

City of Mt. Washington  
Regular Council Meeting  
August 24, 2020  
Fick Hall

Mayor Armstrong called the meeting to order at 6:30 PM with the following council members present; Greg Gentry, Sandra Hockenbury, Daniel Dooley, Mike Holt and Troy Barr. Councilman Troutman was absent.

Also present were City Attorney Hayden Sweat, City Administrator Dawn Hardin, City Treasurer Alice Harris, Chief Troy Pitcock, Public Works Director Ronnie Fick and City Engineer Dave Derrick.

The Mayor stated there are several in attendance tonight and said with the social distancing in place in the event that we are not able to continue to safely social distance we have to adjourn the meeting and schedule a special meeting.

Mayor Armstrong reminded anyone wanting to speak to please sign in at the podium.

Councilwoman Hockenbury led the Pledge of Allegiance.

Mayor Armstrong asked those present to take a moment of reflection.

### **Minutes**

Councilman Holt made and Councilwoman Hockenbury seconded a motion to approve the minutes of the regular council meeting for August 10, 2020. Motion carried.

### **Treasurer's Report**

Alice Harris read the Treasurer's Report for the month of July 2020. Councilman Gentry made and Councilwoman Hockenbury seconded a motion to approve. Motion carried.

Mayor Armstrong said he has some awards he would like to present tonight provided by KLC City Officials Training. The COTC program provides a variety of training that better equips our city leaders across the state to serve their local communities. With this achievement and the amount of training it represents, citizens are the real winners because our communities are reaping the benefits of better informed leaders," said J.D. Chaney, KLC Executive Director/CEO. "This is an impressive feat and a testament to the dedication of these city officials."

- **Level I – Achievement in City Governance;** There were 87 city officials from across the state who the Kentucky League of Cities (KLC) recognized this year including:  
**Barry Armstrong, Mayor, Alice Harris, City Treasurer**

- **Level II – Excellence in City Governance; Community Development Director Lori Puchino** was among 41 recognized for Excellence in City Governance
- **Level III – Master of City Governance; City Administrator Elizabeth Hardin** was among 27 recognized for Master of City Governance.

The Mayor also stated he had another recognition tonight and that this level of license is the first time anyone in our city has reached this level. The Mayor said he was proud to announce that **Jay Smith** received his **Level VI Water License**, and said he now has the ability and knowledge to run a water company the size of Louisville.

The Mayor also called upon Tyler Davis and his parents Todd and Tonya Davis. Tyler is a Boy Scout and was tasked with a project to attain Eagle Scout. Tyler's project includes a pantry for pets that is located out by our Police Department as well as near our dog park.

### **Sign in Sheet**

Hunter Harp discussed his concerns with the ordinance amendment regarding Mobile Food Truck requirements for Mt. Washington. He supplied the City Council with fact sheets on population and permit fee comparisons of other cities and an example for exemptions for permit fees. He also stated the ordinance violates the 14th amendment by requiring background checks on certain industries. He stated he does not believe anyone would sue the City of Mt. Washington but asked to amend beforehand. He asked that the City Council take the facts he provided and consider before the amendment is approved and overhaul the entire ordinance and reduce the outrageous fees.

Councilman Barr said he does not believe the fees are outrageous and are in comparison with other cities. He also said he has reviewed the facts Mr. Harp has provided and said most of the Mobile Food trucks are coming from outside of our community and traveling our roads and not paying occupational taxes or property taxes and feels that there may be an impact on our businesses.

Mayor Armstrong stated the City of Mt, Washington is not the only city that has these fee structures in place for certain permit/licenses within our city limits. The Mayor stated the fee imposed for Mobile Foods breaks down to be about \$20.00 a month and does not feel that is an astronomical fee. He also said our ordinance also is set forth to protect the wellbeing of our citizens and consumers of the mobile food truck with the measurement of the requirements of individuals conducting business in our community as well as assuring following the guidelines from the Health Department.

The City Attorney stated there is nothing unconstitutional by requiring permits or licenses for Food Trucks or different types of businesses. He also stated Mr. Harp was not quoting case law so therefore the city does not have to adhere.

**Ordinance (s)**

***SECOND READING – ROLL CALL VOTE REQUIRED***

The City Attorney read the first reading of an ordinance adopting the supplement of code of ordinance S-31 as submitted by AM Legal. Councilman Barr made and Councilwoman Hockenbury seconded a motion to adopt. Motion carried unanimously by a roll call vote of 5 to 0.

**FIRST READING SPONSORED BY COUNCILMAN DOOLEY**

Attorney Sweat read the first reading relating to the rezoning request from AG to R-3 Residential of 49.8704 acres more or less owned by James Jewell located at 1110 Bethel Church Road.

**Sign In Sheet (cont'd)**

Jerry Thompson spoke on his concerns of the traffic on Twin Oaks Drive he addressed his concerns of the safety of the roads including Fisher Lane and stated we need to add turning lanes wherever possible. He also said with 166 more homes going in with Bethel Springs he said this will contribute to the current traffic issues as well as water pressure in this area and Fire Protection.

Mayor Armstrong said he will have our Public Works Director go out to this area to check the water pressure.

Clint Mattingly -did not speak

Kim Allen said she lives directly across from the proposed development on Bethel Church Road. Mrs. Allen said she is opposed to the new development as it is presented. She said she has rough calculations that there is only 3900 linear feet surrounding this property to be developed. All the property surrounding this development are large lots with acreage including R1 and AG zones. There is 2% of the entire area that make up Gentry Crossing that is R3. The remaining 98 % of the surrounding property owners' concerns should be taken into consideration. She asked the City Council to please consider the majority of the property zoning in this area and she is asking for fewer homes with larger lots as this area is not compatible for more R3 subdivisions. She asked them to consider R1 or R2 zoning in this area.

Tammy Scrogam respectfully asked the City Council to reject the recommendation of the Bullitt County Planning and Zoning. KRS 100.183 Comprehensive Plan that set forth goals and plans for development in our area. She read certain sections from the comprehensive plan specifically soil sediment and said it should be preserved. She also read sections regarding the traffic study requirements on a road that exceeds the capacity on a state and county road. Mrs. Scrogam also read directly from the comprehensive plan regarding subdivision development in a rural local road, it is unlikely that the road will be able to handle and is unable to handle the traffic in a safe and sufficient manner therefore the road may need to be updated or proposal not be approved.

Sheena Theising encouraged everyone to ask themselves why they live in Mt. Washington and what you love about this area, and why are you on the City Council. She stated it's the community, environment and ability to preserve small town Kentucky with access to economic opportunity. She said there are regulations and standards in place to assure this happens. She said the demand for this area that is sought after is not because people want the same congested areas in overcrowded neighborhoods. She continued to provide her opinion on what brought her here to this community and the disregard she feels she received and disbelief of how things transpired at the County level. She asked the City Council to think about why they sit on the city council to protect and preserve this community and keep it safe and help guide this community in a smart and efficient growth, so she wants to know if the demand for housing is great enough or the revenue this development may provide high enough to account for the additional revenue that it may cost in damages and the liability it will take account for quality of life of the very people that helped create this community to make it what it is today.

Beth Smith did not speak.

Lisa Thompson said she wants to formally request that the development be closely paid attention to in considering approval of this subdivision, she stated that she is already experiencing drainage issues and lives downstream from this property of the proposed development. She said that she feels this area should remain what the majority of development is in this area.

Adam Theising did not speak.

Eric Farris provided a presentation to the City Council and everyone present to demonstrate the subdivision proposal and quality of the development proposed, (filed with the official Minutes Hereto). He also had Richard Miles representing Fischer Homes and Mark and Scott Welch representing Welch Development to answer questions regarding the development. Eric Farris said they have listened to concerns from the citizens during the annexation process and Public Hearing of the rezoning of this proposed development. Eric Farris stated the development received a favorable recommendation to the Mt. Washington City Council to include conditions that there will be a 50 foot right-of-way included to the development on Bethel Church Road and that there will not be any apartments included in the Development. Eric Farris stated those conditions have already been drafted and signed by the property owner. Mayor Armstrong added that there was another concern that has already been addressed regarding that there will be no homes that will have driveways onto Bethel Church Road for safety concerns. Eric Farris asked Mr. Welch to address drainage concerns that were mentioned here tonight. Mr. Welch stated there are now two retention basins included in this development and three green spaces along Bethel Church Road and there are blue line streams that will not be disturbed by this development. Discussion followed and the Mayor allowed public questions to be answered openly during the presentation.

The City Engineer addressed the process on how the drainage formula is calculated and approved for each development and how it does not exceed the drainage runoff of the property prior to the proposed development being constructed.

Eric Farris concluded that the concerns discussed have been taken into consideration for a result that is best for all. He also thanked the City Council for the opportunity to present the proposal tonight. He also stated that he has lived in this county for years and that development and growth has transpired majorly over the years and if we opposed every development prior to today we would not have what we have today that usually the development must come first before roads will be updated.

Mayor Armstrong stated he would also like the City Council and the developer to look in to the cost and expense on including a turning lane to be added at every entrance into this development and believes this may be an asset to the development and contribute to the safety and traffic in that area of the roadway on Bethel Church Road.

### **Sign In Sheet cont'd**

John Jackson said he had to call the emergency line over the weekend and said he wanted to recognize Billy Raley in the Public Works Department for responding so quickly and getting a water break fixed. John said he does not believe that Public Works gets the appreciation they deserve for the work they have to do in the elements of various weather conditions and thanked them for the hard work they do.

### **Ordinance (s) (cont'd)**

#### ***FIRST READING SPONSORED BY COUNCILMAN DOOLEY***

The City Attorney read the first reading of an ordinance amending certain sections of Chapter 121: Mobile Food Unit Vendors

Mayor Armstrong introduced and stated he has appointed Kristen Hammack as a Mt. Washington Code Enforcement Board Member to replace the appointed position of Layne Abell, as he has taken the position of PVA in Bullitt County due to the untimely death of Depp Rasner. Councilman Gentry made and Councilman Dooley seconded a motion to approve the Mayor's appointment. Motion carried.

#### ***FIRST READING SPONSORED BY COUNCILMAN HOLT***

Hayden Sweat read the first reading establishing the Motor Vehicle tax rate for the calendar year 2021 and providing for collection.

### **Mayor's Report**

The Mayor reiterated the importance of everyone completing the 2020 Census and stated that Census workers will begin going door to door to collect data of citizens who have not completed theirs yet. Councilman Holt also reminded everyone if you have a PO Box and did not receive one by mail you can contact the Census and they will also help you complete the form.

Mayor Armstrong stated the U.S. Mail is being delayed due to the COVID-19 pandemic and said that the city has been receiving mail that was 30 days old but fortunately we are not disconnecting or applying penalties on water bills at this time.

The Mayor announced the Mount Washington Police Department has been awarded **\$4,953** for coronavirus activity from January 20, 2020 through December 31, 2021. Approved by the Governor's Office and the Kentucky Justice & Public Safety Cabinet for the Federal BJA Coronavirus Emergency Supplemental Funding (CESF) grant administered by the Grants Management Division (GMD).

Mayor Armstrong also announced the city has applied for the Coronavirus Reimbursement set forth by the Cares Act and has received a pre-approval for \$1,057,000.00.

**Report from Council**

Councilman Barr also commended Billy Raley for his hard work and efficiency in repairing more than one water break and overseeing sewer backups over the weekend and said he was also very professional in doing so.

Councilwoman Hockenbury extended her congratulations to the employees who were recognized tonight for their levels of training recognitions and certifications. She said she was very proud to hear good things happening in the City of Mt. Washington.

Councilman Holt said he is proud to see a turn out tonight from citizens who stand together and address concerns in their community.

A gentleman in the audience who lives in Woodlake said he appreciated the work that was contributed to the black top being corrected in Woodlake.

**Adjournment**

Councilman Holt made, and Councilman Gentry seconded a motion to adjourn at 8:46 PM. Motion carried.

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Barry Armstrong  
Mayor

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Elizabeth D. Hardin  
City Administrator