

# CITY OF WATTERSON PARK

## LEGISLATIVE MEETING

Jefferson County Farm Bureau | 4200 Gardiner View Avenue | Louisville, Kentucky 40213

March 13, 2023

The meeting was called to order at 7:02 p.m.

**Roll Call** — Roll was called. Present were Mayor Linda Chesser; Councilmembers Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh; Treasurer Jerry Wild; and Clerk Aggie Keefe. Also present were Attorneys John Treitz and Duncan Crosby; consultant Jean Hall; Tom Jones, Director of Real Estate Development with Koetter Real Estate; Richard Storm, Director of Operations with BA Engineers; residents Michael O'Shea and John Jones; George Stewart from Louisville Code Enforcement & Mediation; and Jefferson County Sheriff Jay Wilson, the officer on patrol provided by Kentuckiana Law Enforcement. Absent was Councilmember Becky Ewan.

**Pledge of Allegiance** — All present recited the Pledge of Allegiance.

### NEW BUSINESS

---

**Masters' Supply Renovation** — Mr. Jones and Mr. Storm distributed and went over preliminary plans for a proposed renovation to Masters' Supply on Bishop Lane to accommodate the business's growth. They don't anticipate this renovation will result in an increase in traffic. The preliminary plans allow for back-in parking in the public right-of-way from Eastmoor Drive into the loading docks. They would need a waiver of Metro standards to allow this. Another issue is landscaping in the right-of-way. Metro requires that they plant trees along Eastmoor Drive, but for every tree planted, Masters' Supply would lose much-needed parking spots. In addition, they are aware that Watterson Park has had problems in the past with trucks maneuvering around trees in the rights-of-way and destroying the trees in the process. If we agree to eliminate the trees required by Planning & Design, Masters' Supply could plant them in a more suitable location in our City. Council didn't see anything in the preliminary plans that would be problematic. Mr. Jones and Mr. Storm would need an email from Watterson Park stating that we do not have any concerns with the proposed pull-in/backout parking off Eastmoor Drive or with truck maneuvering for the loading dock in the public right-of-way, thereby requesting a waiver of Metro standards. We would also request a waiver of the requirement for street trees. Mr. Fortwengler made a motion to accept the plans as submitted and to grant a waiver with regard to the parking, the loading zone, and the trees; seconded by Mr. Bourke. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0. Mr. Jones and Mr. Storm left the meeting at 7:27 p.m.

### APPROVAL OF MINUTES

---

Mrs. Welsh made a motion to approve the minutes of the February 13, 2023, legislative meeting as received; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.

### APPROVAL OF TREASURER'S REPORT

---

For the month of February 2023, Mr. Wild reported \$65,086 in revenues and \$44,500 in expenses, giving a surplus of \$20,586. Mr. Wild clarified that the cost of the audit was included in the amount paid for Legal & Professional. Mayor Chesser questioned "Purchase Discounts" listed under Expenses. Mr. Wild said it's probably just an account that is in the system that the accounting program picked up, but it's not anything that we track. Mr. Johnson made a motion to approve the report as presented; seconded by Ms. Garrett. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.

### OLD BUSINESS

---

**Code Enforcement Update** — Everyone should have received a copy of February's Field Report. With the updated Nuisance Ordinance in place, Mayor Chesser said it may be necessary to add hours to George Stewart's schedule. Mr. Stewart said that increasing his contract to ten hours per month should be sufficient. Mr. Bourke made a motion to increase the Code Enforcement Officer's hours to ten per month; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0. The increase in hours

will be effective April 1. We will amend our contract with Code Enforcement and Mediation and send it to Mr. Stewart for his signature.

Mr. Stewart reported that he sent letters in several different languages to the residents at the house on Bantam Court, as some of the residents there do not speak English. Other properties were mentioned, including the house at Gardiner Lane at Milldaun Road, where a truck that parks in the driveway causes sight-line issues with oncoming traffic, the abandoned box truck next to the Speedway on Bishop Lane, and a house on Newburg Road where the grass is rarely mowed. Many of the unkempt properties in our City appear to be rentals. It was mentioned that some cities require rental properties to register with them and many of those cities charge annual fees. This might be something we want to discuss in the future for Watterson Park. Mr. Stewart reported that the acorn light in front of 3909 Bantam Court doesn't appear to be working. Mr. Fortwengler will check into it and report it if necessary. Mr. Stewart left the meeting at 7:46 p.m.

**Nuisance Ordinances —**

Mrs. Welsh gave second reading in full to Ordinance No. 268, Series 2023, repealing City of Watterson Park Ordinance No. 10, Series 1982, relating to weeds as a public nuisance; seconded by Mr. Johnson. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.

Mr. Bourke gave second reading in full to Ordinance No. 269, Series 2023, repealing City of Watterson Park Ordinance No. 39, Series 1985, relating to nuisances on private property; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0. We will publish these ordinances in *The Courier-Journal*.

**Printing/Mailing of Nuisance Ordinances —** Mrs. Keefe reported that the three nuisance ordinances were printed and mailed to residents, businesses, and rental owners. The document was eight pages and was mailed first class, at a cost of \$1,256. These ordinances are accessible on the Watterson Park website.

**Audit Publication —** Mrs. Keefe reported that the cost to post the notice in *The Courier-Journal* was approximately \$405. It would have cost \$771 to print and mail it. Both the long and short versions of the audit are available on our website.

**Update on Treasurer Replacement —** Mr. Wild reported that he and Ms. Hall are working together closely and that the training is going well.

**American Rescue Plan Act (ARPA) —** Mr. Crosby is working on the reports that are due by the end of April.

**Stober Road Flooding/BTM Study —** Mr. Johnson reported that the pipe under the road has been replaced.

**1234 Gardiner Lane —** Mayor Chesser reported that the additional jersey barriers have been installed and are apparently effective, as she hasn't received any complaints since the installation. A section of the wooden fence at the end of Milldaun was blown down during the recent storms. Mayor Chesser contacted Keith Starling and Fred van Noord, who assured her that they will take care of repairing the fence.

**Off-Duty Patrol Monthly Shift Postings —** Mayor Chesser reported that everyone was provided a copy of the Monthly Shift Postings for March. Mr. Bourke said that he noticed there is very little reporting for residential streets and said he would like to see more details in the officers' reports. When asked, Sheriff Wilson said it takes only a few minutes to log a report, but that it does have to be done via computer. Ms. Garrett suggested that the officers be provided a template to make reporting easier. Mayor Chesser will discuss this with John Aubrey.

**Newburg Road Sidewalk —** Mayor Chesser reported that she sent an email to Steve Kurowsky requesting an update on the sidewalk project but hasn't received a response.

**Robards Lane —** No updates at this time.

**Records Retention —** No updates at this time.

## **NEW BUSINESS**

---

**County Wide Lawn & Landscaping Bids** — Mayor Chesser received the following bids and estimates from County Wide Lawn & Landscaping for services this season:

- (1) A bid for 34 mows at \$380 per mow along with a commercial fuel surcharge, for a total of \$13,016. For comparison, last season's bid was \$330 per mow, for a total of \$11,646. Mr. Fortwengler made a motion to approve the mowing bid; seconded by Mr. Johnson. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.
- (2) A bid for six weed control applications at \$275 each and two fertilizer applications at \$265 each, for a total of \$2,178. This is the same amount that was bid last season. Mr. Johnson made a motion to approve this bid; seconded by Mrs. Welsh. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.
- (3) A bid for watering newly-planted trees and flowers, as needed, at a cost of \$180 per service, for a total of \$6,300. This is the same amount that was bid last season. Mrs. Welsh made a motion to approve this bid; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.
- (4) A bid for the mulching of trees, trimming of trees and shrubs, spraying landscape beds around trees, spraying of curbs, and Stober Road maintenance for a total of \$20,576.50. The amounts per service are the same as last season's bid. Ms. Garrett wanted clarification that the cost of removing a dead or fallen tree is not covered under this bid, but is paid separately; Mr. Wild explained that this cost is paid with Public Works funds. Mr. Bourke made a motion to approve this bid; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.
- (5) An estimate in the amount of \$1,650 to vacuum leaves out of curbs, at sewer entrances, and at the walking path. The bid includes a \$150 dump fee, and is the same amount that was bid last season. Mr. Johnson made a motion to approve this estimate; seconded by Ms. Garrett. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.
- (6) An estimate for planting and fertilizing begonias or comparable flowers at the walking path, at a cost of \$410. This is the same amount that was bid last season. Mr. Fortwengler made a motion to approve this estimate; seconded by Mr. Bourke. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0.

**House Bill 50 and Senate Bill 50** — Mr. Treitz said that bills have been proposed at the State Legislature to require all cities to be partisan elections. The Kentucky League of Cities is asking everyone to contact their legislators to oppose it. Currently, 409 out of 415 cities in the Commonwealth hold non-partisan elections.

**New Mailing Lists for Residents and Businesses** — Mrs. Keefe reported that we last purchased a list in June of 2021 at a cost of \$395. We need to update it, as many of our mailings are being returned. Mr. Bourke said that we also need to run the addresses through NCOA. We might want to include the business name on the newsletters mailed to businesses, as many share a common address, so only one gets delivered.

**Spring Newsletter** — Mrs. Keefe reported that she is currently designing the spring newsletter. She is including the upcoming large trash pick-up, sanitation schedule for July through December. Mr. Bourke suggested an article on our new nuisance ordinance along with a summary. Mrs. Keefe would like to feature Attorney Treitz in this newsletter, since he has been with our City since its inception. It was suggested that we include an article on our recently passed nuisance ordinance. This newsletter should be uploaded to our printer by the end of March.

Mrs. Keefe asked if we are considering doing another City-sponsored trip. Mr. Treitz suggested the new Waterfront Botanical Gardens. Mrs. Welsh will contact them to find out what the best time of year for a trip would be. This would be something to include in a future newsletter.

**Committee Reports** — Mayor Chesser reported that an acorn light globe blew off during the recent storms and she reported it for repair.

**LMPD Sixth Division Citizens Advisory Board Meeting** — Mayor Chesser said she did not attend the most recent meeting but might attend the one in April. Amy Rogers emailed Mayor Chesser a recap of the March 8 meeting. Items discussed included the DOJ's recent report regarding Louisville Metro Police. A new property abatement nuisance ordinance was just enacted, which would make it easier to get rid of nuisance properties. Stolen cars are still an issue, with KIAs and Hyundais being at the top of the list. Thieves are drilling holes in gas tanks to steal gasoline. The homeless encampment at Bardstown Road and the Watterson Expressway has been cleared. The homeless encampment at Poplar Level Road and the Watterson was issued a 21-day eviction notice. Metro Councilpersons for our area have been invited to attend the April meeting.

**Notice of Neighborhood Meeting for 1391 Gardiner Lane** — Mayor Chesser reported that she received notice of a neighborhood meeting for a change in zoning pre-application for the property at 1391 Gardiner Lane to be held March 22 at 6 p.m. at the Holiday Inn Express – Louisville Airport Expo Center. They are proposing to change the zoning from OR-3 to C-1 for a portion of the property in order to build a 103-room extended stay boutique hotel under the stayAPT Suites brand. In addition, they are proposing to build two apartment buildings containing 145 units on some property already zoned for apartments. Everyone was encouraged to attend. Mayor Chesser will print out meeting information, and she and Council members will distribute them to Watterson Park residents. Mrs. Keefe will include the meeting information on our website.

**Break-in at Rite-Way Equipment Company** — Mr. Wild reported that he spoke with Ed Parrish, who owns Rite-Way Equipment Company. Mr. Parrish purchased Projen Investments, which is iHeartMedia. He told Mr. Wild that they had a recent break-in at the iHeartMedia building. Their facility was accessed through the roof, and a truck was stolen. Mayor Chesser will mention this incident to John Aubrey for possible additional patrol.

**Questions/Comments from Residents in Attendance** —

Mr. Jones asked if we know anything about the plans for the YUM! support center facility, as YUM! will be vacating the building. Mayor Chesser will ask the property owner, Dennis Diemer, and report back to us.

Mr. O'Shea asked if we've ever considered having a community yard sale. Mayor Chesser said this is something we used to sponsor, but we had very little participation, so we discontinued doing so. Mr. O'Shea was told that we have no yard sale restrictions in our City. It was suggested that he check with Metro to see if they have any restrictions.

Mr. O'Shea mentioned that there was a vehicle parked on Vineyard recently, and the occupant of the vehicle was flying a drone overhead. We don't know why the individual was flying the drone and whether or not it had anything to do with the proposed zoning change at 1391 Gardiner Lane.

**ADJOURNMENT**

---

Mr. Johnson made a motion to adjourn; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Jay Bourke, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 5-0 and meeting adjourned at 9:03 p.m.

All those persons noted as being present at the beginning of this meeting, unless otherwise indicated, remained throughout.

Approved at the meeting of the City Council held on \_\_\_\_\_.

\_\_\_\_\_  
Linda Chesser, Mayor

\_\_\_\_\_  
Aggie Keefe, Clerk