

November 2011 Minutes Of Woodlawn Park City Council (corrected)

The Woodlawn Park City Council met on November 21, 2011, at Woodlawn Park City Hall. Present were, Mayor Mike Brown, Council Members, Becky Ritz, George Langford, Greg Claypool, Larry Lewis, Tom Nunn and Doug Watson, Treasurer Gloria Curran, Attorney Matt Carey, Chief Bob Heaton, and City Clerk Chana Elswick.

The meeting began at 7:30 pm.

The council reviewed the minutes for the October 17, 2011 Council Meeting. Becky made a motion to accept the minutes. George seconded the motion. All voted aye and the minutes were approved.

Gloria Curran gave the Treasurer's report. She reviewed revenues and expense with the Council. The bulk of the revenue is from the insurance premium tax. She stated she is waiting in the last Westport Road mowing grant from the State. All but 10 property tax parcels have been collected. Gloria asked when the TLD mowing of the easement will be finished. Mike stated it should be done. Gloria asked about the City cell phone contract, with AT&T. There was a discussion about cell phone plans and usage by the Chief. Mike stated to keep AT&T and cancel the texting option. Gloria stated the plan maybe eligible for an upgrade in phones and service. George made a motion to accept the report. Larry seconded the motion. All voted aye and the report was accepted.

Mike stated he would like Council to approve a Municipal Order governing residents addressing Council. George discussed rules of order. Greg asked how this interface with someone speaking later in the meeting. Mike stated he could stop anyone from speaking and enforce this. Larry discussed Metro rules for meetings. There was a discussion about the number of people speaking on a topic. Matt discussed changes to the Order. George made a motion to accept the Municipal Order. Becky seconded the motion. All voted aye and the motion was approved. The motion is as follows:

CITY OF WOODLAWN PARK, KENTUCKY MUNICIPAL ORDER 2011-1

A MUNICIPAL ORDER GOVERNING RESIDENTS ADDRESSING THE COUNCIL:

1. Any resident who desires to address the council shall identify himself/herself by name and address;
2. Each resident shall be subject to a three (3) minute maximum time within which he/she may address the council;
3. A maximum of two (2) persons shall be permitted to address the council on the same side of an issue;
4. In the event the person addressing the council has written comments, a copy may be provided to the Mayor and council prior to the council meeting, and
5. Residents are permitted to address the council during meetings only as set forth above.

Adopted at the November 21, 2011 regular meeting of the City of Woodlawn Park.

Mike asked if there were any guests that would like to approach Council. Shelby and Amanda May, 908 Perryman stated there were at the last meeting requesting a fence variance. Council had stated he would be in violation of zoning ordinances. Per Metro, he would not. He gave Council a drawing of the plan and a list of signatures from his neighbors on Schuwey and Perryman that thought the fence would be okay. Council reviewed the pictures and proposal. Bill Ritz stated a variance had been denied in the past and now all fence variances will have to be granted. Matt stated there can be different reasons to grant a variance and Council can decide when to grant it. Mike stated other issues are involved in each case. A roll call vote was taken to grant the variance, Greg aye, Doug no, Tom aye, Becky no, Larry aye, George aye. The variance was granted for a 4 foot picket fence. Doug will issue the permit.

Patrick Burnett, 4409 Kinloch, stated there was a problem with the Church gate being open on Kinloch. He asked Council to block the street as it was years ago. He stated this presents a hazard to the neighborhood which has a lot of children. He has talked to other residents who agreed to contribute funds to close the road. Mike stated this issue will be discussed later in the meeting.

Chana Elswick gave the hit report for the new website. She will research returned newsletters.

Old Business Historical Marker Placement Mike stated the historical marker has been placed. It is easier to see now. The Garden Club has agreed to put bushes around it.

New Business Kinloch Gate Mike stated the Church has left the gate open on 3 out of the 4 past weekends. Two times it was left open until Monday morning. He has continued to receive calls from residents about the gate. He stated he might want to terminate the temporary agreement with the Church, from 2008, that states the gate will be open Sundays from 11:00am -1:00pm. Tom stated he thought it was for construction only. Mike stated the agreement does not have an end date. George stated this is a touchy issue and he would like Matt to send a letter to end the agreement. He stated he would like to see the gate remain there. Greg stated the gate is not on City property and the City has no control over it. Greg reviewed what the area was like in the past. Larry stated the agreement is open ended and only lists the time of use. He appreciates the residents concern over the safety issue. He asked if this creates any more of a hazard than TLD using the streets. Becky stated that when the gate is open it is on private property. She stated the Church does not need it for an

exit and the berm should come back or curbing be installed. Mike asked the Council, if they would be in favor of terminating the agreement. Larry stated no and suggested getting a response from the Church and have Matt send a letter. Greg stated they are not a part of Woodlawn Park. Mike stated they are. Larry stated the PVA lists them in the City. Greg stated the PVA told him they were not. Mike stated his research shows they are part of the City. There was a discussion regarding this issue. Greg stated one topic is safety and the Church removed a limited access barrier and paved on City property. Matt stated that per the Glenn Price letter of 05/10, the Church action can include but is not limited to litigation if you terminate. Becky stated she thought it was through construction. Matt stated no one gave that thought to him to include in the agreement. Greg stated he asked Glenn Price to prove the Church is in the City and to prove they need the entrance and he has not done so. Larry suggested Matt contact the Church. Doug stated that Matt should send a letter, citing multiple violations, if this continues. Mike stated he wants to do something about the agreement and he wants to suspend it. He discussed his reasons for this. Larry stated that with possible litigation, the City has to have documentation to support everything. Larry made a motion to instruct Matt to send a letter to the Church of the City's dissatisfaction and the infractions and will seek other actions. George seconded the motion. A roll call vote was taken: Larry aye, George aye, Tom no, Becky no, Doug no, Greg no. The motion was denied. Becky made a motion to close the gate, send a ~~citation~~ letter and to terminate the agreement. Tom seconded the motion. A roll call vote was taken: Larry no, George no, Becky aye, Tom aye, Greg aye, Doug aye. The motion was passed. Mike stated it will take effect immediately.

Mayor's Report Mike stated the email distribution list has been started. He will put Council on the list. 8 residents have signed up.

The recipe book has not had any resident submissions. Becky would like to ask the Brownie troop for children's recipes. A resident has stated that 3 trees in the Beechwood easement are dead. George stated they must be removed if they are dead. Mike stated he got 2 estimates to remove the trees, one for \$2725.00 and one for \$1475.00. He stated he wants to replace the trees. He will check into an LG&E tree grant. George made a motion to remove the trees at a cost not to exceed \$1500.00 and replace the trees. Larry seconded the motion. All voted aye and the motion was passed.

Mike stated he had met with Tony at TLD about the tree issue on Ambridge. He stated he was asked to remove the tree and he did. This is no different than what was done in the past. Mike stated he reviewed the policy to clear the street and place the tree in the homeowner's yard. He stated Greg had wanted to charge the Ambridge homeowner, but Mike does not feel comfortable doing this. Matt stated the City had an obligation to clear the street and to put the tree back in the yard.

Mike congratulated Tom Nunn on winning the election. He encouraged all residents to run for office.

Mike stated a light was out on Wingate. LG&E fixed it. He and Doug had not met to review the lights in the City. There are 53 lights in the City. They will review this by the next meeting.

The Garden Club had met again. They will meet on 11/26/11 to hang the wreaths on the light poles along Westport Road and hang garland at City Hall. Becky made a motion to spend no more than \$200.00 for garland and bows. Tom seconded the motion. All voted aye and the motion was passed.

There was a discussion about planting bushes around the marker. Greg made a motion to grant the Garden Club \$100.00 to procure and plant boxwoods around the marker. Becky seconded the motion. All voted aye and the motion was passed. Mike stated he would like to restart the Garden Club Holiday Decoration awards. The next Garden Club meeting will be 01/7/12 at 10:00 am to discuss spring awards.

Mike discussed snow removal by TLD and the cost for past years. TLD will plow when snow is 2 or more inches. He has a contract to be signed for TLD. Larry asked if a price had ever been gotten from other companies. Mike stated he had not. He stated he would like to sign the TLD contract. Greg made a motion to accept the TLD contract proposal. Becky seconded the motion. Larry voted no. All others voted aye. The motion was passed.

Chief Bob Heaton gave the Police report. There were 1 city citation, 16 city warnings, 1 motorist assists, 126 miscellaneous runs, 1 report: someone attempted to enter a home on Middlebrook. Expense were \$186.80. Chief Heaton stated everyone should be involved in the Block Watch program. The next meeting is 11/29/11 at 7:00pm. The signs will be framed next week. Block Watch is going to work on a phone tree. Mike stated he had extended the Chief's hours by 20 per month. This will be fine on the budget if it continues through December.

Bill Ritz stated a lien had been placed on Eline. If a fine is not paid by 11/30/11, a second lien will be placed.

Council Focus

Fences and Permits Doug Watson stated he had nothing to report.

Emergency Preparedness George Langford stated he is not signed up for a Code Red alert, but Mike is. Mike asked George to research digital radios.

Streets and Signs Larry Lewis stated a sign was hit at Westport Terrace, but it has been repaired. The no outlet sign for Ambridge has been ordered and might be installed next week.

Grounds Greg Claypool stated the drainage in the back of City Hall was done. The shades were put on the lights on the flagpole at City Hall. Mike stated there is water at the corner of the City Hall lot. He stated to call Kevin Bailey. Greg discussed entrance sign placement.

Welcome Tom Nunn stated there were 3 new residents and he had 2 to welcome.

City Hall Becky Ritz stated the Girl Scouts are meeting at City Hall.

Becky asked if Matt had written a letter to Perkins. Matt stated he has told him he is not operating a business out of his home and if it is because his registered address is his home, he will change the address. Matt stated he had advised him to write a letter to the Council proving he is not operating a business. Becky asked Mike to ask Kevin Bailey about the Ahland wall being too high to see around.

Tom made a motion to adjourn the meeting. Becky seconded the motion. All voted aye and the meeting was adjourned at 9:28 pm.

Respectfully submitted,

Chana R. Elswick
City Clerk