

CITY OF WATTERSON PARK
LEGISLATIVE MEETING
via Zoom Video Conferencing

October 12, 2020

The meeting was called to order at 7:00 p.m.

Roll Call — Roll was called by the Clerk. Present via Zoom video conferencing were Mayor Linda Chesser; Councilmembers Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh; Treasurer Jerry Wild; Clerk Aggie Keefe; and Attorney John Treitz.

Address from Mayor — Regarding our meeting: *“The notification process is the same as for a special meeting. Watterson Park is conforming with the new law and the meeting will be a regular meeting. The process is transparent; the public can see and hear; and any votes will be taken by roll call. We are no longer asking you to mute yourself, but please be mindful of background noise. All Zoom meetings are being recorded and will be kept on permanent file. If you have any technical difficulties, please send a text to my phone 502.458.7613 and I will let Aggie know. Please do not call. I hope everyone is healthy and continues to practice social distancing.”*

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

Welcome to New Council Members — Mayor Chesser welcomed Steve Fortwengler and Becky Ewan to the Council.

OLD BUSINESS

Audit Report — John McIntyre was present via Zoom to go over the audit report for fiscal year ending June 30, 2020. Council members and officers were supplied with a copy of the audit prior to the meeting. Mr. McIntyre asked everyone to turn to page 2 of the Independent Auditor’s Report, where McIntyre & Wooldridge, PSC, gives their unqualified opinion that all materials present fairly in each major fund. Page 3 contains the statement of net position. Most items are disclosed in detail in the footnotes of the report. Page 4 is the matching statement to go along with the statement of net position. The auditors are also required by Government Accounting Standards to issue a second set of financial standards, which is a modified accrual that doesn’t show the capital assets. Page 6 is a matching income statement to the modified accrual set of financial statements; depreciation is not shown. Next page is the reconciliation of the net income of one set of financials to the other. Page 8 starts with the footnotes; Mr. McIntyre intentionally skipped over the narrative on this page as well as pages 9, 10, 11, and 12. Page 13 starts disclosing the breakdown of the amounts on the financial statements, where they begin breaking down the short-term investments. Everything is reported as estimated fair value, but they also show the cost. Page 14 gets into the investments that have maturities beyond 12 months.

Attorney Treitz asked for clarification on the difference between the cost and the fair market value of negotiable certificates of deposit. Mr. McIntyre clarified that these show the increase in fair value that both Baird and Stock Yards show on their statements as an estimated amount. They fluctuate month to month. Mr. McIntyre broke down the maturities of the investments, which is a requirement. They also showed the portion that is uninsured and not collateralized. Page 15 shows the different levels that rate the reliability of the fair market value as well as the changes in the capital assets. Page 16 shows the total costs and accumulated depreciations. Page 17 shows contractual commitments; e.g., sanitation contract, street lights. There is potential uncertainty with COVID-19 and the possibility that people won’t be able to afford to pay their property taxes, which would have an impact. Page 18 is the budgetary comparison schedule, which shows the general fund and road fund. The expenditures show all positive numbers, which indicates that the expenditures were all within budget. The last three pages show there were no internal controls issues to report. Page 21 shows some cash that was not insured by FDIC. It was recommended that the City comply with state law with regards to this investment. Next page is some

boilerplate language.

The auditors had no disagreements with management with regards to audit matters or accounting matters. They noted that the City has designated a Council member to perform oversight over the Treasurer's accounting functions. Mr. McIntyre mentioned that they discussed updating the City's investment policy to include a list of permitted types of investments, which should be in compliance with state law. Mr. Treitz said that over the next few months we will be looking at the investment policy and making some suggestions that the Council can consider.

Mr. McIntyre stated that this report is intended solely for the use of the Mayor and members of the City Council. Mr. McIntyre will electronically transmit the audited financial statement as soon as the Council approves it. He will also send the raw files to Mrs. Keefe, who will take care of getting this printed and mailed out to residents via first class mail. Attorney Treitz said we need to get this in the hands of our residents within 30 days. Mrs. Welsh made a motion to accept the audit as presented; seconded by Ms. Garrett. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

Road Resurfacing — The bids for the road resurfacing projects for Stober Road, Hodel Road, and Colonel Sanders Lane were opened on Wednesday, October 7, at 2:00 p.m. at the offices of BTM Engineering. Mr. Johnson and Mayor Chesser were in attendance. Brandon Jones with BTM was present at tonight's meeting via Zoom to discuss the bids. He reported that we received two bids: one from Louisville Paving in the amount of \$70,012.53; the other from Hall Contracting in the amount of \$43,314. Because Mr. Jones was puzzled by the low bid from Hall Contracting, he contacted them and found out that their bid was incomplete. Their bottom line number was missing for the guardrail and the pavement striping. Hall said they would do the work for the amount that they bid, but it would be at a considerable loss to them. They asked if they could withdraw their bid without penalty. After discussion, Mr. Johnson made a motion to release Hall Contracting from the bid and refund their check for the bid bond amount; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0. Mrs. Arnold made a motion to award the contract to Louisville Paving in the amount of \$70,012.53; seconded by Mrs. Welsh. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0. Mr. Jones will notify both Hall Construction and Louisville Paving of the outcome of tonight's meeting. Mr. Jones clarified that Louisville Paving has 30 days after the date specified in the Notice to Proceed in which to complete the project. Mr. Jones left the meeting at 7:44 p.m.

APPROVAL OF MINUTES

Mrs. Welsh made a motion to approve the minutes of the September 14, 2020, legislative meeting as received; seconded by Mrs. Arnold. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

Mr. Fortwengler made a motion to approve the minutes of the September 18, 2020, special meeting as received; seconded by Ms. Garrett. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

APPROVAL OF TREASURER'S REPORT

Mr. Wild reported revenues for the month of September 2020 in the amount of \$503 and expenditures in the amount of \$29,589, giving a deficit of \$29,086. Mr. Wild explained that the change in fair market value was down in part because there were no insurance tax revenues. Ms. Ewan asked what falls under Public Works. Mr. Wild clarified that it is money we pay for grass cutting, maintenance, tree trimming, snow removal, etc. Mrs. Arnold made a motion to approve the report as presented; seconded by Ms. Ewan. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

Stober Road Flooding — Mayor Chesser reported that prior to this past weekend, she received a phone call from the owners of the YUM! property stating their concerns about possible flooding from the rain that was forecast for the weekend. Mayor Chesser sent an email to Joe Exely, and Mr. Treitz also followed up with Mr. Exely to find out where we are on this project. Mr. Exely confirmed that they have finished the work on the bid proposals they need to submit for public bid to clean out the ditch. Mr. Treitz said the railroad has been pretty cooperative and MSD doesn't think flagmen will need to be present for the removal process. We're hopeful that we'll move forward pretty quickly. Mayor Chesser mentioned that we have been working on this project for 2 1/2 years. Mr. Wild asked if we can have the area sprayed with Roundup once it's cleaned up. Mayor Chesser said that Brandon Vincent sprays as much as he can when he treats. The problem is that the overgrowth is down in the ditch, which is littered with trash and covered with silt. There are tree trunks growing in the ditch as well. Mr. Wild suggested that since this is a fairly new problem, perhaps we are getting someone else's diverted water run-off. Perhaps MSD can give us some insight into why this problem is occurring. Mr. Treitz hopes the post office annex retention basin will be cleaned up at the same time.

Off-Duty Patrol Monthly Shift Postings — Mayor Chesser reported that she emailed the most recent Monthly Shift Postings to all Council members except for Ms. Garrett and Ms. Ewan, to whom she mailed a hard copy. She hopes that Major Robinson and the new resource officer can attend our November meeting. Ms. Garrett expressed concern about the safety of two young boys who were riding their electronic skate boards in the median on Gardiner Lane this past Friday evening. She mentioned her concerns to Sheriff Chet Gentry, who was on duty that night. The Sheriff said that even though it's not safe, there is nothing they can legally do about it. Ms. Garrett suggested that if anyone on the Council knows who these boys are, maybe we can try to approach them at some point and educate them on the potential danger of continuing this practice.

Newburg Road Sidewalk — There is nothing new to report at this time.

CARES Act — Mr. Treitz said the League of Cities still takes the position that we can get reimbursement through the CARES Act for the police officers' work during this COVID period. Mr. Treitz continues with the opinion that it's not a reimbursable expense, as the requirements to be fulfilled in order to qualify for the money just don't appear to be present. We did find out that attorney fees that are involved with the research of the CARES Act and the application process don't qualify for reimbursement. Applications need to be filed by the end of the year. Ms. Garrett stressed that she would never want to put Mayor Chesser in a position where she attests to something that we don't believe in ourselves. Mrs. Welsh agreed that it would be wrong. Council concurred. We will continue to follow the advice of legal counsel in this matter.

Bishop Lane Sidewalk — There is no update at this time.

Fall Newsletter — We are currently working on the fall newsletter. We had thought of mailing the audit with the fall newsletter, but Mrs. Keefe thinks we should mail them separately. The audit goes to residents only; the newsletter goes to residents and businesses.

Speed Alert Sign — Mayor Chesser spoke with Geoff Wohl today regarding the solar-powered speed alert sign for Gardiner Lane. Stuart Sparks with Metro Government said he requested an update regarding his ability to access the funds that will pay for this project. He will let Mayor Chesser know when he hears something. It takes a few days to receive a purchase order, four to six weeks to get the equipment, and another three to four weeks to schedule installation.

NEW BUSINESS

Bids from County Wide Lawn and Landscaping — Mayor Chesser reported that she received several bids from County Wide Lawn and Landscaping.

In the first bid, County Wide will remove five trees and grind eight stumps (three trees have already been taken down), repair the turf with topsoil, seed, straw, and fertilizer for a total cost of \$3,250. Mr. Fortwengler made a motion to approve the bid; seconded by Mrs. Welsh. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

County Wide submitted an estimate for clearing the drains at the end of Larkmoor Lane and weed-eating the curbs on Robards Court at a total cost of \$450. Mrs. Arnold asked Mayor Chesser if she thinks it's a good idea to do this work. Mayor Chesser said it should be the responsibility of MSD but that no one has had any luck getting them to take care of it. Ms. Garrett thinks it's a small price to pay to remedy this problem. Mr. Fortwengler made a motion to approve the bid; seconded by Mrs. Arnold. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

County Wide Lawn & Landscaping submitted a bid for leaf removal from gutters on several residential streets at a cost of \$1,625. This work would be done after the trees have lost their leaves later this fall. Mrs. Welsh made a motion to approve the bid; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

We received a bid from County Wide for Stober Road stabilization. The area is settling and some areas need to have some repair done where the road is starting to erode due to flooding. The bid for rip-rap rock and concrete work would cost \$1,500. Mr. Treitz suggested that we might want to wait until MSD does their work before we proceed with this bid. Council agreed. We will put this bid aside for the time being.

The last bid is for building a walkway from the parking area to the path on the Lillian Wild Walking Path. County Wide submitted an estimate of \$4,325, which Mr. Vincent admitted was high because he would have to rent the equipment. Mayor Chesser contacted Bill Stoll with Stoll Construction, and he gave her an estimate on excavating, hauling the dirt away, and installing the sidewalk at a depth of eight inches (six inches of DGA and two inches of asphalt), four feet wide by fifteen feet in length, angled so water will not pool on it, for a total of \$1,760. Ms. Garrett asked if Mr. Stoll said how long this would last before needing repair. Mr. Treitz said that since the walkway would get so little traffic compared to other

pavements, and because it will be eight inches deep, it would probably last quite some time. Mayor Chesser said that Mr. Stoll mentioned a possible future problem with tree roots under the walking path; those areas would eventually need to be cut out and repaired. Mayor Chesser said she feels adding this walkway would make the path handicap accessible. Mr. Fortwengler suggested that we wait until the spring and get a cost for removing the tree roots and repairing the path at the same time we do the walkway. Mayor Chesser will call Mr. Stoll and get his thoughts on this suggestion.

LMPD 6th Division Citizens Advisory Board Meeting — Mayor Chesser reported that tomorrow night's meeting will be virtual.

Poplar Level Road Overpass — Mayor Chesser reported that she has a request in to both Mike Nolan with KYTC and Geoff Wohl asking if they could clean up the Poplar Level Road overpass beginning at Gardiner Lane going south.

Ethics Board — Mayor Chesser reported that since Mr. Fortwengler is on our Ethics Board and is now a member of the City Council, he can no longer serve on the Board, so we need to replace him. She asked for suggestions for his replacement.

Mr. Fortwengler announced that he is officially resigning from the Ethics Board effective immediately.

Water on Gardiner Lane — Mr. Johnson mentioned that water has been pooling on Gardiner Lane between Conaem and Annshire. Mayor Chesser said a resident on Gardiner Lane emailed her about this issue. This resident said she had contacted the Louisville Water Company, and they came out and wrote a ticket for the job. The fire department showed up also, possibly checking water pressure. Mayor Chesser asked Geoff Wohl for assistance. Mr. Wohl contacted the Water Company, and they agreed that it would be repaired.

Salaries for the Treasurer and City Clerk — Mayor Chesser feels that the Treasurer deserves more compensation for all of the hours he puts in. She said if we had to contract his work out or hire someone new, it would cost us quite a lot more than we're currently paying.

Mr. Wild left the meeting at 8:30 p.m.

Per the current annual wage and salary survey from KLC, Mr. Wild is on the low end of the pay scale. He is currently being paid \$950 a month. The highest we can go is \$1,200 a month and still remain within the pay schedule guidelines of our Ordinance No. 243, Series 2018. Mayor Chesser said that Mr. Wild puts in hours just about every day. He checks the City's post office box, pays City bills, deposits checks, posts payments to cash spreadsheet, pays salary payroll monthly, and works with the city attorney and Mayor Chesser on the annual budget, among other things. At audit time he is even busier. She asked for Council's thoughts on the matter. After discussion, Mrs. Welsh made a motion to increase the salary for the Treasurer to \$1,200 per month effective January 1, 2021; seconded by Mr. Fortwengler. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0.

Mayor Chesser also feels that the Clerk deserves additional pay. Mrs. Keefe not only takes care of taking, transcribing, and mailing the meeting minutes, but she also handles the printing of our audit; is editor and designer of our newsletter; updates our website, which she created; spends additional hours coordinating the Zoom meetings; and brings a lot of technical knowledge to the position. Mrs. Keefe's current salary is \$800 per month. Her salary was on the low end for many years and we've just recently started bringing it

up close to where it should be. Ms. Ewan asked for a tally of the hours the clerk puts in per week. Mayor Chesser said we do not track our time but that the Mayor, the Treasurer, and the Clerk all put in a significant number of hours each week. Mrs. Welsh made a motion to increase the salary of the City Clerk to \$950 per month effective January 1, 2021. Mayor Chesser clarified that this amount would fall within the pay schedule guidelines of Ordinance No. 243, Series 2018. The motion was seconded by Ms. Garrett. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh; voting nay was Becky Ewan. There were no abstentions. Motion carried with a vote of 5-1.

Mayor Chesser will send updated job descriptions for both the Treasurer and the Clerk to members of the Council.

ADJOURNMENT

Mrs. Welsh made a motion to adjourn; seconded by Mrs. Arnold. There being no further discussion, the motion was brought to a roll-call vote. Voting yea were Helen Arnold, Becky Ewan, Steve Fortwengler, Gina Garrett, Phil Johnson, and Marlene Welsh. There were no nays or abstentions. Motion carried with a vote of 6-0 and meeting adjourned at 8:41 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

Minutes taken and transcribed by Aggie Keefe.