

# City of Orchard Grass Hill City Council Minutes

February 14, 2014

Mayor Lalli called the meeting to order at 7:34 p.m.

**Council Members Present:** Bob Dalton  
Connie Kirchner  
Susan Marcum  
Daniel Lira  
Bob McCue  
Scott Pierce

**Others Present:** Mayor Doug Lalli  
Kyle Hubbard – City Attorney  
Ruth LeMaster – City Clerk  
Angi Johnston – City Engineer  
Charlie Fudold  
Janet McWilliams  
Alan & Denise Grey  
Horace Harrod  
Roger Loyd  
Darren & Jackie Francis  
Nick & Heather Daily  
Wesley Kyle  
Rachel Clarke  
Bryan Clark

**Absent:** Kim Taylor – City Treasurer

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## MINUTES

Bob Dalton **made a Motion** to dispense with the reading of the January 14, 2014 minutes. Susan Marcum **seconded the Motion. The Motion passed.** Daniel Lira **made a Motion** to accept the January 14, 2014 minutes. Bob McCue **seconded the Motion. The Motion passed.**

## TREASURER'S REPORT

No Treasurer's Report was presented.

## ATTORNEY'S REPORT

City Attorney sent letters to one resident regarding pool maintenance and to another residence regarding the parking of their RV but has received no response from either resident.

## POLICE REPORT

The January 2014 police report was emailed to city council members and discussed. The Mayor has received 3 phone calls regarding cars parked city streets during poor weather. A nuisance complaint was given to the city council regarding the rental residents at 7427 W. Orchard Grass who have parked 6 cars (Mustang, an old SUV, van at night, a truck, an old truck, another SUV) on the streets which block

the snow plows and crowd the cul-de-sac. The property owner of the rental is David Hartlage and a resident gave the Mayor his phone number. Multiple families are living in this rental house and disturb the peace with loud noise especially in the late evening hours. They have an excess of objects on the property and on the back porch. Multiple cars park on the lawn and their dogs are not curbed and are defecating on neighbor's lawns rather on their own lawn. One resident has built a privacy fence as a visual barrier from this property. Another resident is considering doing the same.

The Mayor instructed that the first step for residents is to file a Nuisance Complaint with the City. The After the Nuisance Complaint is received, the City Attorney will draft a letter regarding the rental holding multiple families and multiple vehicles. Residents were instructed to call police dispatch at 222-0111 if they want to complain about noise so that there is an official record of violations.

The Mayor informed the city council that a 65 year old resident of Briar Hill who was shooting paintballs on Orchard Grass has been caught and cited with a misdemeanor. He was caught thanks to multiple residents working together via Facebook.

A resident has repeatedly requested police to be more visible on W. Orchard Grass near Sideoats and Autumn Bent as cars are still going 45-50 mph in a 25 mph. He offered his own driveway as a vantage point. A portion of his street has 16 children in an 8 house area. Week-ends and late afternoon are times when the speed limit is violated most and when children are most likely playing outdoors. The Mayor will speak with the police to request for them to have a presence in this area.

#### **ENGINEER'S REPORT**

City Engineer will look at hand rail situations after the weather thaws.

Applewood Rd & Circle intersection – City Engineer will draft a letter for the Mayor to present to the resident who has a question regarding creation of sidewalks in that area.

Residents are very happy with the snow removal company and gave them a round of applause.

Bob McCue spoke with the Louisville Water Company which has dug holes throughout the city. He spoke with Pat Howard twice. The first time he called the sub-contractor, they came and looked at the work and said there was no problem. So, Bob rode with them and showed them the areas of concern, such as the E. Orchard intersection which has a 3 foot deep hole. Repairs cannot be done while there is ice and snow, but they will be contacted as soon as the ground thaws. The same contractor that dug the holes cut electrical lines for five street lights on 22 and LGE has been made aware of the problem.

#### **COMMUNITY FORUM**

Bob McCue introduced Mr. Horace Harrod from the Oldham County Environmental Authority Board (OCEA) who summarized the history regarding OCEA and the 14 package treatment plants constructed by developers, of which Orchard Grass Hills is one. In the last 5 years OCEA has been able to decommission 5 plants. They have come up with a plan to take the remaining package treatment plants and replace them with 3 facilities, one that exists on the Ohio River, one that is on prison property at KSR which is leased by OC and has recently been rehabbed, and a third plant slated to be built in the Haunz Lane area to take the flow from our part of the county. Willow Creek was taken off line already and its sewage flow has been taken over by the Orchard Grass package treatment plant temporarily. A pipeline was built between the two cities and the plan is for the pipe to eventually flow the other way into the new regional plant. Funding has been approved for the new plant and Willow Creek and OGH

will be considered phase 1 of the new built. If the engineering work is done and bids can be accepted by Nov. 1, 2014 then construction will start in 2015 with completion by. Every million dollars borrowed is \$1 added on residents' bills. The project cost is \$24 million for construction, and this does not include operating costs.

#### **NEW BUSINESS**

Resident Jackie Francis is working on a City Welcome Basket for new residents and has found 15 businesses willing to donate brochures, services, gift certificates or coupons.

The Mayor would like us to communicate with residents via an Early Spring newsletter, highlighting ordinances and featuring residents or businesses. The Mayor requested the city council to consider what they would like to see in the newsletter at the next meeting.

A resident asks whether the city permits gravel driveways. Because there are 3 different deeds of restrictions within the city, any rules depend on the location of the house. Those with gravel driveways where there are restrictions can be pursued via a nuisance complaint initiated by residents. The resident will provide city council with addresses so the deeds of restriction can be researched.

#### **OLD BUSINESS**

The Mayor conducted an informal poll of over 100 city residents regarding the Mid-America Fireworks stand that has sold fireworks prior to the 4<sup>th</sup> of July for the last 3 years at the corner of Haunz and 22. The majority of residents indicated that they would like the stand to continue its seasonal sale of fireworks. The council discussed safety concerns regarding fireworks damage to private property and concern that some will ignore state regulations regarding aerial fireworks being set off less than 200 ft from buildings.

Roger Loyd, the owner of the Mid-America Distributors fireworks stand, addressed the City Council introducing himself, his background, and his research regarding fireworks sales in Kentucky. He summarized his history working with the city reiterating his investment in prepping the location at Haunz and 22 and commitment to post and pass out the state regulations regarding safe fireworks use.

After a period of discussion, Connie Kirchner **made a Motion** to keep the seasonal sale ordinance as is. Susan Marcum **seconded the Motion**. **Three city council members voted for the Motion, three city council members voted against the Motion. A tie resulted. The Mayor voted against the Motion. The Motion did not pass.**

Scott Pierce **made a Motion** to repeal the seasonal sale ordinance in its entirety and draft a new ordinance to allow a non-conforming use permit to be issued on an annual basis to be revoked by the city council at any time for any reason. Daniel Lira **seconded the Motion**. Three city council members voted in favor of the motion, three abstained. **The Motion passed**. The City Attorney will now draft a new Seasonal Sale Ordinance for the City Council to be read at the next meeting.

Scott Pierce **made a Motion** for the meeting to be adjourned. Bob McCue **seconded the Motion**. **The Motion passed**. The meeting was adjourned at 9:23 p.m.

#### **RESPECTFULLY SUBMITTED BY:**

**Doug Lalli, Mayor and Ruth LeMaster, City Clerk.**

**Next meeting will be on March 11, 2014 at 7:30 p.m.**