3 electricians who have had difficulty reaching LG&E's new services rep. regarding the city entrance lighting project. They wouldn't flat rate this, there would have to have meters. Bob McCue says our lighting subcontractor for our light poles is United Electric who works with LG&E. He suggests we go through United to reach LG&E.

Bob Dalton introduced a resolution to accept grant money from the Commonwealth of Kentucky and administered by Oldham County Fiscal Court for the sidewalk project in the amount of \$110,000 with the City of Orchard Grass providing matching funds in the amount of \$22,000. A role call vote was taken.

### Role Call Vote:

Connie Kirchner – yes  
Jami Springer – yes  
Gail Horsley – yes  
Bob Dalton – yes

Doug Lalli and James White were absent.

**ATTORNEY'S REPORT:**

Complaints were received on two large barking pitbull type dogs at 9304 Apple Orchard Place – residents are Linda Jennings, Doug Hargadon. They jump the fence and attack residents and other dogs. Animal control was called. City Attorney has sent them a letter and the Mayor will follow up with the resident.

Gail Horsely made a **Motion** to allow city attorney to file suit against resident at 9304 Apple Orchard Place if the problem with dogs has not been resolved. Jami Springer seconds the **Motion. The Motion passed.**

Tim Tyree – OC Code Enforcement Officer - said he has notified Reed Flooring that if they have not moved its business or applied for a conditional use permit he will slap a citation (stop use order) on their door. They are in violation of operating a business in a residential zone. They have not responded to date.

Mayor would like us to reconsider the code enforcement board policy.

Mayor asks the City Attorney to change wording of the working draft for the nuisance policy.

**NEW BUSINESS**

Gail Horsley initiates that there are two above ground pools that have no safety fencing – a possible liability. There are many children under age 7 on that street.

**ADJOURNMENT**

Bob Dalton **motioned** for the meeting to be adjourned. Jami Springer **seconded the Motion. The Motion passed.** The meeting was adjourned at 9:50 p.m.

RESPECTFULLY SUBMITTED BY:

Darlene Yarberry, Mayor and Ruth LeMaster, City Clerk

**Next meeting will be on December 13, 2011 at 7:30 p.m.**