

City of Orchard Grass Hills City Council Minutes

February 14, 2012

Mayor Yarberry called the meeting to order at 7:30 p.m.

Council Members Present: Bob Dalton
Doug Lalli
Jim White
Scott Pierce
Jami Springer

Others Present: Kyle Hubbard – City Attorney
Ruth LeMaster – City Clerk
Charlie Fudold
Dale Ries
Roger Loyd
Adam Heck

Absent: Angi Johnston –City Engineer
Kim Taylor – City Treasurer
Connie Kirchner

MINUTES

A **Motion** was made by Jim White to dispense with the reading of the January 10, 2012 minutes. Doug Lalli seconded the **Motion**. **The Motion passed.** A **Motion** was made by Doug Lalli to approve with amendment the January 10, 2012 minutes and Scott Pierce **seconded the Motion**. **The Motion passed.**

TREASURER'S REPORT

The December 2011 and January 2012 Treasurer's report and audit will be presented at the March meeting.

POLICE REPORT

No Oldham County police were present at today's meeting. The January 2012 monthly Oldham County police report summary was emailed to all city council members and reviewed. The Mayor will contact Officer Tim Wakefield to request a representative be present at the next city council meeting.

OLD BUSINESS

A West Orchard Grass Hills home owner spoke with the Mayor regarding chronic sewer blockage under the street at her rental property. The question was posed whether it is a resident's responsibility to dig up the street for repairs as she has paid a total of \$500 to unclog the pipe twice. A broken terra cotta pipe under the street may be the problem. The resident would also like to know if the drain on her side of the street can be repaired by the city.

City council discussed the Nov. 2010 Oldham County ordinance declaring residents are responsible for sewer lines up to the main pipe even though the part requiring repair is under the city street and not on the resident's property. Mayor will request City Engineer to look into both issues.

Bob Dalton suggests City Attorney contact Frankfurt to question if the Oldham County ordinance wording can be changed so that resident responsibility ends at the property line instead of the main line in the center of the street, and to check if there is a grandfathering clause that can override this ordinance.

Bob Dalton made a **Motion** to authorize the Mayor to spend funds without city council approval up to \$500 to address emergency sewer blockage repairs for said W. Orchard Grass Blvd. resident who has had repeated sewer blockages. Doug Lalli **seconded the Motion**. Four city council members voted in favor with 1 voting opposed. **The Motion passed.**

7002 Autumn Bent Way corner residence has a giant hole on their property covered up by lawn chairs that is a potential danger. Mayor will investigate.

ATTORNEY'S REPORT:

City Attorney filed suit against James Michael Reed of 9516 Autumn Bent Ct. The suit was sent certified mail but was not signed or accepted. A Sheriff has been appointed to serve the suit.

City Attorney wrote a letter to the home owner at 7315 Side Oats Dr. who then contacted their tenant who was parking cars on the swale, against city ordinances. Tenant contacted the City Attorney and said she had no room to park her 3 cars. City Attorney explained it blocked drainage. Tenant said she will move the cars.

City attorney will write 7009 Apple Orchard Lane resident a letter regarding a trailer parked in the side yard.

NEW BUSINESS

The City Engineer conducted a study on the Haunz Lane entrance to the fire works outlet. The main question is whether the land is properly zoned for commercial use. Mid-America Fireworks outlet owner, Mr. Loyd, says property owner Bob Jones said he wanted to open a shopping mall there, so it is likely zoned for commercial use. Mr. Loyd said he can move the driveway further down Haunz Lane so as not to interfere with the corner traffic where there is a pre-existing driveway & gate 200 ft. from the Haunz Ln and Hwy 22 intersection. Also, Mr. Loyd stated that 300 residents of Orchard Grass Hills signed a petition to support the existence of the temporary fireworks business. Mr. Dale Ries, former military, read the petition aloud to the City Council and expressed that those he approached with the petition, all of whom were over the age of 18, were favorable towards allowing them to proceed. He has been hired to manage the stand and will be on site 24 hours a day and will keep it clean and orderly. Mr. Loyd requests that if the city council approves the stand, that they would allow the issue to be re-visited again once his contract with Mr. Jones expires.

Doug Lalli **motioned** to allow Mid-America Fireworks to operate a temporary outlet at the corner of Haunz Ln and Hwy 22 until the contract expires in 2013 with an option for the issue to be revisited after the contract expires, with a stipulation that the entrance is changed per the engineer's study from Jan. 5, 2012 and also provided it is a commercial zoning district. Bob Dalton **seconded the Motion**. Three city council members voted in favor of the **Motion** and 2 were opposed to the **Motion**. **The Motion passed.**

The Mayor asks Mr. Loyd to work with the city engineer to properly construct a new entrance. The Mayor will check that the property is zoned properly. If it is not zoned for commercial business, the vote will not count.

City Engineer also conducted a study on the Poplar Hill sign at Haunz Lane and Hwy 22. Her recommendation is that the sign should be at least 14.5 feet from the edge of Hwy. 22. Mayor will call the Oldham County zoning and planning commission to determine whether the sign is considered permanent or temporary. She will set up a meeting with Bob Jones to discuss whether the sign can be removed or its location be changed.

The Mayor received an email on 2/14/12 from Steve Cummins, PE, CFM, with Grisham Smith and Partners stating that the Oldham County Environmental Agency will be rehabbing the sewers in the city of Orchard Grass and Willow Creek to ready them for the new pump station. The City Engineer met with him and has in her possession the plans for those areas impacted. OCEA will put signs up to indicate which areas will be affected. They will be slip lining the older lines, making manhole repairs and some point repairs in the older sections of the city. City Attorney will call City Engineer regarding the aforesaid W. Orchard Grass Blvd. resident to see if this rehab project will solve her sewer issues. Mayor will forward these plans to city council members.

Jim White received a complaint from the resident of 7421 W. Orchard Grass Blvd regarding her conversation with a neighbor regarding their barking dog. Neighbor has said he will move the dog to the other side of the house.

ADJOURNMENT

Jim White motioned for the meeting to be adjourned. Jami Springer **seconded the Motion. The Motion passed.** The meeting was adjourned at 8:53 p.m.

RESPECTFULLY SUBMITTED BY:

Darlene Yarberry, Mayor and Ruth LeMaster, City Clerk

Next meeting will be on March 13, 2012 at 7:30 p.m.