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CITY OF
PROSPECT, KENTUCKY

CITY COUNCIL MEETING

JANUARY 13, 2014

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4 MAYOR EVANS: Meeting will come to
5 order. This is the regularly-scheduled January
6 meeting of the City Counsel of the city of
7 Prospect, Kentucky, January 13th. The record will
8 show that all six members of the city council are
9 present.

10 Our first order of business on the agenda are
11 the approval of the minutes of November 18th, 2013
12 and December 9th, 2013. They were in the packets
13 that were sent to each member of the council. At
14 this time, if there is a motion to accept them as
15 written or any corrections, the chair would like to
16 hear that.

17 COUNCIL MEMBER BOWLING: Move to
18 accept the minutes.

19 COUNCIL MEMBER BRAB: Second.

20 MAYOR EVANS: Are you willing to
21 accept both sets at once, or one at a time? You
22 just said accept the minutes.

23 COUNCIL MEMBER BOWLING: The --
24 last month's. Is that what you're referring to?

25 MAYOR EVANS: Well, we have November

1 18th, and then we have December 9th.

2 COUNCIL MEMBER BOWLING: Oh. Does
3 it matter if we do them separately?

4 MAYOR EVANS: Doesn't matter to me.

5 COUNCIL MEMBER BOWLING: I move to
6 do them both at the same time.

7 MAYOR EVANS: All right.

8 COUNCIL MEMBER BRAB: Second.

9 MR. MILES: I -- I have -- might have a
10 correction.

11 MAYOR EVANS: All right. What's your
12 correction?

13 MR. MILES: It might be a correction. It
14 was brought to my attention for the November 18th
15 council minutes in the second-to-last paragraph,
16 the mayor talked about a change in the deadline.
17 And it was in here the third week in January in
18 terms of filing. And I think it's the fourth week.
19 Now, if you said the third week, the minutes are
20 correct, because they're reflecting what you said.
21 But I don't know if what you said was incorrect or
22 the minutes are incorrect.

23 MAYOR EVANS: It sounds like you're
24 asking me. I'm going to throw myself on my sword
25 and say I think I said the third week, and that is

1 not correct. It is the fourth week in fact, but I
2 believe I did say the third week.

3 MR. MILES: So the minutes are correct.

4 MAYOR EVANS: I believe so.

5 MR. MILES: All right.

6 MAYOR EVANS: In that respect. Any
7 other corrections to be offered?

8 MS. LEONARD: I -- I think that's true.
9 No, I just want to thank you for making them
10 shorter. I appreciate the fact that they're much
11 more a summary and less a -- a memoir.

12 MAYOR EVANS: Well, thank you for that
13 compliment. I cherish that, I truly do.

14 It's been moved and seconded. Any further
15 discussion? All in favor say "aye."

16 COUNCIL MEMBERS: Aye.

17 MAYOR EVANS: All opposed? The
18 "ayes" have it. The minutes are approved
19 unanimously.

20 We are going to have a long meeting tonight.
21 There are several unusual things on the agenda.
22 The first one is not a long one, but it is one of
23 great significance. And it is that David and Sofia
24 Khazai have given to the city -- at this point two,
25 and they're threatening to give a third beautiful

1 oriental rug. The one you saw when you came in.
2 Many of you who have been up to the library have
3 seen the one up there, which to my taste is even
4 more gorgeous. And I have prepared a resolution
5 for your consideration thanking Mr. and Mrs.
6 Khazai for their great generosity in making this
7 gift to the city. And I would like to ask Mrs. Tucci
8 if she would read that out loud. It's not all that
9 long.

10 COUNCIL MEMBER TUCCI: I'd be happy
11 do that. You know, people come to the City Hall to
12 get things done, and they expect people to be
13 pleasant and efficient. They don't come here for
14 an aesthetic experience. But to see something
15 beautiful, that is nourishment for the soul. And
16 that's something that now can happen for anybody
17 who works here or visits this -- this -- this city
18 hall. And we want to thank you for that as follows.

19 [reads] Whereas, David and Sofia Khazai have
20 furnished their fine oriental rugs to the residents
21 of Prospect for many years, whereas they have
22 generously expressed their thanks for this long
23 relationship by donating to the City of Prospect
24 three of their finest Persian rugs to be placed
25 permanently in Prospect City Hall, whereas for

1 many years to come those beautiful rugs will make
2 our city hall a more welcoming and gracious place
3 for its residents to meet and to visit its library, be
4 it resolved therefore that the City Council of the
5 City of Prospect expresses its gratitude and
6 appreciation to David and Sofia Khazai for their
7 contribution to our community, and be it further
8 resolved that this resolution shall be prominently
9 displayed in City Hall and that a suitable copy be
10 presented to Mr. and Mrs. Khazai.

11 MAYOR EVANS: Thank you.

12 COUNCIL MEMBER TUCCI: And may we
13 adopt that?

14 MAYOR EVANS: Would you care to move
15 its adoption?

16 COUNCIL MEMBER TUCCI: I move its
17 adoption.

18 COUNCIL MEMBER MILES: I second.

19 MAYOR EVANS: It has been moved and
20 seconded. Any discussion? Any comment?
21 Frank?

22 COUNCIL MEMBER FULCHER: I think we
23 have -- I think we have a misspelling of the name
24 on the last --

25 COUNCIL MEMBER MILES: Not on the --

1 not on the --

2 COUNCIL MEMBER FULCHER: Not on
3 the top.

4 COUNCIL MEMBER TUCCI: Not on the
5 copy.

6 COUNCIL MEMBER FULCHER: On the
7 bottom. Last paragraph.

8 MAYOR EVANS: On my copy, you're
9 correct. Sandra, it's probably misspelled on yours
10 too.

11 COUNCIL MEMBER TUCCI: Last --

12 MAYOR EVANS: Last line.

13 COUNCIL MEMBER TUCCI: The "Be it
14 further resolved"?

15 MAYOR EVANS: The last line.

16 COUNCIL MEMBER BOWLING: Yes.

17 COUNCIL MEMBER TUCCI: That a
18 suitable copy be presented to Mr. and Mrs. -- yes,
19 it is. Good eye. So --

20 COUNCIL MEMBER FULCHER:

21 Certainly --

22 MAYOR EVANS: Subject to correct --

23 COUNCIL MEMBER FULCHER: Certainly
24 doesn't diminish --

25 COUNCIL MEMBER TUCCI: Subject to

1 correction.

2 MAYOR EVANS: Subject to correcting
3 that, which we will promptly do. Not right this
4 second. Is there any further discussion? If not,
5 I'll ask for a vote. All in favor?

6 CITY COUNCIL: Aye.

7 MAYOR EVANS: All opposed?
8 Resolution is adopted. And subject to correcting
9 that one, I would like to ask Mr. and Mrs. Khazai if
10 they would accept this from me on behalf of the
11 city and its residents. Thank you very much.

12 MR. KHAZAI: Our pleasure.

13 MAYOR EVANS: Thank you, Sofia.

14 MS. KHAZAI: Thank you so much.

15 MAYOR EVANS: And I have -- I have to
16 tell thank you what Sofia said when I expressed
17 concern about having that rug in a high-traffic
18 area. Do you remember what you said?

19 MS. KHAZAI: I said for the next hundred
20 years, nothing is going to happen.

21 MAYOR EVANS: She said it would last
22 for at least a hundred years.

23 MR. KHAZAI: Enjoy. Thank you.

24 MAYOR EVANS: You're welcome. I must
25 have that fixed.

1 MR. KHAZAI: No problem.

2 MAYOR EVANS: Okay.

3 MR. KHAZAI: Thank you.

4 MAYOR EVANS: Thank you very much.

5 MR. KHAZAI: I appreciate it. Thank
6 you, everybody. Thank you.

7 MS. KHAZAI: Thank you.

8 MAYOR EVANS: And before we go any
9 further, I would like to recognize that our Metro
10 Councilman Kelly Downard has come to be here
11 tonight. Kelly, would you stand up and waive to
12 the crowd? Thank you for coming.

13 I want to briefly touch upon three city matters
14 before we get to the meat of the meeting.

15 One is this filing deadline that -- it is new this
16 year for Prospect, which has been the subject of I
17 would say pretty much discussion and questions. I
18 believe that everybody I know has concluded that
19 it is correct that the filing deadline for running for
20 either City Council or mayor this coming year is
21 January 28th. You know, it will be two weeks from
22 tomorrow. And if you want to talk about that, you
23 can call the Jefferson County Board of Elections,
24 you can call the Kentucky League of Cities. If
25 you're really desperate, you can call me, but I

1 didn't do this. I'm just giving people notice of
2 what I have learned; okay?

3 The next item on my agenda is to say that I
4 am intending to re-cover our salt barn. The salt
5 barn has been covered with white vinyl for six or
6 seven years, and I don't know which to put in an
7 order first.

8 One thing is that it is a fact that it is
9 beginning to wear out. During its six or
10 seven-year life, it has been a great source of
11 irritation to the people on Shadwell who look down
12 on it when the leaves are off in the wintertime.
13 It's sort of like looking at Moby Dick every day.
14 And I have met with a couple of them, and they
15 have chosen this green color of the ones that are
16 available to us. So that's what we're going to
17 re-cover it with. It's its same kind of fabric, but
18 it's just dark green instead of stark white.

19 In addition -- oh, and the cost of that for
20 everything is \$4,350, and I'm considering it
21 because the only thing we use this for is salt to
22 keep our streets clean, that we take that money
23 out of our municipal road fund, which is
24 considerably -- there's a lot of money in there. So
25 I think it's time that we took care of this problem,

1 put it to rest. And anybody has any objections to
2 that, you know, tell them to me now or tell them to
3 me later. But that's -- that's where I'm headed
4 with that.

5 Next, I just want to let the council and the
6 residents know what we are planning to do as far
7 as our staffing moving forward. You're all aware
8 that the employee who handled our financial work,
9 our bookkeeping has left, and she was a full-time
10 employee with pension benefits and health benefits
11 and all that sort of thing. It's our opinion that we
12 don't need a full-time person in that slot. What we
13 should have is perhaps a 25-hour-a-week person,
14 and look for someone who has very good
15 technological skills, very good computer skills. So
16 we're going to be looking for someone that fits
17 those descriptions.

18 We also are going to look for a
19 25-hour-a-week part-time person to sit at the front
20 desk as our receptionist and handling most of the
21 library chores, and someone with a -- a pleasing
22 personality and a good manner with people,
23 because that will be the person that you will see
24 when you first come in, just like you've seen Holly
25 LeVold all these years. Holly will be moving her

1 office, now that she's City Clerk, back away from
2 the front desk so that she can focus more on the
3 City Clerk duties. So that's our intention there.

4 Finally, there is a annual award given by the
5 city to that person who the council deems -- I was
6 afraid this would happen. Ann, take over, will
7 you?

8 CITY ADMINISTRATOR SIMMS: A person
9 who has really served Prospect in an unusual way
10 during the year. It was established in honor of
11 Beach Craigmyle, a very early mayor, and it's gone
12 to people who have -- that the council has said --
13 deemed -- voted have given the most to the city
14 during the year. Something outstanding that
15 they've done, and certainly gotten a lot of
16 different people. I have the ballots. At the end of
17 the meeting, I'll certainly pass them out to you.

18 MAYOR EVANS: All right. There are two
19 what I consider to be major matters potentially of
20 significant import to the city that are on the
21 horizon. They're out there. We know what they
22 are.

23 One of them is the proposal initiated by Mayor
24 Fischer for a local option sales tax. I've been to
25 two meetings about it. I thought that it would be

1 good for a representative from Mayor Fischer's
2 office to come and spend 20 or 30 minutes telling
3 us about it. This is not an endorsement by me,
4 this is not an opposition by me. This is just to
5 make information available and an opportunity to
6 ask questions.

7 And so, Mary Ellen Wiederwohl, who is
8 standing right over here, is going to tell us about
9 the sales tax proposal. The floor is yours.

10 MS. WIEDERWOHL: Thank you. And I
11 apologize for those who I'm standing behind here.
12 I need to be near my -- my keyboard. Please feel
13 free to turn around or make yourself comfortable.

14 First, I would like to thank Mayor Evans and
15 members of the council for this forum tonight to
16 talk about this issue. You've probably heard about
17 it somewhere along the way. It's been talked
18 about now for about a year-and-a-half, and Mayor
19 Fischer is one of the leaders who is putting this
20 forward. We are also proud to be a part of a
21 statewide coalition that is supporting this, and
22 that coalition includes city leaders like yourselves,
23 county leaders and business leaders from across
24 the Commonwealth who see the need for this.

25 I'm also pleased to be here tonight with Mayor

1 Susan Barto from Lyndon, a leader with Kentucky
2 League of Cities, which has endorsed this, and of
3 course our own Councilman Kelly Downard, who's
4 been involved in these conversations for pretty
5 much about a year-and-a-half also.

6 So the first thing I'm going to do is I'm going
7 show you video. It's a 2-1/2 minute video that
8 explains what it is, and then we'll get into some
9 further detail.

10 [WHEREUPON, video is presented.]

11 MS. WIEDERWOHL: You can bring the
12 lights back up for this next part. I'm going to pull
13 up a PowerPoint presentation, but it's pretty brief.
14 Thank you.

15 So that's just a brief snippet about what it is.
16 We call this initiative "Local Investments for
17 Transformation," or LIFT, and it is about enacting
18 a temporary local option sales tax in Kentucky. As
19 you saw, there are 37 other states that do this.
20 This is actually something that started come into
21 vogue as long ago as the 1950s, and so we're kind
22 of behind the curve as a state in -- in having this
23 as an option. So another comparison, we have 108
24 cities across the country that have over 200,000
25 folks in them -- living in them. 88 of those 108

1 cities have this option. So again, something that's
2 been going on for a while.

3 It's different than what we're used to in
4 Kentucky, because we don't vote on a lot of things
5 locally. We vote to elect our representatives, but
6 we don't have a lot of direct democracy where we
7 vote on ballot initiatives or referendums, and this
8 is what this is. This is something where you would
9 actually vote on it as a citizen on a November
10 ballot in the future.

11 This proposal is specific only to capital
12 projects. This is not about funding the general
13 fund, as you saw. It's about new capital projects
14 in this community that we need. Anything you can
15 touch, feel or use, that's a capital project, and
16 that's one thing that we think that this is ideal for
17 as well. And the other thing that's unique about
18 this is it's limited, specific, with an end date. It
19 sunsets. When the amount of money is raised to
20 pay for the project or the set of projects, the tax
21 goes away.

22 So this is very different from anything we do
23 today, but not very different from the way local
24 governments fund capital projects across the
25 country. We've looked at lots of different models,

1 we've looked at the cities that are leading the
2 pack. This is something that they use to invest in
3 their communities. Denver, Austin, Oklahoma City,
4 Tulsa. Oklahoma has models that we -- we think
5 are what we would like to try to pursue here in
6 Louisville.

7 And the reason that we're doing this is all
8 about economic development. Economic
9 development in the 21st century is all about talent
10 attraction. Economic development in the 20th
11 century was about building major infrastructure,
12 four-lane highways and tax incentives. It's now all
13 about attracting the people. People come to a
14 place with a great quality of life and a great
15 quality of place.

16 And so, that's what we need to do to keep
17 pace with our competitor cities, and that's why
18 we're put thinking forward. We have a wonderful
19 authenticity as Louisville. We have wonderful
20 assets that are -- have shown lots of pictures of
21 beautiful places in Louisville all across this
22 county, and we need to continue that because our
23 competitors are using this tool.

24 If Mayor Fischer was here tonight, and -- and
25 he would have to have been with you. As Mayor

1 Evans said, we kind of put this together quickly.
2 He actually had one of his virtual town hall
3 meetings tonight, so he was on Facebook and
4 Twitter tonight talking to everybody across the
5 county. But, you know, as -- as a businessman, he
6 would have talked to you about investing in his
7 company.

8 So when you own a company -- you own a
9 plant -- a manufacturing plant, for example. And
10 you're competing with somebody across the river
11 from you. And you know that you're doing a great
12 job, you're very efficient, you're practicing
13 continuous improvement, great employees. But if
14 you don't invest in the newest technology, if you
15 don't in -- invest in your plant to become more
16 efficient, and your competitor across the river
17 does, they're eventually going to beat you out no
18 matter how smart and how eager you are. This is
19 exactly the same thing. We have to invest in our
20 place to continue to move forward.

21 We have a wonderful coalition, as I mentioned
22 when I opened, of folks who have come on board to
23 support this. From the Kentucky Association of
24 Economic Development, the Kentucky Chamber of
25 Commerce, GLI here, regional chambers of

1 commerce across the state, and groups like the
2 Kentucky League of Cities I mentioned, the
3 Kentucky Association of Counties, and elected
4 officials from places small and large all across the
5 Commonwealth who simply just want this tool in
6 their tool box.

7 So this is the slide I want to focus on a little
8 bit more tonight, because this is the conversation
9 that -- that led Mayor Evans to invite me here
10 tonight. So we've been talking about this for
11 about a year-and-a-half, and now we're at a point
12 where we're ready to pursue legislation in the
13 2014 General Assembly. And we have to amend
14 the Constitution. You heard about that already.
15 We have a very specific Constitution in Kentucky,
16 so we have to go amend that to give ourselves the
17 right to do this. Cities and counties right now are
18 constitutionally limited on what taxes they can
19 levy, which is basically occupational taxes,
20 insurance premium and property. Various license
21 fees as well.

22 So getting into this debate, it quickly became
23 apparent that we needed to answer as many
24 questions on the front end as we could. And so,
25 we engaged in conversations through the Jefferson

1 County League of Cities, Mayor Barto's been a part
2 of that, and talking to the leaders of that
3 organization about how we would work together in
4 Jefferson County to implement this.

5 You know, of the 120 counties in Kentucky,
6 only one has a fully-merged government, and that's
7 Lexington-Fayette. We have one county, I think
8 it's McCreary County, that actually has no
9 municipalities in it, so that would be pretty simple
10 for them. But for the 118 rest of us, we've got to
11 figure out how we would work together as cities
12 and counties. The good news is, as we mentioned,
13 37 other states do this, so we have some
14 wonderful models that we can look at. And we are
15 unique here in Jefferson County because of our
16 merged government and the remaining 82 suburban
17 cities.

18 So as we are working to pass a constitutional
19 amendment, we are also working on enabling
20 legislation. It would be a separate bill, but would
21 run companion to the constitutional amendment
22 that would answer these questions about
23 implementation. Everything from down in the
24 weeds of how the Revenue Department would
25 collect it and all that. But for us tonight, we want

1 to talk to you about how we would work together
2 within Louisville and Jefferson County to
3 implement this and transformational projects to
4 move us forward.

5 Through the conversation, we've talked about
6 creating an advisory board. And this is again from
7 models we've seen across the country. We know
8 very specifically that having citizen input and a
9 very transparent process is critical to this.
10 Citizens are never going to vote for a ballot
11 initiative at the end of the day unless they feel
12 like it is completely transparent. And candidly,
13 that's probably one of the things that killed the
14 library tax referendum a few years ago. People
15 didn't feel like that was transparent. This must be
16 to be successful, and we've learned that from
17 other places that do it as well.

18 So looking at the Oklahoma model, they put
19 together a -- a package of projects that they bring
20 forward to the voters. And they've been doing this
21 for 20 years now. And in fact, over that 20-year
22 period, Oklahoma, one of the reddest states in the
23 nation, in Oklahoma City, their taxpayers have
24 voted in \$2 billion worth of investment in their
25 community through their local option sales tax,

1 and \$5 billion of private investment has followed
2 that. And that goes to show you what an
3 incredible tool this is for economic development.
4 Because you -- once you build the amenities, the
5 quality of life, the private investment follows it.

6 So in Oklahoma City, they put together a
7 package of projects. And that can be everything
8 from parks to senior centers to wellness centers to
9 shared-use paths to very basic things sometimes
10 in terms of infrastructure. Transportation needs.
11 And they put that forward to the voters as a
12 package straight up or down.

13 And on the front end, they have an advisory
14 board. So that's what we've talked about here is
15 creating an advisory board that would work with
16 citizens from all across the county to put together
17 this package of projects that would come before
18 the voters.

19 And so, this is a potential model that will be
20 discussed on Thursday night with the Jefferson
21 County League of Cities, and is being discussed
22 with Metro Council leadership as well.

23 So you see, there are six citizen members.
24 There's several ways you could slice and dice the
25 county to try to get geographic representation.

1 The current conversation is to use actually the old
2 commissioner districts, because that kind of
3 evenly divides the county, two, two and two. And
4 four suburban mayors that would be appointed by
5 Jefferson County League of Cities would be an
6 important part of this conversation. Seven Metro
7 Council members appointed by the Metro Council
8 President, and that would be representative of the
9 partisan balance of the council at that time. And
10 then one chair who would only vote in the event of
11 needing to -- to break a tie. One magnanimous
12 leader to drive through all of this.

13 So how this would work is -- so let's say we
14 amend the Constitution. We get that done. That's
15 a big thing we've got to get done first. We pass
16 this enabling legislation. And then the choice
17 comes home to us in Louisville, and we get to
18 decide whether we want to pursue this.

19 We know that a local option sales tax will
20 bring in between 100 and \$140 million one year
21 from one penny. Imagine the amazing
22 transformation we could see in this community.
23 Probably everybody here has been to Waterfront
24 Park and the Big Four Bridge and taken family
25 there. It is beautiful. That's about a \$100 million

1 investment. We could build something of that
2 scope and scale in this community every year if we
3 chose to.

4 And you think about all the needs we have.
5 We talked about the libraries that we've been
6 dreaming about but we can't get the money
7 together to do it. Finishing the Louisville Loop.
8 I'd like to finish the Loop while I can still ride a
9 bike. We're going to get it done regardless, but
10 it's going to take 15 to 20 more years to finish it
11 all because of the way we're drawing down federal
12 funds and matching and building it out piece by
13 piece. You could finish that -- you could have all
14 the funding together within a year and finish it
15 within five. So you're talking about major
16 acceleration as a community with major quality of
17 life investments.

18 So you put those things together, and let's
19 say you come up with a package of projects that
20 cost \$500 million. You do all of the estimating
21 on the front end and make sure that you weren't
22 out of line with it, and then you put -- you'd
23 estimate -- so let's just say we -- if we're rounding
24 numbers, we have \$100 million a year at one
25 penny. So it would take five years to raise \$500

1 million.

2 So this committee right here would put
3 together that package, knowing for to pass it you
4 would need for it to be geographically balanced
5 and have something in it that everybody wants.
6 Because a person who's a voter looks at it on the
7 ballot and says, "Well, here's eight projects.
8 There's some wellness centers, a senior center,
9 finish the Loop. Oh look, there's some parks in my
10 neighborhood. Well, I don't know if I care about
11 the senior centers, but I want to finish Charlie
12 Vettiner Park. Let's do that. Check. I'm going to
13 vote yes."

14 And for five years, if the majority of the
15 people vote for it, the tax goes into effect and
16 then it ends after that five-year period. I've often
17 compared it to a car loan. An average car loan's
18 60 months. You make a commitment, say, "I'm
19 going to go buy a car. I'm going to commit to a
20 monthly payment for five years, and then I'm going
21 to own that car." And that's exactly what this
22 project is like. Once you finish that project or set
23 of projects, the tax goes away and we as a
24 community own those projects going forward.

25 So this is the proposal that we wanted to talk

1 to you about, and the Jefferson County League of
2 Cities leadership will be talking about Thursday
3 night at their board meeting. It's going to -- I
4 don't want to skip too far ahead here, but I wanted
5 to show you that in detail. But I wanted to -- to
6 finish this part of the presentation and take Q and
7 A by telling you-guys about the last statewide poll
8 that was done on this.

9 When the Courier-Journal polled this, a full
10 statewide poll, 72% of voters said, "I want this
11 option." And then when the Courier-Journal asked
12 and said, "But would you vote for projects on the
13 ballot in your community," 64% said "I don't know.
14 It depends on what the projects are." And that
15 actually really is key to this. Tells you folks are
16 paying attention. They'll vote for what they
17 believe is important for their community.

18 Well right now, we're going to the 2014
19 General Assembly to pursue that constitutional
20 amendment and the enabling legislation that we
21 just talked about. And if we get that passed in the
22 2014 session, then it will go on the ballot for a
23 constitutional amendment in November of 2014.
24 And the whole state will say, "Yes, I want to give
25 cities and counties this ability." And then if that

1 passed, then we'd be having that conversation in
2 this community in 2015 about whether we wanted
3 to do this and what we wanted to do.

4 So that's the issue there in a snapshot. If you
5 want to learn more yourself, there's a LIFT
6 Kentucky website, liftky.com, and you can see the
7 video there, you can look at all the list of people
8 who have endorsed it, and look at the news that
9 we've gotten from around the state on this as well.
10 Right now, I think it's important to give you guys a
11 chance to -- to ask questions about this initiative
12 and how it would work. Mayor Evans?

13 MAYOR EVANS: Well, I've already asked
14 my questions. I wanted other people to ask theirs.
15 If no one has any, I'll be glad to --

16 COUNCIL MEMBER MILES: I think
17 there's somebody right next to you who has a
18 question.

19 MS. WIEDERWOHL: Yes?

20 MR. SPEAKER: What do you think the
21 chances are of getting the legislature to pass it?

22 MS. WIEDERWOHL: Improving by the
23 day. That is -- that is the -- probably the tallest
24 and -- it is. I -- before I came to work in Mayor
25 Fischer's office, I actually worked in Frankfort in

1 various capacities for about 15 years. So I -- I get
2 to -- the -- the playing in this is sort of
3 interesting. It's fun to be home every day in
4 Louisville, in my hometown and working on this,
5 but I know Frankfort fairly well, and we have come
6 a very long way in a short period of time. Last
7 week, the Governor included an endorsement for
8 this in the State of the Commonwealth address.

9 And then last Thursday night at the Kentucky
10 Chamber Day events in Lexington, President
11 Stivers in the Senate and Leader Hoover in House,
12 as well as Leader Palmer in the Senate, the two
13 minority leaders, also mentioned this as a topic
14 that they would be addressing during this General
15 Assembly.

16 And so, we're pushing very hard. We're only
17 a week into the General Assembly and we have
18 incredible momentum. But frankly, this is the kind
19 of thing that will stay right there bubbling until
20 the -- the last part of March when they're ready to
21 decide what all they're going to finish doing with
22 the budget and the other major issues.

23 COUNCIL MEMBER MILES: So how
24 would it work in Jefferson County where we have
25 so many smaller cities within Louisville? Would it

1 just be Louisville that would put this on the ballot,
2 or could St. Matthews put this on the ballot in -- in
3 the incorporated areas of St. Matthews? Could St.
4 Matthews do a 1% tax for projects in St. Matthews?
5 How would that work?

6 MS. WIEDERWOHL: The way that our
7 conversations have evolved, there is a consensus
8 around the concept that we should do this
9 countywide for the magnitude and the
10 transformation that it can bring for us. And
11 putting this proposal forward is a way of making
12 sure that those ideas that come from Prospect or
13 St. Matthews or J-Town have an opportunity to be
14 in this mix, because a lot of those are great ideas.

15 A lot of the cities have shared-use paths,
16 those are very popular with voters. Sidewalk
17 pro -- programs, park programs. And the other
18 thing is that some of the projects, even if they
19 didn't originate as an idea from, say, Prospect,
20 they might be located here. Because, obviously,
21 the Louisville Loop touches almost every
22 community, every part of this city, and the
23 connections to it most definitely will. So no
24 matter where the ideas originate from, we really
25 see this as a community-wide conversation.

1 COUNCIL MEMBER MILES: So to answer
2 the question, it wouldn't be something that each
3 little city would do. It would be --

4 MR. SPEAKER: Countywide.

5 COUNCIL MEMBER MILES: --
6 countywide with this group, and then suggestions
7 could be made --

8 MS. WIEDERWOHL: Correct.

9 COUNCIL MEMBER MILES: -- by
10 anybody, and then there'd be a vetting process,
11 and -- and -- and then the group could come up
12 with the -- whatever the package is and then that
13 would go up for a vote.

14 MS. WIEDERWOHL: That is correct.
15 That's the proposal that we're talking about right
16 now.

17 COUNCIL MEMBER MILES: Okay.

18 MAYOR EVANS: And I'm assuming that
19 the structure you just described where it would be
20 a countywide thing not Jeffersontown or Prospect
21 or somebody, that that would be contained in what
22 you described as the enabling legislation.

23 MS. WIEDERWOHL: Correct.

24 MAYOR EVANS: So legislation that
25 Mayor Fischer is proposing -- that you're

1 proposing would say that, and that would rule out
2 the kind of thing that Stuart is talking about;
3 right?

4 MS. WIEDERWOHL: And that's what
5 we're trying to work towards, is a community-wide
6 agreement about how this will work in Jefferson
7 County, because we are unique in our structure.
8 And for -- for the -- the lawyers or the policy
9 wonks in the room, you know, Metro Government is
10 governed by its own set of statutes. We have an
11 entire chapter of the Kentucky Revised Statutes
12 that created us and governs us. It's KRS 67C.
13 And we're the only consolidated local government
14 under 67C in the state, and we always will be.

15 So this would actually -- this proposal or -- or
16 whatever the final agreement is would make its
17 way into a proposed new section of KRS 67C, and
18 then there would be a separate section that would
19 deal with the 118 counties that don't have any type
20 of merged government or charter -- charter
21 government that would govern how -- how they
22 would proceed. And KLC and KCO are working on
23 that agreement here in the next couple of weeks.
24 Yes?

25 MS. SPEAKER: This is more a comment

1 than a question. This seems to be a snowball, but
2 it's rolling downhill and I don't think anything's
3 likely to stop its momentum. But as we do that, we
4 should bear in mind that a sales tax is a
5 regressive form of taxation. It hits the poor much
6 more heavily than the middle class and the upper
7 class, because the poor people spend all their
8 money. People with more money don't have to
9 spend all of their money. They -- they save it.

10 So what we're doing is coming up with a --
11 something that will certainly be good for the whole
12 community, we're in a way asking a bigger
13 sacrifice from the poor than -- than the other
14 people, even though proportionally they may end
15 up buying less. They're spending everything.

16 And there are other ways to raise money for
17 city projects that are called bond issues. So it
18 isn't like it's all -- this or nothing. There are
19 other alternatives. I don't see this -- this option
20 stopping. I think it probably will keep on rolling
21 and that's what we'll have, but we should at least
22 understand what we're doing as we do it.

23 MS. WIEDERWOHL: The regressivity
24 conversation is one that we've had a lot. One
25 good thing about the sales tax in Kentucky is it is

1 less regressive than other places because we
2 exempt food, medicine and utilities. Any local
3 government sales tax -- any local option sales tax
4 would apply to the same things as a state sales
5 tax. This -- the locality couldn't pick and choose
6 what it wanted to apply to. It would apply equally.

7 And we do have other options at our disposal,
8 but they're not working for us today. Since Mayor
9 Fischer has been in office for the last three years,
10 Metro Government has had one capital project, and
11 that's the Southwest Regional Library. The other
12 two wait in the wings to be funded. And while we
13 have bonding capacity, we don't have within the
14 general fund the ability to support the debt
15 service. And so, we're looking for -- for other
16 options.

17 And while it -- it's frustrating -- pensions are
18 a large reason for that. I know you guys talk
19 about that here. Every city in the state does.
20 When merger happened 11 years ago, at that time
21 4% of the city's general fund went to pension
22 costs. Pretty reasonable. Today it's 15% of the
23 general fund. And we did support the pension
24 reforms that passed last year, and KLC was really
25 integral in that, but those are promises made that

1 are constitutionally protected that we will be
2 paying for for a long time. And so, we're looking
3 for all -- all of our options. And if we don't get
4 this, we'll dig a little deeper and ask voters what
5 else they're interested in.

6 I will tell you that you the revised statutes
7 today do permit localities to hold referendums on
8 property tax and occupational tax, but I think we
9 know from experience here how unpopular those
10 are. And that's because voters generally do not
11 support additional property taxes or occupational
12 taxes, whereas voters generally do support a sales
13 tax because it is viewed as a more fair tax by most
14 voters. Just interesting statistics we've learned
15 along the way in a certain -- we're just looking for
16 options to help serve and grow.

17 MAYOR EVANS: Anybody else? Mary
18 Ellen, thank you very much.

19 MS. WIEDERWOHL: Thank you for the
20 opportunity. I'm going to stick around for a little
21 while, and then if you have any follow-up
22 questions, I'm pretty easy to find on the -- the city
23 website, and you don't have to know how to spell
24 Wiederwohl to get there. And then the mayor's
25 office. So feel free to reach out to me if you have

1 any follow-up questions.

2 MAYOR EVANS: You spell it just the way
3 it sounds; right?

4 MS. WIEDERWOHL: Exactly.

5 Fortunately, Mother gave me a beautiful and
6 distinctive first name. You can just call for Mary
7 Ellen and they'll find me.

8 MAYOR EVANS: Okay. Mary Ellen.

9 MS. WIEDERWOHL: Thank you.

10 MAYOR EVANS: Thank you again. The
11 other matter that I considered significant enough
12 to invite someone to address us for 15, 20 minutes
13 or so, whatever she thinks appropriate, is a draft
14 of a piece of legislation printed on both sides of
15 the paper. It's 339 pages long currently. It's still
16 being worked on. I haven't read the whole thing, I
17 haven't read half of it, but I have read some of it.
18 It would reclassify every city in Kentucky. Not by
19 population, as has been done as long as I've been
20 around, which is 37 years. Longer than that.
21 Which doesn't mean it's the way it should be, I'm
22 just saying.

23 But would classify all mayor-council forms of
24 government as 3rd class cities, whether they are
25 400 people or 20,000 people. Jeffersontown has I

1 think over 20,000 people. It's a 2nd class city.
2 Under this proposal, it would become a 3rd class
3 city. There are cities out there, 6th class cities,
4 that have a few hundred people but have a
5 mayor-council form of government. They would be
6 3rd class cities.

7 Now, I'm oversimplifying, as I'm sure Mayor
8 Susan Barto is going to tell you, but I don't know
9 enough to be other than simple about this at this
10 time, which is why I thought someone who does
11 know a lot about it should come and tell us a little
12 bit about why has this been proposed, why has it
13 been in the works for three years and we're just
14 finding out about it, or at least I am, and what's
15 behind it? What's the purpose of it, and things
16 like that.

17 And Susan, thank you so much. Susan is the
18 mayor of Lyndon, and she has been involved in
19 this for two or three years -- three, I think, maybe
20 more. So she very generously agreed to give us
21 her evening and come over and talk to us about it.

22 MAYOR BARTO: I want to first off say
23 I'm a very poor substitute for J.D. Chaney, who
24 really does know what he's talking about on this.
25 And the first thing he wanted me to tell you was

1 that they're being very careful in drafting this bill
2 so that it won't harm any cities by adding
3 additional mandates or taking away existing
4 powers. No city's powers will be changed with this
5 legislation. It just sets the stage for some
6 changes that do need to be made in the system.
7 And I have the presentation he made to the local
8 government committee, a PowerPoint. I just -- I
9 just have it printed. I'll be happy to give this to
10 you. And I'm -- I'm just going to briefly tell you a
11 little bit about it.

12 The statutes haven't been changed. In 1994,
13 there was a constitutional amendment that said a
14 little bit about cities pertaining to classification,
15 but did not -- it was still based mainly on
16 population. And the process right now for
17 changing the classification, and you-all -- have --
18 have you done that recently?

19 MAYOR EVANS: Last time prospect did it
20 I understand was 2005 when we moved from 4th to
21 3rd.

22 MAYOR BARTO: Okay. Well, what you
23 have do is provide the General Assembly with
24 population-based data by resolution, and then you
25 have to certify that it has attained the population

1 under the Repealed Section 156 based on the
2 Census. And then the General Assembly actually
3 has to enact a law and make it part of KRS. That's
4 pretty archaic.

5 Right now, there are -- 33% of the cities in
6 Kentucky are in the incorrect class and we're one
7 of them. We're way out of our class. The reason
8 it's so important in the state is because there are
9 certain powers that come with certain classes of
10 cities. There are cities in the state whose
11 population doesn't get near to a 4th class city, yet
12 they have no power. They have no zoning powers,
13 they have no -- they can't do the same things 4th
14 class cities -- 4th and above can do.

15 Oh, I've got to go back to -- I've got to go
16 back to Mary Ellen's comment first before I forget,
17 because I'm old. KLC supports the concept of
18 LIFT, but we are -- they are still reviewing the
19 legislation, and we had a committee meeting today
20 and there was none -- it was not brought up to
21 come out full force in support. Just so you-all
22 know that.

23 What -- right now, the legislation they're
24 working on is trying to get only two classes of
25 cities. 1st class, and then the rest would be called

1 home-rule cities. You would not lose any powers,
2 everything would stay the same. If you'd had
3 alcohol laws, you'd still would keep them. If you
4 have a restaurant tax, you will keep it. Any laws
5 you have that apply to police and fire will still
6 apply. And that's pretty much -- that's pretty much
7 it.

8 MAYOR EVANS: Susan?

9 MAYOR BARTO: Yes?

10 MAYOR EVANS: What -- what is
11 behind -- what -- what -- what is the impetus for
12 this? What --

13 MAYOR BARTO: KLC has been working
14 on this for over --

15 MAYOR EVANS: Why?

16 MAYOR BARTO: -- three years.

17 MAYOR EVANS: My question is why.

18 MAYOR BARTO: Because there are
19 cities in the state who -- who can't perform
20 functions that you -- you are so used to doing, and
21 they provide way more services. They might have
22 utilities, they might provide water, electricity,
23 sanitary sewers. But yet, they can't have any say
24 in development. They just have to take whatever
25 comes. They can't have --

1 MAYOR EVANS: Are you talking about
2 zoning power?

3 MAYOR BARTO: I'm talking about zoning
4 power.

5 MAYOR EVANS: Well, the legislature
6 could easily give it to them.

7 MAYOR BARTO: Not if they don't meet
8 the classification -- not if they don't meet the
9 requirements that are in the statutes.

10 MAYOR EVANS: Well, what I'm saying is
11 they could change the statutes to give it to them.

12 MAYOR BARTO: That's what we're trying
13 to get them to do, change the statutes. And this is
14 a building block so that major policy issues like
15 that will be able to be addressed at a later date --

16 MAYOR EVANS: See, I just invited you
17 over here so you and I could argue.

18 MAYOR BARTO: I know. Well, I'm not
19 going to argue. And -- because I'm not the one
20 that can argue. J.D. needs to be here, and J.D. is
21 setting up a meeting -- or they're trying to set up a
22 meeting with the Jefferson County League of Cities
23 on a date other than the regular meeting night,
24 perhaps a -- a weekend so that anybody that wants
25 to come and hear about this can come and hear

1 about it.

2 MAYOR EVANS: Let me say right now
3 that as soon as I hear about something like that,
4 I'll get the word out by every means I can.

5 MAYOR BARTO: And I did e-mail you
6 that; correct? I e-mailed you that information.

7 MAYOR EVANS: What, about this
8 weekend meeting? No, I don't know anything
9 about --

10 MAYOR BARTO: About -- about trying to
11 set up a meeting.

12 MAYOR EVANS: Oh, trying to set up on
13 a -- yeah.

14 MAYOR BARTO: Well, it's in --

15 MAYOR EVANS: It hasn't been set.

16 MAYOR BARTO: -- Jack Wills' hands
17 now.

18 MAYOR EVANS: It hasn't been set.

19 MAYOR BARTO: Okay. Well, it's in Jack
20 Wills' hands. And I'll just lift that up. I saw you
21 had a question, I hope I can answer it.

22 COUNCIL MEMBER MILES: It's a
23 comment/question, or a question/comment.

24 MAYOR BARTO: Okay.

25 COUNCIL MEMBER MILES: So what this

1 is doing is taking cities that are not Class 3 and
2 bringing them up to having the powers of the
3 Class 3 city?

4 MAYOR BARTO: No. It doesn't change
5 your powers. This -- the constitutional amendment
6 will not change anything for cities. It's -- we're
7 get -- it's going to be down the road before
8 changes can be made. That's why I need to
9 emphasize it doesn't do any harm to cities, but
10 you're -- you're 3rd class --

11 COUNCIL MEMBER MILES: Right. I'm --
12 I'm saying -- I -- I -- I'm not saying it's going to
13 harm anybody. What I heard you heard you say
14 was --

15 MAYOR BARTO: It's not going to help
16 anybody initially either. I mean --

17 COUNCIL MEMBER MILES: Okay.

18 MAYOR BARTO: -- it is going to help
19 them, because we'll be able to start the process.

20 COUNCIL MEMBER MILES: Gotcha. But
21 the goal is eventually to allow smaller cities
22 because of their population to eventually be able
23 to have the power to do, say, zoning.

24 MAYOR BARTO: To provide -- to
25 provide --

1 COUNCIL MEMBER MILES: Right.

2 MAYOR BARTO: -- the same amount of
3 service that every --

4 COUNCIL MEMBER MILES: Right.

5 MAYOR BARTO: -- most 4th class cities
6 and above are able to provide.

7 COUNCIL MEMBER MILES: And -- and
8 so then my comment is I know I can feel their pain,
9 because Prospect when it started, started small,
10 didn't have those abilities, and I think we are now
11 stuck with some development across 42 that
12 happened where we had no say in it. So I can feel
13 the pain for those smaller cities who sit back in
14 frustration and they have no -- no say in their
15 destiny. That is not an endorsement, it's just a --

16 MAYOR BARTO: I know.

17 COUNCIL MEMBER MILES: -- empathetic
18 statement.

19 MAYOR BARTO: And you asked how it
20 came about. Okay. There was a -- a task force
21 formed in 2009 of members and officials from all
22 classes of cities and regions of the state. In
23 2010, they made recommendations to develop
24 legis -- legislation that does no harm to any
25 existing city by imposing new mandates or

1 removing flexibility. To eliminate or greatly
2 reduce the number of city classes, and eliminate
3 arbitrary distinctions between cities based on
4 classes. I'm going to give you this. It may be out
5 of order.

6 MS. SPEAKER: It sounds like the first
7 round just gives those smaller cities bragging
8 rights so that they can now say, "I'm a 3rd class
9 city."

10 MAYOR BARTO: It -- it's not that --

11 MS. SPEAKER: Then what? Then maybe
12 something else good will happen for them.

13 MR. SPEAKER: But -- but the -- the --

14 MAYOR BARTO: There will be other
15 policy changes that will be needed, but first we
16 have to get past this -- this 1891 distinction that
17 said pop -- that classes should be based on
18 population.

19 CITY ATTORNEY POTTS: And -- and
20 the -- the three classes of cities are based upon
21 the way the cities are organized and not the
22 populations. That's the big difference.

23 MR. SPEAKER: Right.

24 MAYOR BARTO: Correct. So it's not
25 going to automatically give a -- a 5th class city

1 voting -- I mean zoning enforcement or zoning
2 powers. That will have to be done at a later time,
3 and they may not want it. They may not want that.
4 But --

5 MS. SPEAKER: Of course, right now,
6 Prospect and Lyndon are very classy cities, so
7 we're -- we're already okay.

8 MAYOR BARTO: Well, at least we have
9 control.

10 MS. SPEAKER: Yes, we do.

11 MAYOR BARTO: Some control. Not --
12 not total, but some. So I will give you this. Are
13 there any more questions?

14 MS. SPEAKER: You have a question
15 over --

16 MAYOR BARTO: Oh, go right ahead.

17 MR. SPEAKER: I have a question for
18 you.

19 MAYOR BARTO: Sure.

20 MR. SPEAKER: If this is so simplistic,
21 why in the world does it take 339 pages --

22 MAYOR EVANS: Lawyers.

23 MR. SPEAKER: -- that no one --

24 MAYOR BARTO: I -- I can --

25 MR. SPEAKER: -- is going to read or

1 understand?

2 MAYOR BARTO: I can answer that one.
3 Because it's trying to replace about 400 statutes
4 that are outdated and aren't even used or enforced
5 any more.

6 MR. SPEAKER: Seems to me like the
7 things --

8 MAYOR BARTO: And they had to be
9 addressed --

10 MR. SPEAKER: -- you're trying to gain,
11 though, could be easily accomplished by mandate
12 if zoning is your primary issue, rather than a
13 monstrous bill that only the attorneys are going to
14 be understand.

15 MAYOR BARTO: That's why J.D. Chaney
16 needs to be here to explain that.

17 MR. SPEAKER: It's a constitutional
18 amendment.

19 MAYOR EVANS: You might want to tell --

20 MAYOR BARTO: But he was unable to
21 come --

22 MAYOR EVANS: Susan, you might want
23 to tell people who J.D. Chaney is.

24 MAYOR BARTO: He is the Director of
25 Governmental Affairs for the Kentucky League of

1 Cities. He's an attorney. He drafted this
2 legislation. It took him two years to draft.

3 MR. SPEAKER: I stand by my point. Two
4 years to draft and three years to read it.

5 MAYOR EVANS: I rest my case. Good.

6 MAYOR BARTO: Actually, have you read
7 the summary?

8 MAYOR EVANS: I haven't gotten a
9 summary. Jack Wills threatened to send me one,
10 but he hasn't done it yet.

11 MAYOR BARTO: I know. He told me that
12 too, and I haven't seen it either.

13 MAYOR EVANS: Now, the summary is
14 supposed to be 54 pages, so I'm --

15 MAYOR BARTO: It is. It is.

16 COUNCIL MEMBER MILES: Well, thank
17 you for -- for coming and --

18 MAYOR BARTO: Well, you're welcome.
19 It's kind of like trying to get rid of -- have you
20 ever fought a duel when you have to be sworn in.
21 We're -- we're living under a whole bunch of laws
22 just like that. There you go.

23 MAYOR EVANS: Thanks, Susan. Thank
24 you very much. Next on the agenda, we're back in
25 sort of our regular mode now, are the committee

1 reports.

2 Stuart, you -- you doing the parks --

3 COUNCIL MEMBER MILES: Yes.

4 MAYOR EVANS: -- report tonight? Go
5 ahead.

6 COUNCIL MEMBER MILES: We have had
7 one Boy Scout project completed, it's another
8 section of the board walk in Little Hunting Creek
9 Park leading to Putney Pond and Woodlands. We
10 are now up to I think five completed sections, and
11 a Scout -- another Scout just started this weekend
12 on a six -- sixth section, and I think we're only
13 about two, maybe three sections from completing
14 the project.

15 We're about a year ahead of schedule, and the
16 Scouts are doing a great job. We have -- have
17 several other Scouts interested in future projects,
18 and we are in the process of discussing those with
19 them right now. But we expect to have, you know,
20 at least four or five more projects in different
21 phases of development and completion in the next
22 six to nine months.

23 Been working with some volunteers on trails, I
24 did that this weekend, and I'll be doing that every
25 weekend for probably the next two months just

1 getting -- this is a good time of year to work on
2 trails. It's cool and there are no bugs.

3 MAYOR EVANS: That it?

4 COUNCIL MEMBER MILES: That's it.

5 MAYOR EVANS: Any questions for
6 Stuart? The Forestation Board update. Lee?

7 MR. TUCCI: Pretty short report. This
8 season we have received word from the Kentucky
9 Division of Forestry that our application for
10 recertification as a tree city is being forwarded to
11 the Arbor Day Foundation with recommendation for
12 approval. That will probably come through in
13 about March. I think it's going to be doubt about
14 it.

15 We had discussion at our last Forestation
16 Board meeting just a week ago about a new
17 initiative which -- that starts with the Arbor Day
18 Foundation, and that is to involve grade schoolers
19 in tree planting. Originally they proposed that
20 project involving 4th graders. We don't have a 4th
21 grade here in Prospect, but the current thinking,
22 and which still needs to be developed, is that we
23 would try to invite 4th, 5th and 6th graders who are
24 residents and give them trees with planting guides
25 and a demonstration on the first Saturday in April

1 which is Kentucky Arbor Day Day. This would not
2 impact on our Arbor Fest, which we usually have
3 late in October, but would be an addition.

4 So we're working on that, and we're also
5 discussing our goals for the year. And beyond the
6 grade school project, the major initiative of course
7 would be the finalization of the plan for replanting
8 of the trees taken out in Hunting Creek Park by the
9 MSD work. We received funding for that from MSD
10 a couple or three years ago, and we want to
11 develop and finalize the trees we planted, how and
12 where they'll be planted, who will plant them.

13 MAYOR EVANS: Is that it?

14 MR. TUCCI: That's it.

15 MAYOR EVANS: Any questions for Lee?

16 Thank you, sir.

17 COUNCIL MEMBER MILES: Thank you,
18 Lee, for all your work.

19 MAYOR EVANS: The Library Committee
20 update?

21 COUNCIL MEMBER LEONARD: We
22 trained our 24th regular volunteer today. We are --
23 we are really so lucky in this city. The number of
24 people that just step up and do work for us is
25 amazing. As you know, the library in essence is

1 run by volunteers, and to have 24 people give
2 regular service is incredible. The most exciting
3 thing, though, that's happened to us is the
4 addition of the rug from the Khazais. I mean, that
5 is amazing. And anybody who hasn't had a chance
6 to go up and look really should. It is -- it makes
7 the whole room come together, and it makes us
8 look really classy.

9 COUNCIL MEMBER MILES: I think we
10 should put a -- a disclaimer next to the rugs
11 letting people know we didn't buy it with taxpayer
12 money.

13 COUNCIL MEMBER LEONARD: It's that
14 good. Yes.

15 COUNCIL MEMBER MILES: You know,
16 they might -- they might be a little put off that tax
17 dollars --

18 COUNCIL MEMBER TUCCI: And -- and
19 our overdue fines don't really rack up that much
20 money, you know.

21 COUNCIL MEMBER LEONARD: That's
22 true.

23 MAYOR EVANS: Sandy Tucci, would you
24 care to repeat the suggestion you had when you
25 first heard about this?

1 COUNCIL MEMBER TUCCI: Oh. Well,
2 actually, I thought of two suggestions. The first
3 one was we're really pretty well set up now for a
4 Prospect game of Clue, you know, that "Where was
5 the murder, where did it happen," you know, "In
6 the library with the whatever." But the other thing
7 is it seems to me a library that has a rug like that
8 needs to serve sherry every afternoon around
9 4:00. And I think it would probably pick up the
10 circulation a bit too, you know?

11 MAYOR EVANS: No doubt. The Website
12 Committee. Oh look at them. All lined up over
13 here.

14 MR. KEHLBECK: We are ready.

15 MAYOR EVANS: Mr. Kehlbeck.

16 MR. KEHLBECK: Joe Kehlbeck, 7812
17 Cedar Ridge Court. You want to pass these along?
18 I've been coming up here for three or four months
19 now saying it's going fine but not really producing
20 anything, and tonight what I'd like to do is to give
21 you a little better insight as to where we stand on
22 the website. It's moving along fine.

23 I have two young ladies here who are actually
24 doing the website. They're here to answer any
25 questions you may have about it. And if you

1 subtract this page -- these two pages I gave you,
2 there are actually 112 different clicks in here that
3 you would click on to bring up something on the
4 website. It is really a very extensive amount of
5 information.

6 The first -- the first sheet that I've given you
7 shows all the information that's immediately one
8 click on the home page. You could go to any kind
9 of this information: weather, agenda and so on.
10 And the headings are br -- the website is broken
11 into four groups: government, security, services
12 and new and -- what is it?

13 MS. SPEAKER: Residents.

14 MR. KEHLBECK: Residents. Right. It's
15 moving too, by the way. We -- we keep changing
16 and moving things around, but it gives you a feel
17 here of all the different items that were bring -- we
18 bring to the website so that a person living in
19 Prospect has the opportunity to go here and get a
20 lot of information about what's taking place in the
21 city, and also a person who is looking at Prospect
22 saying here's what's available, here's how they
23 collect their taxes, here's their police department,
24 here are the services that are provided by us.

25 And one of the things I might mention is that

1 Ann was in our meeting the other day and brought
2 up this question of where is Prospect in 40059?
3 Because she gets a lot of telephone calls about
4 people saying, "I live in Prospect, but I'm not sure
5 I live in Prospect."

6 And so, we're in the process of putting that on
7 the front page of one of these little dropdowns, so
8 that a person asking that question can actually go
9 to the street that they live on and be able to say,
10 "Yes, that's in Prospect."

11 But those are the little things that we're
12 working on. We're working on ordinances and
13 we're working on -- we haven't really -- haven't
14 gotten into the financial part of putting it on the
15 website yet, so we're still in the process, but it I
16 think you will be very pleased when these two
17 young ladies complete the program.

18 Are there any questions? Yes.

19 COUNCIL MEMBER TUCCI: I noticed a
20 couple of places where it's -- it's "Find a home in
21 Prospect." Is that something that we will do in
22 cooperation with local realtors --

23 MR. KEHLBECK: Yes.

24 COUNCIL MEMBER TUCCI: -- for houses
25 that are for sale? And --

1 MR. KEHLBECK: Yeah. Every -- every
2 effort -- a lot of the items in here, Sandy, are set
3 up so that we go to their website.

4 MR. SPEAKER: Gotcha.

5 MR. KEHLBECK: Whether it's the fire
6 department or the EMS downtown or wherever it is,
7 then it's up to them to maintain it. We would go --

8 COUNCIL MEMBER TUCCI: Okay. So
9 they don't come to our website -- they don't add
10 things on to our website, but our website gives
11 them a -- a --

12 MR. KEHLBECK: We go to them.

13 COUNCIL MEMBER TUCCI: -- a link to
14 theirs too.

15 MR. KEHLBECK: Like the Chamber of
16 Commerce.

17 COUNCIL MEMBER TUCCI: Semonin or
18 whoever.

19 MR. KEHLBECK: We'll go to theirs.

20 COUNCIL MEMBER TUCCI: Okay.

21 MR. KEHLBECK: Yes.

22 COUNCIL MEMBER TUCCI: Thank you.

23 COUNCIL MEMBER MILES: The only
24 thing I -- I'm not sure how you would do you this,
25 but just make sure that the house they're telling

1 people is in Prospect is in Prospect. Does that
2 make sense?

3 MS. SPEAKER: I think that gets back to
4 Ann's question.

5 MR. KEHLBECK: What we're working off
6 of is the -- remember the last, what was it, oh, six
7 months ago the fellow did the survey of all the
8 roads in Prospect and said, "This is condition of
9 the road?" That's what we're using to establish
10 what is Prospect.

11 COUNCIL MEMBER MILES: Well, I know
12 that. I'm just saying when we -- we -- we guide
13 somebody, say, looking for a home in Prospect --

14 MR. KEHLBECK: Oh.

15 COUNCIL MEMBER MILES: -- and we
16 guide them to a realtor's webpage, make sure
17 that the page -- the house they're saying is in
18 Prospect --

19 MR. KEHLBECK: Oh.

20 COUNCIL MEMBER MILES: -- is in
21 Prospect.

22 MR. KEHLBECK: M-hm.

23 COUNCIL MEMBER MILES: Because one
24 of the goals I want to do is help people in
25 Prospect, and -- and a real problem we have is

1 that people are -- are -- are in my opinion leeching
2 off of our name recognition and the services we
3 have, and you end up people thinking they're
4 buying a house in Prospect, and they're not. And
5 then we get the calls about "How come you're not
6 picking up my garbage" and things like that.

7 MR. KEHLBECK: We really need to look
8 into that, Stuart. You bring up a very good point.
9 And what we ought to do is to get inputs from
10 everybody as to how we should handle this thing of
11 making the information through the website to the
12 person who's looking for a home in Prospect.

13 COUNCIL MEMBER MILES: I mean, I
14 think it's a good idea, because --

15 MR. KEHLBECK: We --

16 COUNCIL MEMBER MILES: -- I want to
17 help people sell their houses --

18 MR. KEHLBECK: Right.

19 COUNCIL MEMBER MILES: -- because
20 that benefits everybody.

21 MR. KEHLBECK: Sure.

22 COUNCIL MEMBER MILES: And the
23 quicker a house turns over, it's better for
24 everybody who lives in the city. The more they
25 make on it, it benefits everybody.

1 MR. KEHLBECK: Right.

2 COUNCIL MEMBER MILES: But I just
3 want to make sure that we don't --

4 COUNCIL MEMBER TUCCI: Don't help to
5 sell a house in Goshen.

6 COUNCIL MEMBER MILES: Right.
7 Exactly.

8 MR. SPEAKER: Actually, you don't have
9 to reinvent the wheel. We already have a list of
10 all the streets that are within the city limits. And
11 also, there's a few streets there might be only one
12 or two homes on that street. And it has the
13 specific house address. We actually have that list
14 upstairs, and that exists. And that -- they could
15 easily download that into something that they
16 need, so.

17 MR. KEHLBECK: Are there any -- yes?

18 COUNCIL MEMBER MILES: And I -- I
19 know there are several components that you don't
20 have ready yet. I guess my question is if you get
21 it mostly ready and there's just a few components
22 that aren't ready, will you go live with it then
23 instead of waiting until things that aren't on our
24 current webpage --

25 MR. KEHLBECK: Sounds like

1 Obamacare. We -- we'll go --

2 COUNCIL MEMBER MILES: We're going
3 to say --

4 MR. KEHLBECK: We'll go in pieces.

5 COUNCIL MEMBER MILES: I mean,
6 you're making this great thing, but it's already
7 better than what we have. And I guess what I'm
8 saying is, you know, do we need to wait until it's
9 100% done, or can we put it up when it's at least
10 better than what we have and just continue to
11 make it better?

12 MR. KEHLBECK: When you write a
13 program, you never swear that it's perfect.

14 COUNCIL MEMBER MILES: No -- no,
15 no --

16 MR. KEHLBECK: It's going to be
17 changed.

18 COUNCIL MEMBER MILES: No, I know
19 that.

20 MR. KEHLBECK: We can --

21 COUNCIL MEMBER MILES: But what I'm
22 hearing you saying is this thing has eight
23 components, and -- and maybe two of them
24 aren't -- maybe the financials aren't ready yet.

25 MR. KEHLBECK: Right.

1 COUNCIL MEMBER MILES: But all the
2 others are there, or almost there. But when you
3 get all the others ready and you have these two
4 that aren't ready, could you go ahead and go live
5 with the majority of it and just add those other two
6 when you get the kinks worked out?

7 MR. KEHLBECK: Well, let us look at it;
8 okay?

9 MS. SAUER: It's a -- sorry, I just wanted
10 to elaborate just a little bit.

11 MR. KEHLBECK: This is Lin -- Lindsay
12 Sauer.

13 MS. SAUER: Lindsay Sauer. We've been
14 talking about that, and one of the balancing points
15 we wanted to focus on is we want to make sure
16 that the website is different enough so that when
17 you just come on and see new features, that
18 you're --

19 COUNCIL MEMBER MILES: Gotcha.

20 MS. SAUER: -- more prompted to stay
21 on, rather than, "Oh, this is a new redesigned site,
22 but it's still the same stuff. The same content."
23 So you're less -- you may be less likely to come.

24 COUNCIL MEMBER MILES: Gotcha.

25 MS. SAUER: We want to make sure that

1 we have that new content.

2 COUNCIL MEMBER MILES: Want to get
3 it sticky enough so that they --

4 MS. SAUER: Exactly.

5 COUNCIL MEMBER MILES: -- ant to
6 come back and play with it.

7 MS. SAUER: M-hm. Exactly.

8 MAYOR EVANS: Joe?

9 MR. KEHLBECK: Yes?

10 MAYOR EVANS: First of all, I want to
11 applaud everything that you guys are doing. It's
12 really, really wonderful. Second, I would like to
13 stop publishing on paper the minutes of every
14 meeting and sending them to every -- instead refer
15 our residents to the website. Can I do that now, or
16 is --

17 MR. KEHLBECK: No, we can -- we had
18 talked about that, and we can do that, but, you
19 know, you have to realize, and I'm sure you do,
20 that a lot of people do not have computers or are
21 not computer literate.

22 MAYOR EVANS: Well, their alternative
23 will be to call up and ask us to mail them to them,
24 and we'll do that.

25 MR. KEHLBECK: Yeah.

1 COUNCIL MEMBER LEONARD: Actually,
2 the minutes are on the current website.

3 MAYOR EVANS: Well, that's all I wanted
4 to know.

5 COUNCIL MEMBER LEONARD: Not --
6 not -- they will be on the new one also, but you
7 could --

8 MAYOR EVANS: Yeah, but if they're
9 on --

10 COUNCIL MEMBER LEONARD: But you
11 currently have that.

12 MAYOR EVANS: If they're out there right
13 now, then I can go ahead in the next newsletter
14 less than a week from now and tell people that
15 they're available on the web.

16 MS. SAUER: We've got some nice search
17 features on there, too. So you can search for
18 keywords and it will highlight them for you.

19 MAYOR EVANS: I can't -- I can't --

20 COUNCIL MEMBER MILES: Well, I'm --
21 I'm trying to rush it out, because I've been working
22 with them on the parks webpage, and it's -- it's
23 going to be beautiful and exciting and -- and I'm
24 just --

25 MS. SAUER: It's springtime soon.

1 COUNCIL MEMBER MILES: Huh?

2 MS. SAUER: It's spring soon, so.

3 COUNCIL MEMBER MILES: That's right.

4 That's right. Spring will be perfect.

5 MR. KEHLBECK: You know, I think we'll
6 be pleased with it when it's all over.

7 MAYOR EVANS: Can we have a picture
8 of Stuart walking down the trail, you know, looking
9 all masculine and everything?

10 COUNCIL MEMBER BRAB: With a leaf
11 blower.

12 COUNCIL MEMBER MILES: With a leaf
13 blower, yeah. I look very masculine with my leaf
14 blower.

15 MR. KEHLBECK: There were a couple of
16 issues that we --

17 MS. SPEAKER: Chainsaws look better,
18 or with a chopper, you know. You can use that.

19 MR. KEHLBECK: One -- one issue we
20 discussed and we do not have the answer for is
21 what we'd love to do is to take pictures on the 4th
22 of July parade. And whether that's golf carts and
23 all that sort of thing. And we have pictures of
24 little kids in there, but we don't know their names.
25 Are we in trou -- do we have a problem taking that

1 picture and putting it on a website?

2 COUNCIL MEMBER MILES: I think
3 when you're out in the public, just like the
4 Courier-Journal, when they take pictures, I think
5 there's a presumed --

6 MR. SPEAKER: It's public domain.

7 COUNCIL MEMBER MILES: It's public
8 domain.

9 MR. KEHLBECK: Well, I hope that's
10 right. Does our legal attorney --

11 CITY ATTORNEY POTTS: Maybe not.

12 COUNCIL MEMBER MILES: Maybe not?

13 CITY ATTORNEY POTTS: Editorial --
14 editorial pictures are acceptable. If it's
15 advertising, you probably risk not having a
16 model -- model release for that person.

17 MS. SPEAKER: There may be a
18 difference, too --

19 CITY ATTORNEY POTTS: You probably
20 risk some --

21 MS. SPEAKER: Children fall into a
22 special category.

23 MR. SPEAKER: Right, and if you don't
24 have --

25 CITY ATTORNEY POTTS: Parents.

1 MR. SPEAKER: -- guardians or parents.

2 CITY ATTORNEY POTTS: Yeah.

3 MR. SPEAKER: Signatures.

4 MS. SPEAKER: I think you're right. I
5 think legally, we could do it, but it's a question of
6 do we want to take the chance that a parent is
7 going to be irritated.

8 MAYOR EVANS: Can -- can we cross that
9 bridge maybe next month?

10 MR. KEHLBECK: Okay.

11 MAYOR EVANS: Thank you.

12 MR. KEHLBECK: That is -- that's just on
13 issue. Thank you very much.

14 COUNCIL MEMBER MILES: Thank you,
15 Joe. Great job, guys.

16 MAYOR EVANS: And last but far from
17 least, the Trash and Recycling Committee update.
18 Mr. Fulcher?

19 COUNCIL MEMBER FULCHER: We had
20 an opportunity to send a couple of people up to the
21 recycle facility -- Rumpke's recycle facility up in --
22 outside of Cincinnati, and Councilwoman Leonard
23 and myself went up there. It was quite -- quite
24 enlightening. Maybe more enlightening on the trip
25 up to learn more about Rumpke, more about the

1 process, more about revenue streams, etc.

2 And what we came back with was a realization
3 that we may not fully understand what Rumpke's
4 term relative to recycle is. I mean, it -- there are
5 quite a number of -- quite a number of things that
6 we see with the little recycle triangle doohickey on
7 new -- the -- the plastic bags on newspapers, for
8 instance. You know, it says Recycle. Well that's
9 a -- that causes a real problem for -- for Rumpke.

10 And there are vary -- various grades of plastic
11 that impact their revenue stream. I mean, from the
12 Class 1 plastics, or the -- you know, the plastic
13 bottles 2, 3, 4. And each of those -- each of those
14 they get different amounts of money for bailing,
15 etc., and they're used for a number of things.

16 Paper products. People think -- and I did, you
17 know, things like paper towels, facial tissues, and
18 that -- that type of thing, the -- the paper that
19 makes those are so recycled -- recycling in those
20 particular products, the fibers are so short they
21 can't use them to recycle them further. That's why
22 they -- that's why they focus almost entirely on,
23 you know, cardboard, newspapers and a few -- a
24 few of the other things.

25 Bottle caps and those type of things that I

1 personally have been just pitching in recycling
2 plastic is -- they had a -- they have multiple lines
3 of people that are just like -- almost like robots
4 just pulling stuff out that is not -- is not something
5 they can sell.

6 Now, one of the -- one of the more positive
7 things that we came back with was not -- not only
8 the dialogue with -- with Rumpke, but -- but a
9 new -- a new little flyer that they put out. This
10 is -- this is different than what we've had in the
11 past, but -- and there are some out -- there's some
12 outside. And it's more -- more specific to what we
13 should be doing. And the -- and the whole intent
14 is to -- for us to help them help us. And in -- in
15 that regard, I think you can take a look at this.

16 What we're going to try to get them to is not
17 only have what you should put in, but maybe
18 pictures, show and tell, on -- on what you
19 shouldn't. And that -- that takes pretty much care
20 of the -- the recycle as far as Rumpke goes.

21 But I want to put in a pitch here and -- and
22 thank the pastor of the Baptist church here in
23 Prospect for having the electronics recycle this
24 past week. Pastor Cyrus did an excellent job, and,
25 actually, I think it's something the city should be

1 doing, but -- and he looks forward to doing it on an
2 annual basis, and I think that's a -- that's a real
3 community service that he did. And he set it up
4 with Ann, and Ann, you did a good job getting that
5 together.

6 Other items that are being looked into would
7 be the shredding of documents. Having a
8 document shredding day to recycle, and Holly tells
9 me that we could schedule it just about any time,
10 but it's tentatively scheduled for the spring where
11 we could bring stuff down here. Now, I think
12 maybe -- I haven't talked to Sandra about this, but
13 maybe to have it coincide with the book sale date.

14 COUNCIL MEMBER LEONARD: No -- no
15 shredding our books, though.

16 COUNCIL MEMBER FULCHER: No
17 shredding books. Yeah.

18 COUNCIL MEMBER MILES: You can burn
19 them, just don't shred them.

20 COUNCIL MEMBER FULCHER: Yeah.
21 You can -- you can burn them. Don't shred them.
22 And the op -- the open question is still dealing
23 with paint solvents, special waste-type things, and
24 that's going to take a little more in-depth review.
25 So that's where we are.

1 MAYOR EVANS: All right. Thank you,
2 Frank.

3 COUNCIL MEMBER MILES: Frank,
4 thanks for -- for going up there. I have a couple
5 questions. On -- you said help us -- "help them
6 help us." What are we -- and I want us to do it
7 right, but I mean, do we get more -- I mean, a
8 better deal if -- if our plastics are sorted better,
9 or --

10 COUNCIL MEMBER FULCHER: Well, at
11 this -- at this point, that's an open question.

12 COUNCIL MEMBER LEONARD: Actually,
13 what -- what we -- we -- as we came back -- we
14 were not alone on the trip. There were people
15 there from Kroger, for example, and there were
16 people there who work for Rumpke to learn what
17 was going on. And it became clear when they
18 talked to us, and also when we looked at this flyer,
19 that probably all of us think things either aren't or
20 are recyclable, and we're not correct. And so, all
21 of us asked them to develop something that's much
22 more complete.

23 For example, I was recycling my plastic dog
24 food tubs, and that's wrong. It's a 5. Essentially,
25 they can take 1s and 2s.

1 COUNCIL MEMBER MILES: Gotcha.

2 COUNCIL MEMBER LEONARD: And the
3 reason for that is that they have a different
4 melting point. And so, depending on what the end
5 use is, my number 5s are not good, because they
6 have a different melting point. They don't go in
7 with the other stuff. And like he was talking about
8 the fibers -- the fiber length. China is buying
9 Rumpke's paper products right now, because their
10 paper tends to be made with rice, which has a very
11 short fiber length. And so, I came away with an
12 appreciation of the fact that this is much more
13 complicated than my little dog tubs.

14 COUNCIL MEMBER MILES: Maybe we
15 can have another link on our websites showing
16 people what can and can't be recycled.

17 COUNCIL MEMBER LEONARD: Well,
18 they've got to tell us first. I mean, there --
19 there -- it was much more complicated than what I
20 thought it was going to be.

21 COUNCIL MEMBER MILES: And one last
22 thing, Frank, for your committee. I know more and
23 more people are recycling, and I'm not the only
24 one who now has a large garbage can that I use
25 instead of those small bins. And they will take

1 them, but I have to take it to the street. And what
2 I would like is for them to do the back door pick up
3 of alternative-sized containers for recycling at the
4 back door just like they do for my garbage and my
5 little green recycling bins. So that's just a --

6 COUNCIL MEMBER FULCHER: Well
7 there -- there are a number -- there are a number
8 of people that have brought that particular issue
9 up, and we talked to them about that. There's
10 an -- there's a specific vehicle that's made for
11 that, and the -- the prominence here, you know,
12 that -- that's just not economical. I mean, we
13 could it. We can do anything, really, and they'll --
14 they'll accommodate us. And we're just starting to
15 learn how we can, as I said, be helpful to them so
16 they can be helpful to us. If in fact people are
17 educated to the point where their revenue is
18 positively impacted, then it should flow downhill to
19 us.

20 COUNCIL MEMBER MILES: Right.

21 MS. SPEAKER: We got --

22 COUNCIL MEMBER FULCHER: Right

23 now, we're --

24 MS. SPEAKER: We got a very good deal
25 from them in our three-year contract the last time.

1 COUNCIL MEMBER FULCHER: Yes, we
2 did.

3 MS. SPEAKER: Yeah, we did.

4 MS. SPEAKER: So they -- they have sort
5 of paid us back for our efforts in a sense already.

6 COUNCIL MEMBER LEONARD: You know
7 what's amazing is how high-tech the whole process
8 is. He talked about people. But there are six
9 steps in the sorting process that are working on
10 scanners that look at --

11 COUNCIL MEMBER FULCHER: Optical
12 scanners.

13 COUNCIL MEMBER LEONARD: Optical
14 scanners. And they're looking at the wavelength
15 of the -- the optical scanning device, and that
16 separates, for the sake of argument, paper from
17 metal. It separates one kind of metal from another
18 kind of metal. And as a result of that, they can
19 now take cartons, you know, like a milk carton or
20 something. Because they have now got a step
21 process that can make that kind of a sort. So it --
22 it's -- it's amazing.

23 COUNCIL MEMBER FULCHER: But you
24 still have many guys just standing there throwing
25 stuff. Reject stuff is what they're throwing out.

1 When you look at the type of thing is the plastics
2 that we -- the plastic bags, which are just --

3 COUNCIL MEMBER LEONARD: A
4 disaster.

5 COUNCIL MEMBER FULCHER: -- a
6 disaster for their -- for their rotating equipment.

7 COUNCIL MEMBER TUCCI: I think the
8 bottle caps is the most astonishing thing to me. I
9 was very religious about recycling my caps too for
10 a long time.

11 COUNCIL MEMBER LEONARD: You can
12 do that -- you can do that now --

13 COUNCIL MEMBER FULCHER: They can
14 do it now.

15 COUNCIL MEMBER LEONARD: --
16 because the per -- the end user of that will take a
17 certain percent of contamination.

18 COUNCIL MEMBER TUCCI: Uh-huh.

19 COUNCIL MEMBER LEONARD: And that
20 -- they are a contaminant. They're a different
21 plastic. And so, now you can do that if you want
22 to. But smunch your bottle first. Crush it.

23 COUNCIL MEMBER FULCHER: One --
24 one other item that I omitted. I had just asked the
25 Chief and hadn't brought this up to the mayor, but

1 one of the other requests that we've had from
2 residents is what -- could we possibly do
3 something with unused prescription drugs. And in
4 my brief conversation with the Chief, I've asked
5 him to look into it. They -- the Sheriff's
6 Department and the drug enforcement people all
7 get involved in that procedure, but I think it's a
8 service that if we did it annually or maybe
9 semi-annually, I think it's something that we could
10 -- we could do for our -- our citizens. But I just --
11 I just asked him that this evening, so we're looking
12 at that too.

13 COUNCIL MEMBER LEONARD: It's a
14 good idea.

15 MAYOR EVANS: All right. Chief?

16 CHIEF SHERRARD: Okay. December
17 was a pretty slow month for us. Part of that's
18 attributed to the fact that three of our six officers
19 took significant time off during the month, so the
20 numbers generated were going to be a lot lower.
21 Traffic citations are way down for the month. The
22 house checks would be way down, because there
23 would be less people out actually checking on
24 those.

25 So the house checks were down 32% for the

1 month, down from 1851 to 1260. The reports were
2 up over last year, but that's attributed to those
3 first -- the first week of December where we still
4 had a lot of people that were getting into the cars
5 that were unlocked. Since about the 10th of
6 December, those have pretty much died down.
7 Either we're getting the word out to everybody to
8 keep their cars locked and no longer doing it, or
9 they've moved on and they -- they're hitting some
10 other subdivisions. But really, since that second
11 week of December, those thefts have really slowed
12 down significantly.

13 MAYOR EVANS: Got pretty cold too.

14 CHIEF SHERRARD: Yeah. Yeah. I
15 guarantee you they weren't out last week. Our
16 dispatch runs were up slightly from the previous
17 reporting period. Officer-initiated runs would be
18 down because again, less people were working.

19 Officer Timmons did have court last week on
20 the juveniles that were involved in the thefts from
21 the autos back in the first part of December last
22 part of November. They have all agreed to do
23 volunteer work. They're being turned over to
24 Councilman Miles for him to put them to work. So
25 I guess he's got them for 40 hours apiece, so he

1 can break them down like a shotgun I guess.

2 We only had one DUI arrest for the month,
3 which is pretty low compared to what we had been
4 having. Code enforcement, there were no citations
5 that were issued. The handful of complaints that
6 we did receive were all resolved. We did issue a
7 couple of letters. Both of the people involved in
8 those did respond by correcting the actions that
9 we'd asked them to take.

10 We had one fairly significant theft, that was a
11 horse trailer that was taken off of Rose Island
12 Road, but it was recovered four days later, and all
13 the commitment and tack and everything that was
14 inside the trailer was recovered all together.

15 MS. SPEAKER: He just must wanted to
16 move a horse.

17 CHIEF SHERRARD: I guess. Just moved
18 a horse. Left everything else intact. So other
19 than that, that's all.

20 MAYOR EVANS: All right. Thanks,
21 Chief. John, you knew I was getting to you next.

22 MR. EMBRY: I have an agenda,
23 basically --

24 MAYOR EVANS: This is the Ethics
25 Committee report -- the eth -- the Ethics

1 Commission, excuse me, on their review of the
2 form.

3 MR. EMBRY: Right. And this could have
4 been done during the committee reports. I think
5 Holly said everybody had in their packet the latest
6 revision of the of the -- of -- of the disclosure
7 form. It is that time of the year again. And
8 everybody sitting at that table and the Chief have
9 filled those forms out. This one doesn't differ a --
10 a great deal. The form will be due -- we -- we'll
11 send it out officially -- formally a little bit later
12 this week or perhaps next week. March 1st is the
13 legal deadline. Now, that's a Saturday, so we'll
14 say March 3rd.

15 People who need to fill it out include all
16 elected officials, all employees, all sworn members
17 of committees or commissions, and that would
18 include the Ethics Commission, Forestation Board
19 and the Code Enforcement Board. I think that's it,
20 isn't it, Ann? That's -- those three? That's --
21 that's all of them.

22 New this year at this time of the year will be
23 candidates who may file toward the end of the
24 month. They need to file a form just like one of
25 you guys or one of us, just as though they were

1 already in office or -- or anything like that.

2 Bound to a question or two. I know some of
3 you filled them out late in the year. The mayor
4 did. Frank filled one out late in the year. This is
5 an annual event. It is an annual event by Prospect
6 and Kentucky Revised Statutes, and, you know, the
7 form, like I say, is -- is pretty much the same. We
8 have made some minor changes in it. Mostly to try
9 to pick up things that -- that were missed on the
10 other -- on past forms.

11 Every piece -- or every individual section in
12 that form needs to be marked in some way. You
13 may look at it and say, "Well, this doesn't apply to
14 me." Well, now we've -- we -- we've had a Not
15 Applicable box in that area for some time, but it
16 was in black. Well, it's now red. So everybody
17 needs to see those red boxes. That was commonly
18 missed, and, you know -- and check that.

19 And I'm not speaking so much to the City
20 Council, because most of you have done it enough,
21 and those of you who did for the first time last
22 year did it well enough that you obviously picked
23 up on the -- on the issue. But for those people
24 who are in other -- other areas, they -- they need
25 to know that.

1 I had to make several -- I had to contact
2 several people to get that box checked. I had to
3 contact a couple of people to actually get them to
4 sign it. The last page is, you know, they attest
5 that everything they've signed is correct. And
6 then there were six or seven people who didn't put
7 their name on the front page. So those are things
8 that commonly were missed.

9 There are no income figures required on this,
10 only sources. And this applies only through 2013.
11 So any new income this year doesn't have to be on
12 there. We're looking for income in the area of
13 \$10,000 or more or investments of 5%, when 5% is
14 \$10,000 or more. It applies to the person filling
15 out the form and immediate family, at least
16 immediate family in the area. And, you know, like
17 I say, it -- it can be -- it can be sent to me
18 directly. My address will be on the cover letter.
19 Or it may be dropped at City Hall, and I stop
20 usually every Monday and pick up anything Holly
21 has. Now -- yes?

22 COUNCIL MEMBER MILES: So that
23 includes my teenage daughters?

24 MR. EMBRY: If she's making more than
25 \$10,000 a year and --

1 COUNCIL MEMBER MILES: Oh, that's
not a problem. Yeah.

2 MR. EMBRY: Only out of your pocket;
right?

3 COUNCIL MEMBER MILES: Yeah. Yeah.
Costing us \$10,000, but not making it.

4 MR. EMBRY: I'd be happy to entertain
any questions or anything like that. No? I didn't
5 intend to go over it section by section of anything
like that.

6 MS. SPEAKER: When you -- when you
said "immediate family," are you talking about
7 parents and children?

8 MR. EMBRY: Parents and children --
actually the ordinance reads -- I think I've got it
here. The ordinance says, [reads] Immediate
9 family member: a spouse, children and
grandchildren and their spouses. Stepchildren and
10 step-grandchildren and their spouses. Parents and
parents of the spouse, brothers and sisters of the
11 spouse. That's what the city's ordinance says.

12 MS. SPEAKER: And you're saying just if
they live in the area.

13 MR. EMBRY: I think if they live in the
area is the way we've interpreted that. If they're --
14 -- you know, if I had -- I have a -- a 42-year-old son
as of yesterday, and he doesn't live here. But if
he did, then I would include him.

15 COUNCIL MEMBER MILES: So --

16 MR. EMBRY: Stuart.

17 COUNCIL MEMBER MILES: If somebody
misses the deadline, what happens?

18 MR. EMBRY: Good question.

19 COUNCIL MEMBER MILES: I mean -- so
far --

20 MR. EMBRY: Susan, you may want to --
Susan's a former chairperson of this committee.
The last year or year before last --

21 COUNCIL MEMBER MILES: Do they get
like a grace period where you call them and say,
"Hey" --

22 MR. EMBRY: Well, usually -- usually I'm
on the phone to them well ahead of that.

23 COUNCIL MEMBER MILES: Gotcha.

24 MR. EMBRY: We have a couple of people
who are -- who have been typically problems. I
won't mention names. None of you. And if we
25 don't have it by the City Council meeting, we could
at that time turn it over to you. Now, three years
ago, perhaps, Susan, we did have a couple of

1 people that went past March 1st and went past the
2 council meeting. Mayor Eberle at the time
3 suggested that the council would send them a
4 letter and warn them, and so he did that.

5 COUNCIL MEMBER MILES: Gotcha.

6 MR. EMBRY: Whether -- whether this
7 group would meet and decide to send names to the
8 Council or not, you know, we will cross that bridge
9 when we come to it. The group is the same, so,
10 you know, anything that we decide. If -- if
11 somebody files a complaint with us against an
12 employee -- against a government appointee or
13 something like that for a conflict of interest, we
14 are obligated to investigate it and come forth with
15 a recommendation and report it to the City
16 Council. We don't have power to do anything. So
17 that's -- that's up to City Council to decide what --
18 what might happen after that.

19 COUNCIL MEMBER MILES: Okay.

20 MR. EMBRY: Whether they're slapped on
21 the wrist, removed from office, whatever.

22 COUNCIL MEMBER FULCHER: John, did
23 -- would you report any -- anything that was
24 reported to you prior to the investigation, or -- or
25 is this post-investigation?

1 MR. EMBRY: No, it would be -- the -- the
2 way I feel, and I think I can speak for the
3 committee on this, is, you know, we have two types
4 of input coming into the committee. One would be
5 -- and -- and we have a policy on this that we -- we
6 passed. One would be just an advisory opinion
7 request. We have done a couple of those. That is
8 a request that could come only from the person --
9 that we see is coming only from the person
10 affected. Only -- only from the person involved.

11 The other would be about a complaint. And
12 somebody -- somebody -- a resident of Prospect
13 comes forward and says Councilman X voted in
14 favor of such and such, and we know for a fact that
15 he has a financial interest in this. We then pick
16 up that ball, we investigate, it is -- it is done in
17 open meeting. We can make a decision, publish it,
18 and if we -- Susan, help me here. If we find that --
19 I think if -- if we find that there was no co -- no
20 conflict, that this was not -- not a problem, then
21 we may or may not report it or publish it, and
22 redact names as appropriate; would you agree?

23 MS. SPEAKER: I would agree. And the
24 key thing there I think is that if there's a
25 complaint, the complaint would have to be made

1 after there was a vote.

2 MR. EMBRY: Okay.

3 MS. SPEAKER: There have been several
4 instances where someone said, "I think someone's
5 going to vote, and I want the commission to rule on
6 it." We could not rule until after a vote had
7 actually taken place.

8 MR. EMBRY: And that was -- the one
9 I'm -- the one I was present for anyway was a --
10 was sent in as an advisory opinion by a resident
11 Prospect, not by that particular person. Grover
12 gave us an opinion on that, that we could not
13 prevent a councilperson from voting on anything.
14 You know, that wasn't our affair. Now, if that
15 councilperson did vote on something and it was a
16 conflict, then a complaint could be filed and then
17 we -- we would have to deal it. We don't generally
18 instigate investigations ourselves. It has to come
19 to us in a formal way.

20 Anything else? Any other questions? Okay. I
21 look forward to seeing your forms. And the only
22 thing that happens to your form when you send it
23 in, I get it, I review it for completeness. I don't
24 particularly question anything that's on that form,
25 only that the form is complete. And if there is

1 some sort of major issue, then we call the Council
2 back together, but -- or the -- the commission back
3 together and we will discuss it. But generally
4 speaking, we're only interested in receiving that
5 form, and that that form is properly filled out. And
6 then if there's a problem later, then what's on that
7 form comes into play.

8 MAYOR EVANS: I have on the agenda
9 two ordinances that have been proposed for a first
10 reading. The first one relates to ATVs in
11 city-owned parks, and I would like to ask
12 Councilman Miles if he would give us the first
13 reading of that ordinance by its number series and
14 its title.

15 COUNCIL MEMBER MILES: All right. I
16 have a question. I want to make sure the one that
17 I have is the one that -- Fr -- this is the one that
18 Frank --

19 COUNCIL MEMBER BRAB: Read the one
20 from the book. This is on our deck. This was in
21 front of us.

22 COUNCIL MEMBER MILES: Okay. Well,
23 I guess my question is -- is that Frank has given
24 me one that is different than this one.

25 MAYOR EVANS: Well, which one are you

1 proposing to --

2 COUNCIL MEMBER MILES: I think that's
3 where the confusion is. Frank took the one that I
4 did, and he had a few suggested changes, which
5 he has circulated. It is different from the one in
6 the book. It is -- and I don't think -- because it
7 doesn't have an ordinance number, I don't think we
8 can do this one for a first reading tonight, but I --
9 I'll defer to the City Attorney on that.

10 MAYOR EVANS: Is there a problem with
11 laying this over for a month?

12 COUNCIL MEMBER MILES: No, there
13 isn't. And that's what I was going to suggest, is
14 that I don't want to drag this out any longer than
15 that, but I -- I -- I think Frank made some -- some
16 great suggestions. I actually having read his
17 suggestions, there's a couple of things I might
18 change. So I think it might be best to just bring
19 this back up at our next meeting in February.

20 MAYOR EVANS: Frank, do you like that
21 idea?

22 COUNCIL MEMBER FULCHER: Yeah,
23 that's fine.

24 MAYOR EVANS: All right. Without
25 objection then, that's what we'll do with that.

1 We'll lay it over until next time and move on to an
2 ordinance which amends our existing ordinance
3 relating to alcohol beverage -- beverage control
4 regulations. This ordinance I believe was drafted
5 by Grover and --

6 CITY ATTORNEY POTTS: Actually, it
7 was drafted by Cliff Ashburn.

8 MAYOR EVANS: Do you -- okay. By --
9 by Wyatt, Tarrant and Combs to see if --

10 CITY ATTORNEY POTTS: What it does
11 is it -- it makes the Prospect ABC
12 regulations-ordinances consistent with the new
13 amendments that were made to the state ABC law.

14 MAYOR EVANS: All right.

15 CITY ATTORNEY POTTS: And there are
16 not that many.

17 MAYOR EVANS: And -- and having heard
18 that, is there a council member who would like to
19 give this ordinance its first reading?

20 COUNCIL MEMBER BRAB: I'll go ahead.

21 MAYOR EVANS: Mr. Brab.

22 MS. SPEAKER: Are we just waiting for
23 someone to read it?

24 MAYOR EVANS: Bill's going to do it.

25 COUNCIL MEMBER BRAB: [reads] City

1 of Prospect Ordinance Number 530 Series 2014.
2 An ordinance relating to amendment and
3 modification of Chapter 1114 of the Code of
4 Ordinance of the City of Prospect. Do you want
5 the whole thing?

6 MAYOR EVANS: That's it.

7 CITY ATTORNEY POTTS: That's it -- all
8 you need to do.

9 MAYOR EVANS: Okay. Do we have to --

10 CITY ATTORNEY POTTS: No. You don't
11 have to do anything. That's the first reading.

12 MAYOR EVANS: All right. We've had the
13 first reading. We'll move on to unfinished
14 business. I'll ask the members of the Council, is
15 there any unfinished business to be brought up at
16 this time? All right. Any comments from our
17 residents? Joe popped his hand up right away.

18 MR. SPEAKER: I have just one comment.
19 I'd like clarification to make sure I'm
20 communicating properly. We are a 3rd class city,
21 and as such, we -- a person filing has to file by
22 the -- 4:00 on the 28th. If the person does not file
23 on that date or before that date, that person's
24 name will not be on the ballot in November; is that
25 correct.

1 CITY ATTORNEY POTTS: Correct.

2 MAYOR EVANS: Joe, that's my
3 understanding. And it's January 28th.

4 MR. SPEAKER: Yeah. January 28th,
5 4:00. If you're not -- you haven't filed by then,
6 your name will not be on the ballot in December --
7 in November.

8 MAYOR EVANS: That's my
9 understanding. If there's any doubt at all in
10 anyone's mind, I would suggest calling the
11 Jefferson County Board of Elections and asking
12 that question to them, because they're the ones
13 that do all this.

14 MAYOR EVANS: Yes, Susan?

15 MS. SPEAKER: I just have a quick
16 recycle question for you guys that went to
17 Cincinnati. Are you better off if you don't know to
18 toss it in or not to toss it in? You take a whole
19 thing --

20 COUNCIL MEMBER FULCHER:
21 Definitely -- definitely not.

22 MS. SPEAKER: You should not toss it
23 in?

24 COUNCIL MEMBER FULCHER: If you
25 have a -- if you have a question, I think err on the

1 side of not.

2 MS. SPEAKER: Thank you.

3 COUNCIL MEMBER LEONARD: I agree
4 with him, because if you looked at all those people
5 sorting, there were 41 of them I believe. Not all
6 there at once, but there was a -- a large number.
7 It was all things that those of us had put in that
8 really shouldn't go in. And what drives the entire
9 system is who will buy the end product, so --

10 MR. SPEAKER: Well, is it only 1s and 2s
11 in the trash?

12 COUNCIL MEMBER LEONARD:
13 Basically -- it -- it's not even quite that clear.
14 We've asked for clarification, because since I
15 came home, I found all kinds of 1s and 2s I didn't
16 know about.

17 MR. SPEAKER: Well, but there's 7s, and
18 I only understood we're --

19 COUNCIL MEMBER LEONARD: Well,
20 apparently we're not doing 7s.

21 MR. SPEAKER: More healthier, less
22 likely to --

23 COUNCIL MEMBER LEONARD: See, it --
24 it isn't that -- it's really who will buy what they've
25 got.

1 COUNCIL MEMBER FULCHER: And --
2 and a lot of these containers, such as margarine
3 tubs and that type thing, are impregnated with an
4 oil or something that really just affects the melting
5 and contaminates, so that the price they get for
6 the stuff is nothing.

7 MR. SPEAKER: So no -- no more yogurt
8 cups.

9 COUNCIL MEMBER LEONARD:
10 Apparently not.

11 MAYOR EVANS: I'm not aware of any
12 personnel matters or potential litigation or pending
13 litigation which needs to be discussed in executive
14 session, but I could be wrong. If I am, would
15 someone correct me? If not, then it is time to
16 move for adjournment.

17 COUNCIL MEMBER BRAB: So moved.

18 COUNCIL MEMBER FULCHER: Second.

19 MAYOR EVANS: All in favor?

20 COUNCIL MEMBERS: Aye.

21 MAYOR EVANS: We are adjourned.

22 [WHEREUPON, the City Council Meeting
23 concludes at 8:44 p.m.]

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CERTIFICATE OF REPORTER

STATE OF KENTUCKY AT LARGE:

I, CAROLA G. STRIJEK, RPR, Notary
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I further certify that I am not related to any of
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_____ day of _____, 2014.

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SEPTEMBER 27, 2016 _____

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