

# City of Orchard Grass Hills City Council Minutes

January 10, 2012

Mayor Yarberry called the meeting to order at 7:33 p.m.

**Council Members Present:** Connie Kirchner  
Bob Dalton  
Doug Lalli  
Jim White  
Scott Pierce

**Others Present:** Kyle Hubbard – City Attorney  
Kim Taylor – City Treasurer  
Ruth LeMaster – City Clerk  
Angi Johnston – City Engineer  
Charlie Fudold  
Bob McCue  
Resident of 9304 Apple Orchard

**Absent:** Jami Springer

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## SPECIAL BUSINESS

Mayor announced city council member Gail Horsley has resigned and the city council has 30 days to select a new council member. Doug Lalli nominates Scott Pierce. Connie Kirchner nominates Bob McCue.

Scott Pierce has children at Kenwood Elementary School and South Oldham Middle School. He has worked with the city council before on an issue satisfactorily. He works for G.E., coaches local teams and is available to serve the city. Bob McCue has lived on Bermuda Ct since 1976, retired from G.E., helped form the city in 1979. The City Attorney says that we must have a majority vote to proceed. The city council had a brief discussion.

A roll call vote was taken:  
Jim White – Scott Pierce  
Bob Dalton – Scott Pierce  
Connie Kirchner – Bob McCue  
Doug Lalli – Scott Pierce

Mayor announced that the council has voted in our new city council member, Scott Pierce, who was then sworn into office by the City Attorney. Mr. Pierce also signed the sworn statement.

## MINUTES

A **Motion** was made by Bob Dalton to dispense with the reading of the November, 2011 minutes. Jim White seconded the **Motion**. **The Motion passed.** A **Motion** was made by Jim White to approve the November, 2011 minutes and Doug Lalli seconded the **Motion**. **The Motion passed.**

A **Motion** was made by Jim White to dispense with the reading of the December, 2011 minutes. Scott Pierce seconded the **Motion. The Motion passed.** A **Motion** was made by Bob Dalton to approve the December, 2011 minutes and Jim White seconded the **Motion. The Motion passed.**

#### **TREASURER'S REPORT**

- The December, 2011 Treasurer's Report will be voted on at the February meeting.
- City Treasurer received notification the telecommunications tax will be reduced by 2% per month.
- We are being audited by the KY Unemployment Tax Department for 2009. This will occur at the end of January. They are requesting to see city records.

City Treasurer received a request from a resident for a detailed copy of our budget and will provide such.

#### **POLICE REPORT**

No Oldham County police were present at today's meeting. The December, 2011 monthly Oldham County police report summary was emailed to all city council members and staff, reviewed and accepted.

#### **PUBLIC DISCUSSION**

Resident of 9304 Apple Orchard Place reported on the nuisance complaint regarding his dogs – one was given away, the other is going to be spayed which will quiet her down. City Attorney will drop the complaint against the resident if it is shown his dogs are no longer a nuisance after a period of time.

Bob McCue – is researching solar lights for the marble signs at city entry. Both Bob McCue and Scott Pierce are electricians. Scott is willing to try and get a price from two bidders. Solar panel still needs occasional maintenance.

Mayor would like to find someone to fix streetlights – we are paying a flat fee to LG & E for these. Bob McCue said the 5 year contract is almost over for the streetlights. It takes several weeks for them to respond with repairs.

#### **OLD BUSINESS**

##### **ENGINEERS REPORT:**

Traffic study at location of fireworks stand was made. Current entrance is too close to 22. There should be no problem if modifications are made, i.e. a right turn in, right turn out only, or if owner shifts entrance over 50-100 feet down Haunz Ln so the intersection is not blocked.

Rec'd call on Poplar Hill sign. The city engineer will measure how far off the Rd it is as it may be too close to 22. Regulations say the sign needs to be 15 ft. off the edge of pavement. The city engineer will research the time limit on a "temporary" sign. It's been there at least 13 years.

##### **Sidewalk Project Update:**

The city council discussed moving forward with the sidewalk project. The city engineer researched the grant and found there are some new requirements that might impact the cost of the project. She had a discussion with the principal involved with many of these projects. The engineering costs can double to triple on these because of the additional requirements of the plans, bidding, and the administrative work. This impacts the construction costs coming out of the contractors – federal wage rates. He also said there have been a couple of other communities (St. Matthews, Henry Co.) who have turned the grant down. St. Matthews turned down ½ million dollar grant, deciding it would be cheaper to do it themselves. The time is a factor. We

would be lucky to start this fall. The city would have to pay the contractors and then get reimbursed. The first reimbursement always takes Frankfort the longest to reimburse and you would be paying \$100,000 for what you're getting normally for \$50,000 if you do it yourself.

Connie Kirchner **motioned** to rescind the Nov. 8, 2011 resolution to accept \$110,000 state grant money for the sidewalk project. Doug Lalli seconded the **Motion. The Motion passed.**

City Engineer's recommendation is to have her and Frank Cline look at Dale Hettinger's prioritized list and get estimates on all of those – break it down in smaller batches. There are some connectors and repairs that need to be made. City is better off doing the work and splitting it up in phases so you would be able to work down the list. There is money in the contingency fund according to the city treasurer to do a re-evaluation study on needed repairs. The city treasurer recommends prioritizing and getting cost estimates in February and March. April is when concrete repair work can be resumed.

#### **ATTORNEY'S REPORT:**

The Reed flooring business located at Autumn Bent Ct. was passed to Tim Tyree, the Oldham County Code Enforcement Officer several months ago but with no apparent result. Mr. Tyree reports to the Fiscal Court. City Attorney recommends filing a business and nuisance suit against the resident. He will also file a lien due to failure to pay city taxes. The Mayor will first call Tyree. If she gets no response, she will call Judge Voegele on this issue. Doug Lalli made a **Motion** to file a business and nuisance suit against resident of 9516 Autumn Bent Ct. Connie Kirchner seconded the **Motion. The Motion passed.**

Discussion was had regarding KY State statutes which say a city may form a code enforcement board formed of residents. We would need to hire a retired police officer as a code enforcement officer. We could re-instate the code enforcement statute that was repealed in the past. However, the problem was finding code enforcement board members.

#### **NEW BUSINESS**

- Fireworks issue has been postponed until Feb. 14, 2012 meeting.
- Former Mayor Jay Hartlage and city founding father passed away recently. City Council sent flowers. He served on our ethics commission board and his wife was also a former Mayor.
- Email from resident Jean Hall asking if the city is planning to file suit against the sewer district because of their failure to adequately make repairs. City is not planning to file suit, this is a private property owner issue.
- 7315 Sideoats Dr. – Mayor requests city attorney to send a letter of complaint – tenants are parking on a drainage swale. It's a rental, letter must be sent to the landlord (Roger & Cindy Hack – P.O. Box 795, Pewee Valley, KY 40056) and tenant. Mr. & Mrs. Hack also own 7320 Sideoats Dr. which has a basketball hoop in the right of way and city attorney needs to send a letter as well.
- Mayor will go through and count signs that need replacement and repair– some were spray painted – and will check the city's storage shed for stop signs before determining if new signs must be ordered.
- Mayor will call Gail to get the city ordinance and hand book returned.

#### **ADJOURNMENT**

Jim White **motioned** for the meeting to be adjourned. Doug Lalli **seconded the Motion. The Motion passed.** The meeting was adjourned at 9:04 p.m.

RESPECTFULLY SUBMITTED BY:  
Darlene Yarberr, Mayor and Ruth LeMaster, City Clerk

**Next meeting will be on February 14, 2012 at 7:30 p.m.**