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CITY OF
PROSPECT, KENTUCKY

CITY COUNCIL MEETING

DECEMBER 15, 2014

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4 MAYOR EVANS: I think it's close enough
5 to 7. As you can hear, I -- I'm having a little
6 trouble with my voice tonight. I think I ha -- had
7 too much eggnog last night. So I -- I will call the
8 meeting to order, and then I will pass the gavel to
9 our senior council member, Sandy Tucci, and let
10 her run the meeting so you don't have to listen to
11 this.

12 This is the -- December 15th, 2014, regular
13 meeting of the Prospect City Council. All of the
14 council members are present.

15 And, Sandy, with that, I am going to pass the
16 gavel veritabably [phonetic] to you.

17 COUNCIL MEMBER TUCCI: Okay. The
18 first item is the approval of the minutes. Does
19 anybody have any corrections or additions to the
20 minutes?

21 COUNCIL MEMBER BOWLING: Move to
22 approve.

23 COUNCIL MEMBER BRAB: Second.

24 COUNCIL MEMBER FULCHER: second.

25 MAYOR EVANS: It's been moved and

1 approved. The motion passes.

2 The Mayor's Update. The mayor tells me
3 everything is fine in the city. Do you want to add
4 to that?

5 MAYOR EVANS: I'll let Holly tell you
6 about the bid opening.

7 CITY ADMINISTRATOR LEVOLD: Oh.
8 We put out for three bids that are due this Friday,
9 December 19th, at 1:00 for landscaping, mowing,
10 and chemical service for city services. So, the
11 bid went in the paper. They have until this Friday
12 to turn them in. And then we'll have the bid
13 opening right after that and the decision about a
14 week later, after I have time to research
15 everybody's credentials. That's it.

16 MAYOR EVANS: That's the Mayor's
17 report for tonight.

18 COUNCIL MEMBER TUCCI: Okay.
19 Committee reports. Park and Public Lands
20 Committee.

21 COUNCIL MEMBER MILES: I guess
22 Linda isn't here.

23 We built another little bridge on Harrods
24 Creek trail last weekend or the weekend before,
25 and it is one of about eight or nine little bridges

1 that we will build. These are between seven and
2 ten feet long. They go over small, little ditches,
3 which are less than a foot-and-a-half, two feet
4 deep, and so they're something that I can build
5 because if you fall off of it, you're not going to get
6 hurt. It's not like the bigger bridges that we have
7 people build that go over deep ravines over, you
8 know, 20 feet in length. But they're really nice,
9 and they -- and the whole point is to continue to
10 make the park more accessible for as many people
11 as possible.

12 We've been doing some invasive species
13 removal, cutting down bush honeysuckle. And that
14 is an ongoing task at all of our parks.

15 We will be doing some more trail work in the
16 coming months over the winter and mainly just
17 straightening out crooked parts of trails, working
18 on erosion problems, those kinds of things. But
19 that has kind of slowed down a little bit in the cold
20 winter season.

21 We also are continuing to get Eagle Scout
22 projects. And, as we get more scouts signed up, I
23 will let you know, but the biggest new project is
24 finishing boardwalk along Fox Harbor Road and
25 then starting a new boardwalk that will connect

1 Little Hunting Creek Park to Putney Ponds [sic] &
2 Woodlands.

3 COUNCIL MEMBER TUCCI: Okay.
4 Forestation Board update.

5 MR. TUCCI: For the Forestation Board,
6 we've finished our planting for the season until
7 next spring.

8 Our main activity right now is filing for
9 re-certification as a tree city, and we're also
10 applying to Arbor Day Foundation for what they
11 call a "Growth Award."

12 The tree city certification just involves some
13 basic requirements that we spend \$2 per capita
14 on -- on tree work, that we have an Arbor Day
15 celebration, which we already did.

16 The Growth Award comes, also, from Arbor
17 Day Foundation. That is more demanding. We have
18 to show that, in fact, something new has been
19 done at -- relative to what was done in prior years.
20 In fact, they have several categories of -- of
21 possible requirements and certifications. We're
22 filing, right now, under one is a pretty simple one,
23 an update of -- of our approved tree list. We
24 added several trees to the approved city list for
25 public planning and we removed some others based

1 on our recommendations from our consultant,
2 Andrea Hanlon. And we're also making claim for
3 the extensive planning that was done along the --
4 what we call the "MSD sewer line area" in Harrods
5 Creek Park. And we'll get those all filed within the
6 next week or so. And if we get that other Growth
7 Award, that'll be our fourth one. And I thi -- I --
8 we don't have any good statistics, but I think it's
9 very unusual for a little city like this to get four
10 awards within the time we started up, since 2008.

11 Questions?

12 COUNCIL MEMBER TUCCI: Library.
13 Sandy.

14 COUNCIL MEMBER LEONARD: We had
15 the best book sale we've ever had, and so we are,
16 at this point in time, looking at things to spend the
17 money on, and Ms. Tucci is certainly helping us
18 with that. We -- usually we buy children's books
19 and CDs, and I'm going to be able to get an awful
20 lot of CDs. Because even if I buy every children's
21 book that has been recommended since our last
22 book sale expenditure --

23 COUNCIL MEMBER TUCCI: M-hm.

24 COUNCIL MEMBER LEONARD: -- I still
25 have enough money to buy things with this time.

1 The dates have been set for the two book
2 sales next year, they'll be on the calendar, and
3 both of the dates are very good. They're actually
4 almost a week earlier each time in -- in May and in
5 October, which I think helped this year. I really
6 do. So very, very good things happening at the
7 library.

8 COUNCIL MEMBER TUCCI: That's great
9 to be rich, isn't it. Yeah.

10 COUNCIL MEMBER LEONARD: I wouldn't
11 call it rich, but certainly not poverty-stricken like
12 we been for some many years.

13 COUNCIL MEMBER TUCCI: Right.
14 Right.

15 Landscape and Beautification?

16 MAYOR EVANS: The last meeting we
17 had, we went through the proposed contracts that
18 Holly referred to. And we spent a good deal of
19 time combing through those before we put them out
20 for bids.

21 And the other thing that we did at that
22 meeting was to give me the job of identifying who
23 owns what along 42 so that we can begin to
24 address, dressing up it up. And that's what we did
25 at the last meeting.

1 MAYOR EVANS: History Book.

2 COUNCIL MEMBER LEONARD: History
3 book is going along. There are lots and lots of
4 things going on. But, one of the most interesting
5 ones was, we -- I told you last time we were going
6 down to the Voice-Tribune. And when I said that
7 to people to look through their archives, I got
8 these funny faces. Now I know why. That thing
9 changes its name all the time over -- I -- we just
10 looked for three years, and there's no rhyme or
11 reason. Even in the newspaper, it doesn't tell you
12 why that -- the thing is changing.

13 But the most fascinating one was, does
14 anybody remember the year of all the tornadoes
15 going through here, 1974. It was the day we were
16 born. We were born in a wrath of tornadoes. I
17 don't know what we're going to do with that
18 knowledge. But the picture in the paper, "Prospect
19 Becomes a Sixth Class City," right next to it is
20 pictures of devastation. Yeah. I mean, I'm -- so
21 turbulent beginning.

22 COUNCIL MEMBER TUCCI: Yeah. If one
23 were superstitious, you would think God was trying
24 to tell us something, wouldn't you.

25 COUNCIL MEMBER LEONARD: Actually

1 things have --

2 COUNCIL MEMBER TUCCI: Yeah.

3 COUNCIL MEMBER LEONARD: -- gone
4 really smoothly. Maybe that was just our one big
5 thing.

6 COUNCIL MEMBER TUCCI: Okay. And
7 the Environmental Services Committee.

8 COUNCIL MEMBER FULCHER: Just a
9 reminder the January the 10th is a -- it's an
10 electronics recycle function held over here at the
11 First Baptist Church. And we will get out another
12 flyer, I guess, Holly?

13 CITY ADMINISTRATOR LEVOLD: Yeah.

14 COUNCIL MEMBER FULCHER: At --
15 sometime before that. That's it.

16 COUNCIL MEMBER TUCCI: Police
17 report, Chief.

18 CHIEF SHERRARD: Okay. Very quiet
19 month for us. We had a lot of people that were
20 this training, so it was kind of a training month.
21 We had four different people that had to get their
22 mandatory week-long training this month. So a lot
23 of the regular stats would be down.

24 The regular accident reports and things were
25 pretty much the norm.

1 Our offense reports, the misdemeanors, things
2 like that, were way down. Not much at all
3 occurred.

4 The dispatch runs were way down. So it was,
5 all in all, a very quiet month.

6 For Code Enforcement. The new Code
7 Enforcement guy, Mike, worked on a -- a number of
8 things. We had a complaint of someone feeding
9 the deer in Bridgepointe. He went up there, met
10 with them, and they voluntary removed this deer
11 feeder, and he didn't have any further incidents
12 with them.

13 There was a complaint on a tree branch by the
14 condominiums off of Gunston. He worked with
15 them, and the responsible part removed the dead
16 tree, so there weren't any problems.

17 We had several runs in the month on solicitors
18 and actually we've had some in a last few days.
19 They hit, in particular, over on Rockingham. It
20 was a group out of Texas, was it not?

21 MR. SPEAKER: M-hm.

22 CHIEF SHERRARD: Texas that were
23 coming in. They'd give you the sob story, I need
24 money for this, that type of thing. But we sent
25 them on their way. But that increased in the last

1 couple of weeks. Nobody has been cited as a
2 result of that. And the -- the Code Enforcement
3 officer didn't issue any citations. Everyone
4 cooperated.

5 No felony reports at all.

6 The report -- no significant arrests.

7 Other than that, pretty quiet.

8 COUNCIL MEMBER LEONARD: The Code
9 Enforcement man -- as -- as you probably know,
10 Frank and I have been working on the sign
11 ordinance for a long time. And the Code
12 Enforcement guy has done a really nice job of
13 getting some signs removed that aren't legal now
14 and they won't be legal at what we're proposing
15 the future. And he seems to be doing in such a
16 way that people are talking to their neighbors
17 because one of the signs that he would've been
18 working on next is already fixed, and he be hasn't
19 even had to. So that's good.

20 COUNCIL MEMBER TUCCI: Okay. I
21 think the next thing we move to, there being no
22 new business, is old business, the second reading
23 of Ordinance Number 540.

24 How much of this do we need to read this
25 time, Grover?

1 MR. POTTS: Well, I think we need to
2 read the first part of it and the changes.

3 COUNCIL MEMBER TUCCI: All right.

4 COUNCIL MEMBER FULCHER: May I ask
5 you a question? Holly, have we had any
6 applications recently for signs?

7 CITY ADMINISTRATOR LEVOLD: Not
8 that I know of.

9 COUNCIL MEMBER FULCHER:
10 Procedurally, what would it -- what does it take to
11 table this for a month? What -- it's going to cost
12 us 1000 -- if it's going to cost us \$1,000 and we
13 haven't received any applications, it might be
14 prudent to -- to delay it. What -- what is --
15 procedurally, how do we go about that --

16 MR. POTTS: Just table it.

17 COUNCIL MEMBER FULCHER: You
18 mean, -- is there a motion to table?

19 MR. POTTS: Right.

20 COUNCIL MEMBER FULCHER: Okay.

21 MR. POTTS: It has to be voted on.

22 MR. SPEAKER: Has to be voted on.

23 COUNCIL MEMBER FULCHER: Of
24 course. Yeah.

25 MR. POTTS: That's all.

1 COUNCIL MEMBER FULCHER: Is -- is --
2 do you do that before or after this?

3 MR. POTTS: Oh. You ta -- you do that
4 before you pass it.

5 COUNCIL MEMBER FULCHER: Yes. But
6 I mean. . .

7 COUNCIL MEMBER TUCCI: Do we begin
8 with the --

9 MR. POTTS: Sure.

10 COUNCIL MEMBER TUCCI: -- second
11 reading --

12 MAYOR EVANS: No.

13 COUNCIL MEMBER TUCCI: -- and
14 then --

15 MAYOR EVANS: Here's --

16 COUNCIL MEMBER TUCCI: -- Frank --

17 MAYOR EVANS: -- here's the way --
18 here's the way that it properly should go: A
19 motion to table, it seems to me, would be
20 premature, unless there were a motion which had
21 been made for its adoption. At the moment, there
22 is no motion at all. So until and unless somebody
23 moves to adopt this ordinance, I think a motion to
24 table it is -- you know, you're -- you're moving to
25 table something that doesn't exist yet.

1 COUNCIL MEMBER FULCHER: Well,
2 that's my -- that was my question. What is --

3 MAYOR EVANS: So --

4 COUNCIL MEMBER FULCHER: -- first --

5 MAYOR EVANS: You can --

6 COUNCIL MEMBER FULCHER: -- what's
7 first and --

8 MAYOR EVANS: -- you can --

9 COUNCIL MEMBER FULCHER: -- what's
10 second?

11 MAYOR EVANS: -- you can -- you can
12 make a motion to table after somebody makes a
13 motion to --

14 COUNCIL MEMBER FULCHER: Okay.

15 MR. POTTS: Well, I -- I'm not sure that I
16 agree with you.

17 MAYOR EVANS: Well, feel free.

18 MR. POTTS: We already have a motion
19 to approve the ordinance last time in it -- at its
20 first reading. And I think, at this point, it -- it
21 doesn't need a second motion.

22 MAYOR EVANS: I'm -- I'm happy to
23 exceed Grover. I think you're wrong, but I'm
24 happy to do it anyway [phonetic].

25 COUNCIL MEMBER LEONARD: Actually,

1 I don't think we did have a motion last time.

2 MR. POTTS: You didn't have a motion?

3 COUNCIL MEMBER LEONARD: [shakes
4 head] Hm-m.

5 MR. POTTS: Okay. Well, then you have
6 to ha --

7 COUNCIL MEMBER TUCCI: We did --

8 MR. POTTS: -- eventually --

9 COUNCIL MEMBER TUCCI: -- have a --

10 MR. POTTS: -- you have a motion.

11 COUNCIL MEMBER TUCCI: -- first
12 reading last time.

13 COUNCIL MEMBER BOWLING: Yeah.

14 COUNCIL MEMBER MILES: Yeah.

15 MR. POTTS: Okay.

16 COUNCIL MEMBER LEONARD: Yeah.

17 MAYOR EVANS: That's not a motion.

18 COUNCIL MEMBER LEONARD: But there
19 was no motion.

20 MR. POTTS: There was no motion, okay.
21 All right.

22 COUNCIL MEMBER BRAB: There was no
23 motion. Yeah.

24 MR. POTTS: Then we need the motion to
25 approve, a second, and then somebody, at that

1 point, can move to table.

2 MAYOR EVANS: But first, before they
3 have the motion, don't they have to have the
4 second reading?

5 MR. POTTS: I'm not sure you do, but we
6 can --

7 MAYOR EVANS: You're in char --

8 MR. POTTS: -- if you --

9 MAYOR EVANS: No. You're in charge of
10 that.

11 MR. POTTS: I mean, we can do that. It
12 doesn't hurt anything. I don't --

13 MAYOR EVANS: Well, if we don't need --

14 MR. POTTS: -- I don't --

15 MAYOR EVANS: -- if we --

16 MR. POTTS: -- I don't --

17 MAYOR EVANS: -- don't need --

18 MR. POTTS: -- think --

19 MAYOR EVANS: -- to do it --

20 MR. POTTS: -- you need it.

21 MAYOR EVANS: -- for God's sake, don't
22 do it.

23 MR. POTTS: Because it's -- especially
24 if -- if it somehow changes between now and
25 whenever, you know.

1 COUNCIL MEMBER MILES: Should
2 maybe the discussion happen before all of this
3 so --

4 MAYOR EVANS: No. No.

5 COUNCIL MEMBER MILES: -- we can --

6 MAYOR EVANS: No. No.

7 COUNCIL MEMBER MILES: -- figure
8 out --

9 MAYOR EVANS: No. No. No.

10 COUNCIL MEMBER TUCCI: No. No. No.

11 MAYOR EVANS: You --

12 COUNCIL MEMBER TUCCI: First you
13 get --

14 MAYOR EVANS: -- you --

15 COUNCIL MEMBER TUCCI: -- the
16 motion --

17 MAYOR EVANS: -- you don't --

18 COUNCIL MEMBER TUCCI: -- and
19 then --

20 MAYOR EVANS: -- discuss --

21 COUNCIL MEMBER TUCCI: -- you
22 discuss.

23 MAYOR EVANS: -- things until you have
24 a motion.

25 COUNCIL MEMBER TUCCI: Yeah.

1 COUNCIL MEMBER MILES: Okay.

2 MAYOR EVANS: So, why --

3 COUNCIL MEMBER TUCCI: So --

4 MAYOR EVANS: -- doesn't somebody

5 make a motion relative to this ordinance and --

6 COUNCIL MEMBER TUCCI: -- so --

7 MAYOR EVANS: -- we can --

8 COUNCIL MEMBER TUCCI: -- so do I --

9 MAYOR EVANS: -- proceed.

10 COUNCIL MEMBER TUCCI: -- hear

11 somebody giving the second reading of Ordinance

12 Number 540?

13 COUNCIL MEMBER BRAB: Want me read

14 it -- do you want me to read the. . .

15 COUNCIL MEMBER LEONARD: M-hm.

16 COUNCIL MEMBER TUCCI: Yeah.

17 MR. POTTS: Well -- no. Let's -- let's do

18 a motion to approve.

19 COUNCIL MEMBER TUCCI: Okay.

20 COUNCIL MEMBER BRAB: I move -- so

21 moved.

22 COUNCIL MEMBER BOWLING: Second.

23 COUNCIL MEMBER LEONARD: Second.

24 MR. POTTS: Okay. Now --

25 COUNCIL MEMBER BRAB: Do you --

1 MR. POTTS: -- when reading
2 [phonetic] --

3 COUNCIL MEMBER BRAB: -- want me to
4 read it?

5 MR. POTTS: -- the second reading.
6 Don't do the "Whereas" and you don't -- and then
7 the -- do the "Now, therefore."

8 COUNCIL MEMBER BRAB: Okay.

9 MR. POTTS: Do the title, the number,
10 and "Ordinance relating to," then drop down to
11 "Now, therefore."

12 COUNCIL MEMBER BRAB: Okay.

13 [reads] City of Prospect Ordinance 540,
14 Series 2014. An ordinance relating to the
15 amendment and modification of Chapter 157 of the
16 Code of Ordinances of the City of Prospect.

17 Now, therefore, be ordained by the City of
18 Prospect. . .

19 Do you want just the changes or all of it?

20 MR. POTTS: No. I -- I want to you read
21 it all.

22 COUNCIL MEMBER BRAB: Okay.

23 [reads] Section 1: 157.03 is hereby amended and
24 modified by adding a definition and inserting the
25 following underlined language and deleting the

1 following stricken language to read as follows:

2 APPROVED COLORS. All signs must consist
3 of red, green, yellow, blue, white, or black colors
4 in both lettering and background. Registered
5 Corporate logos are excluded from this provision.

6 Banner. A cloth, paper, fabric, or material
7 sign that is mounted on any wall, window or other
8 surface that identifies the business, commercial,
9 or retail center or a specific event.

10 Section 2: 157.26 (B) is hereby amended and
11 modified by inserting the following underlined
12 language and deleting the following stricken
13 language to read as follows:

14 (1) Single freestanding commercial
15 establishment, not part of a shopping center or
16 other office complex.

17 (2) (b) 1. Number -- Number One -- that's kind
18 of different. Number. One of each of its --
19 Number. One each of the types listed; maximum of
20 four. However, if an individual business within a
21 retail/shopping center occupies space with 100
22 feet or more of ground floor frontage -- frontage in
23 the center, that individual business may have two
24 wall/marquee signs.

25 (2) (b) 3. a. Wall/Marquee. The sign may

1 no -- may not exceed 50% of the height of the
2 facade or have an area greater than 50 square feet
3 and a maximum height of 3 feet, except, however,
4 should the sign consist of channel letters and the
5 facade exceed 20 feet in height, the sign may be a
6 maximum of 150 square feet and 6 feet in height.

7 MR. POTTS: Before -- before you do
8 that, that -- read that one greater than; that's
9 actually greater than 150 square feet
10 in [phonetic] --

11 COUNCIL MEMBER BRAB: Oh. Okay.
12 I'm sorry.

13 COUNCIL MEMBER MILES: And also,
14 the -- I don't mean to nitpick, but it might be
15 important, you said height rather than length.

16 COUNCIL MEMBER BRAB: Excuse me.
17 Okay. Let's do that whole line again.

18 [reads] (2) (b) 3. a. Wall/Marquee. The sign
19 may not exceed 50% of the length of the facade or
20 have an area of -- an area greater than 150 square
21 feet and a maximum height of 3 feet, except,
22 however, should the sign consist of channel letters
23 and the facade exceed 20 feet in height, the sign
24 may -- the sign area may be a maximum of 150
25 square feet and 6 feet in height.

1 COUNCIL MEMBER FULCHER: That
2 might be wrong [phonetic]. That -- mine says 50
3 feet.

4 MR. POTTS: Well, there's a "1" in front
5 of it.

6 COUNCIL MEMBER FULCHER: "1" --

7 COUNCIL MEMBER LEONARD: But I
8 think that's --

9 CHIEF SHERRARD: The zero has been
10 stricken.

11 MS. SPEAKER: Stricken?

12 COUNCIL MEMBER BRAB: Two zeroes
13 are stricken. The "1" is not stricken.

14 COUNCIL MEMBER LEONARD: Then --
15 then it almost has to be, because this bigger sign
16 is 150 square feet in the final line.

17 MR. POTTS: Well, and that's what I was
18 going ask that question that -- that --

19 COUNCIL MEMBER BRAB: That should
20 be 50 square feet to be consistent with the other.

21 COUNCIL MEMBER FULCHER: Yes.

22 MR. POTTS: Well, it -- it isn't the way
23 it's written.

24 COUNCIL MEMBER BRAB: Yeah.

25 COUNCIL MEMBER LEONARD: Right.

1 COUNCIL MEMBER BRAB: That should
2 be 150 square feet -- or 50 square feet --

3 COUNCIL MEMBER FULCHER: 50 square
4 feet.

5 COUNCIL MEMBER LEONARD: It's 50 in
6 the first one.

7 COUNCIL MEMBER FULCHER: Yeah.

8 COUNCIL MEMBER LEONARD: And 150
9 in the second.

10 COUNCIL MEMBER BRAB: That's
11 correct.

12 COUNCIL MEMBER LEONARD: Right.

13 COUNCIL MEMBER BRAB: [reads]
14 Section 3. 157.40 is hereby amended by inserting
15 the following in underlined language:

16 (L) Signs with color(s) other than approved
17 colors.

18 Section 4: All ordinances or parts of
19 ordinances in conflict with this ordinance are
20 hereby repealed.

21 Section 5: This ordinance shall take effect
22 from and after passage, signing, and publication
23 as -- as required by law.

24 And this is the second reading. It also needs
25 to be amended.

1 MR. POTTS: All right. I think that's an
2 amendment that we can -- it's just a typographical
3 error.

4 COUNCIL MEMBER BRAB: Correct.

5 COUNCIL MEMBER LEONARD: M-hm.

6 COUNCIL MEMBER TUCCI: So, do we
7 have a discussion now or --

8 MR. POTTS: You -- you can have a
9 discussion now, but you can also move to table it
10 now.

11 COUNCIL MEMBER TUCCI: Right. There
12 would -- I expect there will be a discussion either
13 way, it doesn't matter which comes first. It's kind
14 of up to Frank.

15 COUNCIL MEMBER FULCHER: Okay.
16 Well, I -- I make a motion that we table this on the
17 basis of no -- no applications for signs being
18 presented at this par -- at this time. And the
19 probability of one being presented here in the --
20 in the near future, next month, before the next
21 meeting, is -- is minimal, and the cost is around
22 \$1,000. So, I think we -- although, I support the
23 amendment, I think we can -- we can delay it and
24 that -- and save ourselves some money.

25 So I make the motion that this be tabled --

1 that the ordinance be tabled.

2 COUNCIL MEMBER MILES: There's no
3 matter when we do it --

4 MAYOR EVANS: It hasn't been
5 seconded.

6 MR. POTTS: There needs to be second.

7 COUNCIL MEMBER LEONARD: Oh. I
8 second it.

9 MR. POTTS: Now we can have
10 discussion.

11 COUNCIL MEMBER MILES: So -- but no
12 matter when we pass it, we're going to have to
13 spend money -- \$1,000?

14 COUNCIL MEMBER LEONARD: Yeah.
15 It's actually a little more than 1000. And the --
16 I -- I would vote along with what Frank is talking
17 about only because, why spend \$2,000, when you
18 don't have to.

19 COUNCIL MEMBER TUCCI: You're
20 anticipating that there will be a subsequent sign
21 ordinance; is that correct?

22 COUNCIL MEMBER BRAB: And that will
23 be --

24 COUNCIL MEMBER LEONARD: We've
25 been --

1 COUNCIL MEMBER BRAB: -- and that --

2 COUNCIL MEMBER LEONARD: --

3 working on it --

4 COUNCIL MEMBER BRAB: -- will be

5 passed [phonetic].

6 COUNCIL MEMBER LEONARD: -- for a --

7 COUNCIL MEMBER BOWLING: And --

8 and --

9 COUNCIL MEMBER LEONARD: -- very

10 long --

11 COUNCIL MEMBER BOWLING: -- that

12 it'll be passed [phonetic].

13 COUNCIL MEMBER LEONARD: -- time

14 and --

15 COUNCIL MEMBER BOWLING: Yeah.

16 COUNCIL MEMBER LEONARD: -- we are

17 incorporating, because we agree with Mr. Brab, we

18 are incorporating his concepts into what we've got.

19 In fact, we typed them in right after the last

20 meeting.

21 COUNCIL MEMBER BRAB: Well, my

22 point on this is, and I've said it about three times,

23 is we put a moratorium on any new signs in the

24 city in April. And we dithered around with this --

25 and please use the word "dithered" -- we've

1 dithered around with this for seven months, and I
2 presented this -- some changes that Frank came in
3 with at the last meeting that were good -- I
4 presented this to Council on Ju -- in July. And
5 now we're talking about tabling it. Well, that's on
6 the assumption that the new and improved modified
7 one that will be brought forth in the future will be
8 passed.

9 In the meantime, we've had a moratorium, and
10 people can't get signs if they want them, and we
11 don't have the proper language in the one that
12 we've got. We can have anybody, until a new one
13 is done, put up a sign just like -- that caused this
14 whole furor in the first place, the Mortenson's
15 dental signs.

16 So, whether it's \$1,000 or \$2,000, with a
17 reserve account of \$1.95 million is not the issue.
18 You need something in writing that is concise and
19 that can be enforced. And I -- I think we should
20 pass it.

21 COUNCIL MEMBER MILES: We also have
22 the unique situation where Council Member Brab
23 forgone his \$1,200 a year salary, I'm not sure if --
24 salary, compensation, to be a council member.
25 And so, in my mind, he has a credit that -- that he

1 could use [phonetic] -- that if he chooses to use
2 before he leaves, we're still, you know, \$1,000
3 plus ahead. So that's my opinion.

4 COUNCIL MEMBER TUCCI: I have a
5 procedural question. Once something is tabled,
6 who lifts it and how long does it stay tabled, do
7 you table it for indefinitely, and can only Frank lift
8 it or can any --

9 MR. POTTS: No.

10 COUNCIL MEMBER TUCCI: -- body lift
11 it?

12 MR. POTTS: Anybody can bring it up to
13 the table.

14 COUNCIL MEMBER TUCCI: Okay.

15 COUNCIL MEMBER LEONARD: And
16 the -- and, the other thing, we got into this at
17 something else we did at one point in time, it
18 doesn't frequently take a second reading. Now it
19 would because what we're coming in with is so --

20 MR. POTTS: It's different.

21 COUNCIL MEMBER LEONARD: --
22 that's --

23 MR. POTTS: It's so different.

24 COUNCIL MEMBER LEONARD: Right.

25 COUNCIL MEMBER TUCCI: And -- and

1 then I have a -- another observation, I guess,
2 which is that we're making the assumption that the
3 new council with two new members will come -- in
4 the first place, we're making the assumption that
5 in the January meeting there will be the new
6 improved sign ordinance ready to roll.

7 COUNCIL MEMBER LEONARD: Yeah.

8 COUNCIL MEMBER TUCCI: We're also
9 making the --

10 COUNCIL MEMBER LEONARD: I agree.

11 COUNCIL MEMBER TUCCI: -- we're also
12 making the assumption that the new council
13 members will be ready to vote on it.

14 COUNCIL MEMBER LEONARD: Well, and
15 I -- I agree with you. I think that is a very real
16 issue because we're not -- fast don't make sense.
17 We want to expose this to the business community
18 and whatnot before it comes to the council. So
19 Bill's point of not having anything is well made.

20 I don't think we can look to the new council
21 members or the exposure to the business
22 community getting completely finished in time for
23 the January meeting.

24 COUNCIL MEMBER TUCCI: So then we
25 would continue the moratorium? Last month you

1 were suggesting we drop the --

2 COUNCIL MEMBER LEONARD: No. I --

3 COUNCIL MEMBER TUCCI: --

4 moratorium, which would --

5 COUNCIL MEMBER LEONARD: -- I don't
6 have --

7 COUNCIL MEMBER TUCCI: -- open
8 everything up.

9 COUNCIL MEMBER LEONARD: -- but, if
10 we drop the moratorium, his point remains that a
11 big sign like that could go in.

12 COUNCIL MEMBER TUCCI: Right.

13 COUNCIL MEMBER BRAB: Right.

14 COUNCIL MEMBER LEONARD: M-hm.

15 COUNCIL MEMBER TUCCI: So then you
16 maintain the moratorium, you've table this --

17 COUNCIL MEMBER LEONARD: Or --

18 COUNCIL MEMBER TUCCI: --
19 indefinitely?

20 COUNCIL MEMBER LEONARD: -- or we
21 just --

22 COUNCIL MEMBER TUCCI: Until --

23 COUNCIL MEMBER LEONARD: --
24 discussed it --

25 COUNCIL MEMBER TUCCI: -- June --

1 COUNCIL MEMBER LEONARD: -- and
2 it --

3 COUNCIL MEMBER TUCCI: -- perhaps?

4 COUNCIL MEMBER LEONARD: --
5 makes -- it makes sense to go ahead and
6 spend \$1,000.

7 COUNCIL MEMBER MILES: Well, also,
8 there's the issue that it -- it -- as Bill said, it took
9 us a long time for all of us to agree on some fairly
10 simple language. And --

11 COUNCIL MEMBER LEONARD: M-hm.

12 COUNCIL MEMBER MILES: -- the more
13 complex it is. And we know that the group sitting
14 here, I think, have come to a level of comfort with
15 this. We have no idea if the two new people who
16 come --

17 COUNCIL MEMBER LEONARD: I agree.

18 COUNCIL MEMBER MILES: -- will it be
19 new; this will be a whole new issue. If I were
20 them, I would have lots of questions. And I think
21 it -- it opens the chance of opening this whole
22 Pandora's Box up again.

23 COUNCIL MEMBER LEONARD: M-hm.

24 COUNCIL MEMBER MILES: And now
25 something that could pass might not pass, and

1 then we'll be back in the same situation for who
2 knows -- who knows how long.

3 COUNCIL MEMBER LEONARD: We're --
4 we're ready for you. What we've done is put it into
5 the new ordinance and then changed it slightly.

6 COUNCIL MEMBER MILES: Right.

7 COUNCIL MEMBER LEONARD: So, if we
8 pass it, it's not --

9 COUNCIL MEMBER BOWLING: And
10 we've been --

11 COUNCIL MEMBER LEONARD: -- it's
12 not --

13 COUNCIL MEMBER BOWLING: --
14 paying --

15 COUNCIL MEMBER LEONARD: -- it's --

16 COUNCIL MEMBER BOWLING: -- a Code
17 Enforcement guy for several months who can't
18 enforce, you know, because we didn't have a sign
19 ordinance.

20 COUNCIL MEMBER FULCHER: Well --

21 COUNCIL MEMBER BOWLING: That's
22 what we were --

23 COUNCIL MEMBER FULCHER: -- we do.

24 COUNCIL MEMBER FULCHER: -- told --

25 COUNCIL MEMBER FULCHER: We do,

1 in --

2 COUNCIL MEMBER LEONARD: No. We
3 do.

4 COUNCIL MEMBER FULCHER: -- we do,
5 in fact --

6 COUNCIL MEMBER LEONARD: He's
7 been enforcing the one we've got.

8 COUNCIL MEMBER FULCHER: We do --

9 COUNCIL MEMBER BOWLING: Right.

10 COUNCIL MEMBER FULCHER: -- in fact,
11 have a sign ordinance.

12 COUNCIL MEMBER LEONARD: M-hm.

13 COUNCIL MEMBER FULCHER: And the
14 one -- two other points; one is, this can be
15 changed at the next meeting; this can be voted on
16 at the next meeting. I'm not opposed to this. I --
17 I didn't say I was.

18 But any -- any ordinance that can be coupled
19 with this will save us money, whether it's a budget
20 change or whether it's another ordinance that
21 we present. If you come -- piggyback them, it
22 saves -- saves the city --

23 COUNCIL MEMBER LEONARD:
24 Roughly 1000 --

25 COUNCIL MEMBER BRAB: How about --

1 COUNCIL MEMBER FULCHER: -- money.

2 COUNCIL MEMBER BRAB: -- take your
3 new sign ordinance and piggyback it to the budget
4 ordinance in the spring.

5 COUNCIL MEMBER LEONARD: We could
6 do that.

7 COUNCIL MEMBER BRAB: And it won't
8 be another \$1,000.

9 COUNCIL MEMBER LEONARD: We could
10 do that.

11 COUNCIL MEMBER BRAB: If that's your
12 concern.

13 COUNCIL MEMBER TUCCI: And I -- I
14 recall that recently we had a lot of discussion
15 about the money that MSD gave us for trees and
16 whether it was restricted or unrestricted and
17 things were not -- didn't sound quite Kosher to
18 people. We spent a lot of time fussing to get it
19 exactly right. And now, it seems to me, we're
20 going through a similar process of obfuscation
21 instead of doing it clearly for -- there is a cost to
22 doing business correctly, and that cost may well
23 be \$1,000 now and then, as Bill suggests, maybe
24 \$1,000 -- maybe not \$1,000 by June, because I
25 don't think that sign ordinance is going to be voted

1 on in January.

2 COUNCIL MEMBER BRAB: Well, the first
3 reading -- even if it were to come and the first
4 reading, the second wouldn't be until February.

5 COUNCIL MEMBER TUCCI: M-hm.

6 COUNCIL MEMBER BRAB: And they'll be
7 lots of discussion. And the budget is in March.

8 COUNCIL MEMBER TUCCI: M-hm.

9 COUNCIL MEMBER BRAB: So it's not
10 going to cost another \$1,000. The new -- the new
11 and improved sign ordinance will be delayed two or
12 three more months anyway, so. . .

13 COUNCIL MEMBER TUCCI: I think we
14 vote on -- is there any further discussion on the
15 tabling -- motion to table?

16 COUNCIL MEMBER LEONARD: Well, we
17 have to vote on it.

18 COUNCIL MEMBER TUCCI: I know.
19 That's why I'm asking if there's any further
20 discussion before we call the question on that.

21 COUNCIL MEMBERS: [no response]

22 COUNCIL MEMBER TUCCI: All right.
23 Starting with you, Sandra.

24 COUNCIL MEMBER LEONARD: Yes.

25 COUNCIL MEMBER FULCHER: To table

1 the --

2 COUNCIL MEMBER LEONARD:

3 COUNCIL MEMBER FULCHER: -- the
4 motion is to table it. Yes.

5 COUNCIL MEMBER LEONARD: Right.

6 COUNCIL MEMBER BOWLING: No.

7 COUNCIL MEMBER BRAB: No.

8 COUNCIL MEMBER MILES: No.

9 COUNCIL MEMBER TUCCI: No.

10 Okay. Now we move to the second reading
11 and, again, the motion on that, I -- let's start with
12 you, Stu, and then circle around to me.

13 MR. POTTS: Well, we -- there maybe
14 needs to be --

15 COUNCIL MEMBER TUCCI: Oh.

16 MR. POTTS: -- discussion on --

17 COUNCIL MEMBER TUCCI: Maybe you
18 need discussion on this.

19 MR. POTTS: -- the second.

20 COUNCIL MEMBER TUCCI: Excuse me.

21 You're right. Thanks.

22 Any discussion on this particular second
23 reading of Ordinance 540?

24 COUNCIL MEMBERS: [no response]

25 COUNCIL MEMBER TUCCI: In that case,

1 we'll call the question again. Start with you, Stu,
2 and go that way around. Okay.

3 COUNCIL MEMBER MILES: Yes.

4 COUNCIL MEMBER BRAB: Yes.

5 COUNCIL MEMBER BOWLING: Yes.

6 COUNCIL MEMBER FULCHER: Yes.

7 COUNCIL MEMBER LEONARD: Yes.

8 COUNCIL MEMBER TUCCI: Yes. Okay.

9 Comments from citizens?

10 AUDIENCE: [no response]

11 COUNCIL MEMBER TUCCI: Any citizens
12 have anything to say tonight?

13 AUDIENCE: [no response]

14 COUNCIL MEMBER TUCCI: Gee. Quiet
15 bunch. Is there a football game tonight?

16 Do I hear a motion for adjournment?

17 COUNCIL MEMBER BRAB: So moved.

18 COUNCIL MEMBER BOWLING: Second.

19 COUNCIL MEMBER MILES: Before we
20 adjourn, I would like to take a moment to thank
21 Council Member Bowling and Council Member Brab
22 for their two years of service. It has been a
23 pleasure and an honor serving with you. And you
24 have done a great job in representing your city.

25 COUNCIL MEMBER BOWLING: Thank

1 you --

2 COUNCIL MEMBER BRAB: Thank you.

3 COUNCIL MEMBER BOWLING: -- sir.

4 COUNCIL MEMBER TUCCI: Here. Here.

5 Council stands adjourned.

6 [WHEREUPON, the City Council Meeting

7 concludes at 7:28 p.m.]

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CERTIFICATE OF REPORTER

STATE OF KENTUCKY AT LARGE:

I, ROSE MARY KITHCART, RPR, Notary Public for the State of Kentucky at Large, do hereby certify that the foregoing was reported by stenographic and mechanical means, which matter was held on the date, and at the time and place set out in the caption hereof and that the foregoing constitutes a true and accurate transcript of same.

I further certify that I am not related to any of the parties, nor am I an employee of or related to any of the attorneys representing the parties, and I have no financial interest in the outcome of this matter.

GIVEN under my hand and Notarial seal this _____ day of _____, 2014.

.

My Commission Expires: Notary Public

.

AUGUST 27, 2017 .

.

Notary ID: 494347

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<p><u>WORD INDEX</u></p> <p>< \$ > \$1,000 12:12 24:22 25:13 27:16 28:2 31:6 34:8, 23, 24, 24 35:10 \$1,200 27:23 \$1.95 27:17 \$2 5:13 \$2,000 25:17 27:16</p> <p>< 1 > 1 19:23 20:14, 17 22:4, 6, 13 1:00 3:9 100 20:21 1000 12:12 25:15 33:24 10th 9:9 15 1:23 2:3 150 21:6, 9, 20, 24 22:16 23:2, 8 157 19:15 157.03 19:23 157.26 20:10 157.40 23:14 15th 2:12 1974 8:15 19th 3:9</p> <p>< 2 > 2 20:10, 17, 25 21:18 20 4:8 21:5, 23 2008 6:10 2014 1:23 2:3, 12 19:14 40:17 2017 40:21 27 40:21</p> <p>< 3 > 3 20:25 21:3, 18, 21 23:14</p>	<p>< 4 > 4 23:18 42 7:23 494347 40:23</p> <p>< 5 > 5 23:21 50 21:1, 2, 19 22:2, 20 23:2, 3, 5 540 11:23 18:12 19:13 36:23</p> <p>< 6 > 6 21:6, 25</p> <p>< 7 > 7 2:5 7:28 38:7</p> <p>< A > able 6:19 accessible 4:10 accident 9:24 account 27:17 accurate 40:9 activity 5:8 add 3:3 added 5:24 adding 19:24 additions 2:19 address 7:24 adjourn 37:20 adjourned 38:5 adjournment 37:16 ADMINISTRATOR 3:7 9:13 12:7 adopt 13:23 adoption 13:21 agree 14:16 26:17 29:10, 15 31:9, 17 ahead 28:3 31:5 amended 19:23 20:10 23:14, 25 amendment 19:15 24:2, 23</p>	<p>Andrea 6:2 anticipating 25:20 anybody 2:19 8:14 27:12 28:12 anyway 14:24 35:12 applications 12:6, 13 24:17 applying 5:10 approval 2:18 approve 2:22 14:19 15:25 18:18 approved 3:1 5:23, 24 20:2 23:16 April 26:24 Arbor 5:10, 14, 16 archives 8:7 area 6:4 21:2, 20, 20, 24 arrests 11:6 asking 35:19 assumption 27:6 29:2, 4, 12 attorneys 40:13 AUDIENCE 37:10, 13 AUGUST 40:21 Award 5:11, 16 6:7 awards 6:10 awful 6:19</p> <p>< B > back 32:1 background 20:4 Banner 20:6 Baptist 9:11 based 5:25 basic 5:13 basis 24:17 Beautification 7:15 beginning 8:21 best 6:15 bid 3:6, 11, 12 bids 3:8 7:20 big 9:4 30:11</p>	<p>bigger 4:6 22:15 biggest 4:23 Bill 31:8 34:23 Bill's 29:19 bit 4:19 black 20:3 blue 20:3 Board 5:4, 5 boardwalk 4:24, 25 body 28:10 book 6:15, 21, 22 7:1 8:1, 3 books 6:18 born 8:16, 16 BOWLING 2:21 15:13 18:22 26:7, 11, 15 32:9, 13, 16, 21 33:9 36:6 37:5, 18, 21, 25 38:3 Box 31:22 BRAB 2:23 15:22 18:13, 20, 25 19:3, 8, 12, 22 21:11, 16 22:12, 19, 24 23:1, 10, 13 24:4 25:22 26:1, 4, 17, 21 27:22 30:13 33:25 34:2, 7, 11 35:2, 6, 9 36:7 37:4, 17, 21 38:2 branch 10:13 bridge 3:23 Bridgepointe 10:9 bridges 3:25 4:6 bring 28:12 brought 27:7 budget 33:19 34:3 35:7 build 4:1, 4, 7 built 3:23 bunch 37:15 bush 4:13 business 11:22, 22 20:8, 20, 23 29:17, 21 34:22</p>
--	---	--	--

<p>buy 6:18, 20, 25</p> <p>< C ></p> <p>calendar 7:2</p> <p>call 2:7 5:11 6:4 7:11 35:20 37:1</p> <p>capita 5:13</p> <p>caption 40:8</p> <p>case 36:25</p> <p>categories 5:20</p> <p>caused 27:13</p> <p>CDs 6:19, 20</p> <p>celebration 5:15</p> <p>center 20:9, 15, 21, 23</p> <p>certainly 6:17 7:11</p> <p>CERTIFICATE 40:1</p> <p>certification 5:12</p> <p>certifications 5:21</p> <p>certify 40:5, 11</p> <p>chance 31:21</p> <p>change 33:20</p> <p>changed 32:5 33:15</p> <p>changes 8:9 12:2 16:24 19:19 27:2</p> <p>changing 8:12</p> <p>channel 21:4, 22</p> <p>Chapter 19:15</p> <p>char 16:7</p> <p>charge 16:9</p> <p>chemical 3:10</p> <p>Chief 9:17, 18 10:22 22:9</p> <p>children's 6:18, 20</p> <p>chooses 28:1</p> <p>Church 9:11</p> <p>circle 36:12</p> <p>citations 11:3</p> <p>cited 11:1</p> <p>citizens 37:9, 11</p> <p>CITY 1:4, 13 2:1, 2, 13 3:3, 7, 10 5:9, 12, 24 6:9 9:13 12:7 19:13, 16, 17</p>	<p>26:24 33:22 37:24 38:6</p> <p>City, 8:19</p> <p>claim 6:2</p> <p>Class 8:19</p> <p>clearly 34:21</p> <p>close 2:4</p> <p>cloth 20:6</p> <p>Code 10:6, 6 11:2, 8, 11 19:16 32:16</p> <p>cold 4:19</p> <p>color 23:16</p> <p>COLORS 20:2, 3 23:17</p> <p>combing 7:19</p> <p>come 29:3 31:14, 16 33:21 35:3</p> <p>comes 5:16 24:13 29:18</p> <p>comfort 31:14</p> <p>coming 4:16 10:23 28:19</p> <p>Comments 37:9</p> <p>commercial 20:8, 14</p> <p>Commission 40:19</p> <p>Committee 3:19, 20 9:7</p> <p>community 29:17, 22</p> <p>compensation 27:24</p> <p>complaint 10:8, 13</p> <p>completely 29:22</p> <p>complex 20:16 31:13</p> <p>concepts 26:18</p> <p>concern 34:12</p> <p>concise 27:18</p> <p>concludes 38:7</p> <p>condominiums 10:14</p> <p>conflict 23:19</p> <p>connect 4:25</p> <p>consist 20:2 21:4,</p>	<p>22</p> <p>consistent 22:20</p> <p>constitutes 40:9</p> <p>consultant 6:1</p> <p>continue 4:9 29:25</p> <p>continuing 4:21</p> <p>contracts 7:17</p> <p>cooperated 11:4</p> <p>Corporate 20:5</p> <p>correct 23:11 24:4 25:21</p> <p>corrections 2:19</p> <p>correctly 34:22</p> <p>cost 12:11, 12 24:21 34:21, 22 35:10</p> <p>COUNCIL 1:13 2:2, 9, 13, 14, 17, 21, 23, 24 3:18, 21 5:3 6:12, 14, 23, 24 7:8, 10, 13 8:2, 22, 25 9:2, 3, 6, 8, 14, 16 11:8, 20 12:3, 4, 9, 17, 20, 23 13:1, 5, 7, 10, 13, 16 14:1, 4, 6, 9, 14, 25 15:3, 7, 9, 11, 13, 14, 16, 18, 22 17:1, 5, 7, 10, 12, 15, 18, 21, 25 18:1, 3, 6, 8, 10, 13, 15, 16, 19, 20, 22, 23, 25 19:3, 8, 12, 22 21:11, 13, 16 22:1, 6, 7, 12, 14, 19, 21, 24, 25 23:1, 3, 5, 7, 8, 10, 12, 13 24:4, 5, 6, 11, 15 25:2, 7, 11, 14, 19, 22, 24 26:1, 2, 4, 6, 7, 9, 11, 13, 15, 16, 21 27:4, 21, 22, 24 28:4, 10, 14, 15, 21, 24, 25 29:3, 7, 8, 10, 11, 12, 14, 18, 20, 24 30:2, 3, 5, 7, 9, 12, 13, 14, 15, 17, 18, 20, 22, 23, 25 31:1, 3, 4,</p>	<p>7, 11, 12, 17, 18, 23, 24 32:3, 6, 7, 9, 11, 13, 15, 16, 20, 21, 23, 24, 25 33:2, 4, 6, 8, 9, 10, 12, 13, 23, 25 34:1, 2, 5, 7, 9, 11, 13 35:2, 5, 6, 8, 9, 13, 16, 18, 21, 22, 24, 25 36:2, 3, 5, 6, 7, 8, 9, 15, 17, 20, 24, 25 37:3, 4, 5, 6, 7, 8, 11, 14, 17, 18, 19, 21, 21, 25 38:2, 3, 4, 5, 6</p> <p>couple 11:1</p> <p>coupled 33:18</p> <p>course 12:24</p> <p>credentials 3:15</p> <p>credit 27:25</p> <p>Creek 3:24 5:1 6:5</p> <p>crooked 4:17</p> <p>cutting 4:13</p> <p>< D ></p> <p>date 39:2 40:7</p> <p>dates 7:1, 3</p> <p>Day 5:10, 14, 17 8:15 40:17</p> <p>days 10:18</p> <p>dead 10:15</p> <p>deal 7:18</p> <p>DECEMBER 1:23 2:3, 12 3:9</p> <p>decision 3:13</p> <p>deep 4:4, 7</p> <p>deer 10:9, 10</p> <p>definition 19:24</p> <p>delay 12:14 24:23</p> <p>delayed 35:11</p> <p>deleting 19:25 20:12</p> <p>demanding 5:17</p> <p>dental 27:15</p> <p>devastation 8:20</p> <p>different 9:21</p>
--	--	---	---

20:18 28:20, 23
discuss 17:20, 22
discussed 30:24
discussion 17:2
 24:7, 9, 12 25:10
 34:14 35:7, 14, 20
 36:16, 18, 22
dispatch 10:4
ditches 4:2
dithered 26:24, 25
 27:1
doing 4:12, 15
 11:15 34:21, 22
dress 7:24
drop 19:10 30:1,
 10
due 3:8

< E >

Eagle 4:21
earlier 7:4
effect 23:21
eggnog 2:7
eight 3:25
either 24:12
electronics 9:10
employee 40:12
enforce 32:18
enforced 27:19
Enforcement 10:6,
 7 11:2, 9, 12 32:17
enforcing 33:7
Environmental 9:7
erosion 4:18
error 24:3
especially 16:23
establishment
 20:15
EVANS 2:4, 25 3:5,
 16 7:16 8:1 13:12,
 15, 17 14:3, 5, 8, 11,
 17, 22 15:17 16:2,
 7, 9, 13, 15, 17, 19,
 21 17:4, 6, 9, 11, 14,
 17, 20, 23 18:2, 4, 7,

9 25:4
event 20:9
eventually 15:8
everybody's 3:15
exactly 34:19
exceed 14:23 21:1,
 5, 19, 23
excluded 20:5
Excuse 21:16
 36:20
exist 13:25
expect 24:12
expenditure 6:22
Expires 40:19
expose 29:17
exposure 29:21
extensive 6:3

< F >

fabric 20:6
facade 21:2, 5, 19,
 23
faces 8:8
fact 5:18, 20 26:19
 33:5, 10
fairly 31:9
fall 4:5
fascinating 8:13
fast 29:16
February 35:4
feeder 10:11
feeding 10:8
feel 14:17
feet 4:2, 3, 8 20:22
 21:2, 3, 5, 6, 6, 9, 21,
 21, 23, 25, 25 22:3,
 16, 20 23:2, 2, 4
felony 11:5
figure 17:7
filed 6:5
filing 5:8, 22
final 22:16
financial 40:14
fine 3:3
finished 5:6 29:22
finishing 4:24

first 2:18 9:11
 12:2 14:4, 7, 20
 15:11 16:2 17:12
 23:6 24:13 27:14
 29:4 35:2, 3
fixed 11:18
flontage 20:22
floor 20:22
flyer 9:12
following 19:25
 20:1, 11, 12 23:15
follows 20:1, 13
foot-and-a-half 4:3
football 37:15
foregoing 40:5, 9
Forestation 5:4, 5
forgoed 27:23
form 39:7
forth 27:7
Foundation 5:10, 17
four 6:9 9:21
 20:20
fourth 6:7
Fox 4:24
Frank 11:10 13:16
 24:14 25:16 27:2
 28:7
free 14:17
freestanding 20:14
frequently 28:18
Friday 3:8, 11
front 22:4
frontage 20:22
FULCHER 2:24
 9:8, 14 12:4, 9, 17,
 20, 23 13:1, 5 14:1,
 4, 6, 9, 14 22:1, 6,
 21 23:3, 7 24:15
 32:20, 23, 24, 25
 33:4, 8, 10, 13 34:1
 35:25 36:3 37:6
function 9:10
funny 8:8
furor 27:14
further 10:11

35:14, 19 40:11
fussing 34:18
future 11:15 24:20
 27:7
 < G >
game 37:15
gavel 2:8, 16
Gee 37:14
getting 11:13
 29:22
give 7:22 10:23
GIVEN 40:16
giving 18:11
go 4:2, 7 12:15
 13:18 30:11 31:5
 37:2
God 8:23
God's 16:21
going 2:15 4:5
 6:19 8:3, 4, 5, 15,
 17 12:11, 12 22:18
 25:12 34:20, 25
 35:10
good 6:8 7:3, 6,
 18 11:19 27:3
great 7:8 37:24
greater 21:2, 8, 9,
 20
green 20:3
ground 20:22
group 10:20 31:13
Grover 11:25
 14:23
Growth 5:11, 16
 6:6
guess 3:21 9:12
 29:1
Gunston 10:14
guy 10:7 11:12
 32:17
 < H >
ha 2:6 15:6
hand 40:16

Hanlon 6:2
happen 17:2
happening 7:6
happy 14:22, 24
Harbor 4:24
Harrods 3:23 6:4
head 15:4
hear 2:5 18:10 37:16
Hearing 39:5
height 21:1, 3, 5, 6, 15, 21, 23, 25
held 9:10 40:7
helped 7:5
helping 6:17
hereof 39:4 40:8
History 8:1, 2
hit 10:19
Hm-m 15:4
Holly 3:5 7:18 9:12 12:5
honeysuckle 4:13
honor 37:23
Hunting 5:1
hurt 4:6 16:12

< I >
ID 40:23
idea 31:15
identifies 20:8
identifying 7:22
important 21:15
improved 27:6 29:6 35:11
incidents 10:11
incorporating 26:17, 18
increased 10:25
indefinitely 28:7 30:19
individual 20:20, 23
inserting 19:24 20:11 23:14
interest 40:14
interesting 8:4

invasive 4:12
involves 5:12
issue 11:3 27:17 29:16 31:8, 19
item 2:18
it'll 26:12
its 8:9 13:21 14:19 20:18

< J >
January 9:9 29:5, 23 35:1
job 7:22 11:12 37:24
Ju 27:4
July 27:4
June 30:25 34:24

< K >
KENTUCKY 1:6 2:1 40:2, 4
kind 4:19 9:20 20:17 24:13
kinds 4:18
KITHCART 40:3
know 4:8, 23 8:8, 17 11:9 12:8 13:24 16:25 28:2 31:13 32:18 35:18
knowledge 8:18
knows 32:2, 2
Kosher 34:17

< L >
Lands 3:19
Landscape 7:15
landscaping 3:9
language 19:25 20:1, 12, 13 23:15 27:11 31:10
LARGE 40:2, 4
law 23:23
leaves 28:2
legal 11:13, 14
length 4:8 21:15, 19

LEONARD 6:14, 24 7:10 8:2, 25 9:3 11:8 14:25 15:3, 16, 18 18:15, 23 22:7, 14, 25 23:5, 8, 12 24:5 25:7, 14, 24 26:2, 6, 9, 13, 16 28:15, 21, 24 29:7, 10, 14 30:2, 5, 9, 14, 17, 20, 23 31:1, 4, 11, 17, 23 32:3, 7, 11, 15 33:2, 6, 12, 23 34:5, 9 35:16, 24 36:2, 5 37:7
lettering 20:4
letters 21:4, 22
level 31:14
LEVOLD 3:7 9:13 12:7
Library 6:12 7:7
lift 28:7, 10
lifts 28:6
Linda 3:22
line 6:4 21:17 22:16
list 5:23, 24
listed 20:19
listen 2:10
little 2:5 3:23, 25 4:2, 19 5:1 6:9 25:15
logos 20:5
long 4:2 11:11 26:10 28:6 31:9 32:2
look 8:7 29:20
looked 8:10
looking 6:16
lot 6:20 9:19, 22 34:14, 18
lots 8:3, 3 31:20 35:7

< M >
main 5:8
maintain 30:16

making 6:2 29:2, 4, 9, 12
man 11:9
mandatory 9:22
March 35:7
marquee 20:24, 25 21:18
MARY 40:3
material 20:6
matter 24:13 25:3, 12 39:2 40:6, 15
maximum 20:19 21:3, 6, 21, 24
MAYOR 2:4, 25 3:2, 5, 16 7:16 8:1 13:12, 15, 17 14:3, 5, 8, 11, 17, 22 15:17 16:2, 7, 9, 13, 15, 17, 19, 21 17:4, 6, 9, 11, 14, 17, 20, 23 18:2, 4, 7, 9 25:4
Mayor's 3:2, 16
mean 8:20 12:18 13:6 16:11 21:14
means 40:6
mechanical 40:6
MEETING 1:13 2:2, 8, 10, 13 7:16, 22, 25 24:21 26:20 27:3 29:5, 23 33:15, 16 38:6 39:2
member 2:9, 17, 21, 23, 24 3:18, 21 5:3 6:12, 14, 23, 24 7:8, 10, 13 8:2, 22, 25 9:2, 3, 6, 8, 14, 16 11:8, 20 12:3, 4, 9, 17, 20, 23 13:1, 5, 7, 10, 13, 16 14:1, 4, 6, 9, 14, 25 15:3, 7, 9, 11, 13, 14, 16, 18, 22 17:1, 5, 7, 10, 12, 15, 18, 21, 25 18:1, 3, 6, 8, 10, 13, 15, 16, 19,

20, 22, 23, 25 19:3,
 8, 12, 22 21:11, 13,
 16 22:1, 6, 7, 12, 14,
 19, 21, 24, 25 23:1,
 3, 5, 7, 8, 10, 12, 13
 24:4, 5, 6, 11, 15
 25:2, 7, 11, 14, 19,
 22, 24 26:1, 2, 4, 6,
 7, 9, 11, 13, 15, 16,
 21 27:21, 22, 24
 28:4, 10, 14, 15, 21,
 24, 25 29:7, 8, 10,
 11, 14, 24 30:2, 3, 5,
 7, 9, 12, 13, 14, 15,
 17, 18, 20, 22, 23, 25
 31:1, 3, 4, 7, 11, 12,
 17, 18, 23, 24 32:3,
 6, 7, 9, 11, 13, 15, 16,
 20, 21, 23, 24, 25
 33:2, 4, 6, 8, 9, 10,
 12, 13, 23, 25 34:1,
 2, 5, 7, 9, 11, 13
 35:2, 5, 6, 8, 9, 13,
 16, 18, 22, 24, 25
 36:2, 3, 5, 6, 7, 8, 9,
 15, 17, 20, 25 37:3,
 4, 5, 6, 7, 8, 11, 14,
 17, 18, 19, 21, 21, 25
 38:2, 3, 4
members 2:14
 29:3, 13, 21 35:21
 36:24
met 10:9
M-hm 6:23 10:21
 18:15 24:5 30:14
 31:11, 23 33:12
 35:5, 8
Mike 10:7
MILES 3:21 15:14
 17:1, 5, 7 18:1
 21:13 25:2, 11
 27:21 31:7, 12, 18,
 24 32:6 36:8 37:3,
 19
million 27:17

mind 27:25
mine 22:2
minimal 24:21
minutes 2:18, 20
misdemeanors 10:1
modification 19:15
modified 19:24
 20:11 27:6
moment 13:21
 37:20
money 6:17, 25
 10:24 24:24 25:13
 33:19 34:1, 15
month 9:19, 20, 22
 10:5, 17 12:11
 24:20 29:25
months 4:16 27:1
 32:17 35:12
moratorium 26:23
 27:9 29:25 30:4,
 10, 16
Mortenson's 27:14
motion 3:1 12:18
 13:19, 20, 22, 23
 14:12, 13, 18, 21
 15:1, 2, 10, 17, 19,
 20, 23, 24 16:3
 17:16, 24 18:5, 18
 24:16, 25 35:15
 36:4, 11 37:16
mounted 20:7
Move 2:21 11:21
 16:1 18:20 24:9
 36:10
moved 2:25 18:21
 37:17
moves 13:23
moving 13:24
mowing 3:9
MSD 6:4 34:15

< N >
name 8:9
near 24:20
need 10:23 11:24
 12:1 14:21 15:24

16:13, 17, 20 27:18
 36:18
needs 23:24 25:6
 36:14
neighbors 11:16
new 4:23, 25 5:18
 10:6 11:22 26:23
 27:6, 12 29:3, 3, 5,
 12, 20 31:15, 19, 19
 32:5 34:3 35:10,
 10
newspaper 8:11
nice 4:8 11:12
night 2:7
nine 3:25
nitpick 21:14
norm 9:25
Notarial 40:16
Notary 40:3, 19, 23
number 10:7
 11:23 18:12 19:9
 20:17, 17, 18, 19

< O >
obfuscation 34:20
observation 29:1
occupies 20:21
occurred 10:3
October 7:5
offense 10:1
office 20:16
officer 11:3
Oh 3:7 13:3
 21:11 25:7 36:15
Okay 2:17 3:18
 5:3 9:6, 18 11:20
 12:20 14:14 15:5,
 15, 20 18:1, 19, 24
 19:8, 12, 22 21:11,
 17 24:15 28:14
 36:10 37:2, 8
old 11:22
Once 28:5
ones 8:5
ongoing 4:14
open 30:7

opening 3:6, 13
 31:21
opens 31:21
opinion 28:3
opposed 33:16
ordained 19:17
order 2:8
ordinance 11:11,
 23 13:23 14:19
 18:5, 11 19:10, 13,
 14 23:19, 21 25:1,
 21 29:6 32:5, 19
 33:11, 18, 20 34:3,
 4, 25 35:11 36:23
Ordinances 19:16
 23:18, 19
outcome 40:14
owns 7:23

< P >
p.m 38:7
page 39:3
Pandora's 31:22
paper 3:11 8:18
 20:6
par 24:18
Park 3:19 4:10
 5:1 6:5
parks 4:14
part 10:15 12:2
 20:15
particular 10:19
 36:22
parties 40:12, 13
parts 4:17 23:18
pass 2:8, 15 13:4
 25:12 27:20 31:25,
 25 32:8
passage 23:22
passed 26:5, 12
 27:8
passes 3:1
paying 32:14
people 4:7, 10 8:7
 9:19, 21 11:16
 27:10 31:15 34:18

<p>phonetic 2:16 14:24 19:2 21:10 22:2 26:5, 12 28:1 picture 8:18 pictures 8:20 piggyback 33:21 34:3 place 27:14 29:4 39:3 40:7 planning 5:25 6:3 planting 5:6 please 26:25 pleasure 37:23 plus 28:3 point 4:9 6:16 14:20 16:1 26:22 28:17 29:19 30:10 points 33:14 Police 9:16 Ponds 5:1 possible 4:11 5:21 POTTS 12:1, 16, 19, 21, 25 13:3, 9 14:15, 18 15:2, 5, 8, 10, 15, 20, 24 16:5, 8, 11, 14, 16, 18, 20, 23 18:17, 24 19:1, 5, 9, 20 21:7 22:4, 17, 22 24:1, 8 25:6, 9 28:9, 12, 20, 23 36:13, 16, 19 poverty-stricken 7:11 premature 13:20 present 2:14 33:21 presented 24:18, 19 27:2, 4 pretty 5:22 9:25 11:7 prior 5:19 probability 24:19 probably 11:9 problems 4:18 10:16 procedural 28:5</p>	<p>Procedurally 12:10, 15 proceed 18:9 process 34:20 project 4:23 projects 4:22 proper 27:11 properly 13:18 proposed 7:17 proposing 11:14 PROSPECT 1:6 2:1, 13 8:18 19:13, 16, 18 provision 20:5 prudent 12:14 Public 3:19 5:25 40:4, 19 publication 23:22 put 3:8 7:19 26:23 27:13 32:4 Putney 5:1 < Q > question 12:5 14:2 22:18 28:5 35:20 37:1 Questions 6:11 31:20 quiet 9:18 10:5 11:7 37:14 quite 34:17 < R > ravines 4:7 read 11:24 12:2 18:13, 14 19:4, 20 20:1, 13 21:8 reading 11:22 13:11 14:20 15:12 16:4 18:11 19:1, 5 23:24 28:18 35:3, 4 36:10, 23 reads 19:13, 23 21:18 23:13 ready 29:6, 13 32:4 real 29:15</p>	<p>really 4:8 7:5 9:4 11:12 reason 8:11 recall 34:14 received 12:13 re-certification 5:9 recommendations 6:1 recommended 6:21 recycle 9:10 red 20:3 reduced 39:6 referred 7:18 Registered 20:4 regular 2:12 9:23, 24 related 40:11, 12 relating 19:10, 14 relative 5:19 18:5 remains 30:10 remember 8:14 reminder 9:9 removal 4:13 removed 5:25 10:10, 15 11:13 repealed 23:20 report 3:17 9:17 11:6 reported 40:5 reporter 39:6 40:1 reports 3:19 9:24 10:1 11:5 representing 37:24 40:13 requested 39:5 required 23:23 requirements 5:13, 21 research 3:14 reserve 27:17 response 35:21 36:24 37:10, 13 responsible 10:15 restricted 34:16 result 11:2</p>	<p>retail 20:9, 21 rhyme 8:10 rich 7:9, 11 right 3:13 5:8, 22 7:13, 14 8:19 12:3, 19 15:21 22:25 23:12 24:1, 11 26:19 28:24 30:12, 13 32:6 33:9 34:19 35:22 36:5, 21 Road 4:24 Rockingham 10:19 roll 29:6 ROSE 40:3 Roughly 33:24 RPR 40:3 run 2:10 runs 10:4, 17 < S > sake 16:21 salary 27:23, 24 sale 6:15, 22 sales 7:2 Sandra 35:23 Sandy 2:9, 15 6:13 save 24:24 33:19 saves 33:22, 22 says 22:2 Scout 4:21 scouts 4:22 seal 40:16 season 4:20 5:6 Second 2:23, 24 11:22 13:10 14:10, 21 15:25 16:4 18:11, 22, 23 19:5 23:9, 24 25:6, 8 28:18 35:4 36:10, 19, 22 37:18 seconded 25:5 Section 19:23 20:10 23:14, 18, 21 senior 2:9</p>
--	---	--	---

<p>sense 29:16 31:5 sent 10:24 Series 19:14 service 3:10 37:22 services 3:10 9:7 serving 37:23 set 7:1 39:3 40:8 seven 4:1 27:1 sewer 6:4 shakes 15:3 SHERRARD 9:18 10:22 22:9 shopping 20:15, 21 show 5:18 sic 5:1 sign 11:10 20:7, 25 21:4, 5, 18, 22, 23, 24 22:15 25:20 27:13 29:6 30:11 32:18 33:11 34:3, 25 35:11 signed 4:22 significant 11:6 signing 23:22 signs 11:13, 17 12:6 20:2, 24 23:16 24:17 26:23 27:10, 15 similar 34:20 simple 5:22 31:10 Single 20:14 sir 38:3 sitting 31:13 situation 27:22 32:1 Sixth 8:19 slightly 32:5 slowed 4:19 small 4:2 smoothly 9:4 sob 10:23 solicitors 10:17 somebody 13:22 14:12 15:25 18:4, 11</p>	<p>sorry 21:12 sound 34:17 space 20:21 SPEAKER 10:21 12:22 22:11 species 4:12 specific 20:9 spend 5:13 6:16 25:13, 17 31:6 spent 7:18 34:18 spring 5:7 34:4 square 21:2, 6, 9, 20, 25 22:16, 20 23:2, 2, 3 stands 38:5 start 36:11 37:1 started 6:10 starting 4:25 35:23 STATE 40:2, 4 statistics 6:8 stats 9:23 stay 28:6 stenographic 40:6 story 10:23 straightening 4:17 stricken 20:1, 12 22:10, 11, 13, 13 Stu 36:12 37:1 subsequent 25:20 suggesting 30:1 suggests 34:23 superstitious 8:23 support 24:22 Sure 13:9 14:15 16:5 27:23 surface 20:8 < T > ta 13:3 table 12:11, 16, 18 13:19, 24, 25 14:12 16:1 24:9, 16 28:7, 13 30:16 35:15, 25 36:4 tabled 24:25 25:1</p>	<p>28:5, 6 tabling 27:5 35:15 take 12:10 23:21 28:18 34:2 37:20 taken 39:6 talking 11:16 25:16 27:5 task 4:14 tell 3:5 8:11, 24 tells 3:2 ten 4:2 Texas 10:20, 22 thank 37:20, 25 38:2 Thanks 36:21 thi 6:7 thing 7:21 8:8, 12 9:5 10:24 11:21 28:16 things 4:18 6:16, 25 7:6 8:4 9:1, 24 10:1, 8 17:23 34:17 think 2:4, 6 6:8 7:5 8:23 11:21 12:1 13:23 14:20, 23 15:1 16:18 22:8 24:1, 22, 23 27:19 29:15, 20 31:14, 20 34:25 35:13 three 3:8 8:10 26:22 35:12 time 3:14 6:10, 16, 25 7:4, 19 8:5, 9 11:11, 25 14:19 15:1, 12 24:18 26:13 28:17 29:22 31:9 34:18 39:3 40:7 times 26:22 title 19:9 39:3 to, 19:10 told 8:5 32:24 tonight 2:6 3:17</p>	<p>37:12, 15 tornadoes 8:14, 16 trail 3:24 4:15 trails 4:17 training 9:20, 20, 22 transcript 40:10 tree 5:9, 12, 14, 23 10:13, 16 trees 5:24 34:15 trouble 2:6 true 40:9 trying 8:23 Tucci 2:9, 17 3:18 5:3, 5 6:12, 17, 23 7:8, 13 8:22 9:2, 6, 16 11:20 12:3 13:7, 10, 13, 16 15:7, 9, 11 17:10, 12, 15, 18, 21, 25 18:3, 6, 8, 10, 16, 19 24:6, 11 25:19 28:4, 10, 14, 25 29:8, 11, 24 30:3, 7, 12, 15, 18, 22, 25 31:3 34:13 35:5, 8, 13, 18, 22 36:9, 15, 17, 20, 25 37:8, 11, 14 38:4 turbulent 8:21 turn 3:12 two 4:3 7:1 20:23 22:12 29:3 31:15 33:14 35:11 37:22 type 10:24 typed 26:19 types 20:19 typewritten 39:7 typographical 24:2 < U > underlined 19:25 20:11 23:15 unique 27:22 unrestricted 34:16 unusual 6:9</p>
---	--	--	--

Update 3:2 5:4, 23
use 26:25 28:1, 1
usually 6:18

< V >

veritably 2:16
voice 2:6
Voice-Tribune 8:6
voluntary 10:10
vote 25:16 29:13
 35:14, 17
voted 12:21, 22
 33:15 34:25

< W >

wall 20:7, 24, 25
 21:18
want 3:3 18:13, 14
 19:3, 19, 20 27:10
 29:17
way 10:2, 4, 25
 11:16 13:17, 18
 22:22 24:13 37:2
week 3:14 6:6 7:4
weekend 3:24, 24
week-long 9:22
weeks 11:1
Well 12:1 14:1, 15,
 17 15:5 16:13
 18:17 22:4, 17, 22
 24:16 26:21 27:5
 29:14, 19 31:7
 32:20 34:22 35:2,
 16 36:13
went 3:11 7:17
 10:9
we're 5:9, 21 6:2
 8:17 11:14 25:12
 27:5 28:2, 19 29:2,
 4, 8, 11, 16 32:3, 4
 34:19
We've 4:12 5:6
 6:15 10:18 25:24
 26:18, 25 27:9, 12
 32:4, 10 33:7

whatnot 29:18
white 20:3
window 20:7
winter 4:16, 20
Woodlands 5:2
word 26:25
work 4:15 5:14
worked 10:7, 14
working 4:17
 11:10, 18 26:3
would've 11:17
wrath 8:16
writing 27:18
written 22:23
wrong 14:23 22:2

< Y >

Yeah 7:9 8:20, 22
 9:2, 13 12:24
 15:13, 14, 16, 23
 17:25 18:16 22:24
 23:7 25:14 26:15
 29:7
year 7:2, 5 8:14
 27:23
years 5:19 7:12
 8:10 37:22
yellow 20:3

< Z >

zero 22:9
zeroes 22:12