

City of Mt. Washington
Regular Council Meeting
March 8, 2021
Fick Hall

VIA LIVESTREAM FACEBOOK

Mayor Armstrong called the meeting to order at 6:30 PM with the following council members present, Greg Gentry, Sandra Hockenbury, Gayle Troutman, George Maddox, Dustin Armstrong and Troy Barr.

Also present were City Attorney Hayden Sweat, City Administrator Dawn Hardin, Chief Troy Pitcock and Public Works Director Ronnie Fick.

Councilman Gentry led the Pledge of Allegiance.

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

Minutes

Councilman Maddox made and Councilman Troutman seconded a motion to approve the minutes of the regular council meeting for February 22, 2021. Motion carried.

Police Report

Chief Troy Pitcock read the Police report for the month of February 2021. The Chief announced Evan Brown as the Officer of the month of February 2021.

The mayor extended his condolence to the Chief and his wife for the loss of his mother-in-law.

Mayor Armstrong stated the City Council received a drainage Board appeal from Fischer Homes and stated Jason Davis and Jay Smith are representatives of Fisher Homes and joining via Zoom tonight.

He also stated City Officials Michael Bowen, Storm Water Drainage and Ronnie Fick Public Works Director were available to speak on this matter.

Drainage Board Appeal -Fischer Homes

City Attorney Hayden Sweat asked Michael Bowen to present everyone with the Storm Water Drainage violations and then we would give opportunity to Fisher Homes Representatives to speak on behalf of the appeal.

Michael Bowen stated on December 22, 2020 during his routine inspections in the Villas of River Crest there were 4 lots in violation of the Storm Water Drainage Ordinance. Michael Bowen stated he cited these lots. Mr. Bowen described in detail each lot's violation from his

citations previously distributed in detail to the City Council. Michael Bowen stated he hand delivered the violations to Jay Smith Fischer Home representative on January 4, 2021. On January 7, 2021 Michael Bowen stated he followed up on his citations of the lots in The Villas of River Crest and noticed the lots were still in violation and no corrections have been made and fines have accumulated in the amount of \$4500.00. Michael Bowen stated he received no correspondence from Fischer Homes regarding the fines and stated the violations were in compliance on January 13, 2021. Michael Bowen stated he communicated with Jason Davis and Jay Smith of Fisher Homes regarding the fines and discovered there was a miscommunication between the two Representatives of Fischer Homes.

Ronnie Fick described the process of the Storm Water Drainage Ordinance per State and Federal Requirements defined in the Clean Water Act. Mr. Fick also stated if the city does not comply, the city could also be fined. Ronnie stated the intent is not to fine developments but inform them of the good housekeeping practice during construction phase, he said Fisher Homes has been cited in the past.

Ronnie said the appeal process is clearly stated in the Storm Water Drainage Ordinance and the appeals are to be reviewed and submitted to the City Council for final decision.

Councilman Gentry said he lives in River Crest and have assessed the lots in violation and stated one lot is a corner lot and stated it's clear the site has been disturbed and said it could have possibly been a concrete truck that caused issues. He said he understands the responsibility lies with the construction supervisor to assure their sites remain in compliance. He also said he believes partial responsibility falls on the contractors disturbing the silt fences that are initially put in place. Councilman Gentry also stated that in construction there is going to be dirt and rock that gets on the roads during the construction process.

Ronnie Fick stated that each construction site should have a construction entrance that should be utilized during the construction phase that is meant to minimize dirt and debris to help with the compliance with the good house keeping during construction.

Mayor Armstrong stated it is the responsibility of the Mayor and City Council to assure ordinances are met and in compliance and we can do that through the city employees who are responsible to enforce. Mayor Armstrong also stated that Fischer Homes has employees who are responsible to oversee their job sites who are seeing these infractions that are being overlooked on more occasions than this incidence.

Chief Pitcock described other issues he is aware of through Code Enforcement in the River Crest area.

Mayor Armstrong said we have almost 20,000 people who live and traverse on our roads throughout our city in which a lot of construction under way, we have duty to our citizens to assure compliance from the developers and contractors for requirements that are in place for our community.

Councilwoman Hockenbury stated there are ordinances in place with guidelines and we have city officials in place to assure enforcement. She stated we have notified and there are fines that they are required to pay. She also said we have worked with developers in the past, but said if we require them to pay that we will see quality compliance moving forward.

Mayor Armstrong provided the opportunity for Jay Smith and Jason Davis to speak on behalf of Fischer Homes.

Jason Davis of Fischer Homes thanked the Mayor and City Council for the opportunity and briefly explained their good housing keeping practices in place. He also said as a developer he wants to continue to be a good partner with the City of Mt. Washington. Mr. Davis stated Fischer Homes takes responsibility and there was a miscommunication on their part and stated there have been procedures set in place moving forward.

City Attorney Hayden Sweat stated in consideration of enforcing, waiving or prorating the fines the City Council should only consider the lots that were cited in violation described by Michael Bowen and no prior incidents.

Jay Smith of Fischer Homes said there was a miscommunication within Fischer Homes and stated the violation was not initially discarded and the supervisor over the construction site did not receive notification of the violation until January 4th. He said the responsibility is that of Fischer Homes and said he has corresponded with Michael Bowen and provided him with information for future notifications.

Hayden Sweat stated the City Council has the authority to enforce the fines, probate or reduce or waive the fines.

Councilman Maddox stated ordinances are in place for a reason and said Fischer Homes has a lot construction going on in our city and said he understands there was a breakdown of communications on Fischer Homes side but believes they understand what the rules and regulations are.

Councilman Barr made a motion to enforce the fines as it is, and Councilman Maddox seconded the Motion. Motion carried unanimously by a roll call vote of 6 to 0.

Mayor Armstrong stated Connie Anton has resigned from the Planning and Zoning Board of adjustments and he is appointing Kristen Hammock to replace her position as representative for Mt. Washington. He also said Kristen was currently on the city's Code Enforcement Board who he is now appointing Daniel Dooley. Councilman Troutman made a motion to approve the appointments and Councilwoman Hockenbury seconded. Motion carried with no opposition.

Ordinance

First Reading sponsored by Councilman Barr

The city attorney read the first reading of a consensual Annexation request of 12.656 acres more or less part of the Moore Farm Estates owned by Spalding Development Inc.

The mayor stated Attorney Eric Farris and Surveyor John St. Clair was available via zoom for questions on this annexation.

Mayor's Report

Mayor Armstrong stated we have received several calls regarding Insurance Premium taxes and clarified the city did not increase their taxes but stated the County imposed an Insurance Premium Tax of 5% which will be in place for 2 years.

The mayor provided an update on the COVID-19 Incidence Rate Map and said Bullitt County is still in the Orange Zone. He said incidents fluctuates on a daily, Thursday we were at 14, Friday was 15.9, Saturday was 16.3 and Sunday was reported at 15.7. Our City Administrator monitors this Map on a daily as we are striving to be on track and ultimately reach the Green zone. He read which each color zone represented.

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| Green | = >1 per 100k |
| Yellow | = > 1-10 per 100k |
| Orange | = >10-25 per 100k |
| Red | =25+ per 100k |

Report from Council

Councilman Barr congratulated the High School girls' basketball team for winning the Louisville Invitational Tournament this past weekend for the second time.

Councilman Barr also congratulated Dawn Hardin for 21 years of service with the city.

Councilman Gentry also congratulated Dawn Hardin.

Councilman Maddox stated Mt. Washington was on the front page of the Pioneer News regarding positive activities and events happening in the Mt. Washington Community Park as well as St. Francis Church expansion and the EMS service radios.

City Attorney Sweat Congratulated Dawn Hardin on her years of service and said she is the glue that holds us all together at the city and said she helps make his job a lot easier and he wanted to tell her he appreciates her.

Dawn Hardin said she considers it an honor to have served for the past 21 years as a public servant with many Mayors and City Council Members and hopes to continue for many more as long as she can.

Adjournment

Councilwoman Hockenbury made, and Councilman Armstrong seconded a motion to adjourn at 7:34 PM Motion carried.

Barry Armstrong
Mayor

Elizabeth D. Hardin
City Administrator