

CITY COUNCIL

MEETING MINUTES

February 23, 2015

(postponed from 2/16/2015)

Attendance: Mayor John Evans; Council Members Frank Fulcher, Sandra Leonard, Stuart Miles, Luke Schmidt, Jeff Stovall, and Sandy Tucci; City Administrator Holly LeVold; City Attorney Grover Potts; Police Chief Jeff Sherrard.

Call to Order: Mayor Evans called the meeting to order at 7:00 p.m.

Approval of Minutes: Mayor Evans asked if there were any changes or motions regarding the minutes from the January 12, 2015 City Council meeting. Councilwoman Tucci moved to approve the minutes and Councilman Miles seconded, and the motion passed unanimously.

Mayor's Report: Mayor Evans reported:

- Bob Kirzinger will revisit the City's courts on Tuesday to lay down more salt and do some additional clearing.
- Exceptional Living Centers sent a letter notifying City Hall of their intention to apply for a conditional use permit for a personal care facility between Carslaw Court and Beech Avenue. They have scheduled an informal meeting at the Harrods Creek Fire Hall for Tuesday, March 3 at 6 p.m. to present their proposal and address questions.
- Regarding the land along Timber Ridge Drive recently acquired from Carolyn Helm, ProTurf has done some preliminary clearing of brush and weeds, but there is not yet a formal landscaping plan in place. The mayor has met with officials with the Smithfield Greene HOA to discuss coordinating the appearance of both corners facing River Road.
- The Landscaping Committee is focusing its efforts for improving the appearance of US 42 on the section between Happy Hollow Road and the entrance to Hunting Creek. To that end, Mayor Evans has met with arborist Andrea Hanlon to discuss costs.
- Council Members are invited to attend the annual Boy Scout luncheon on Wednesday, February 25 at Hunting Creek Country Club.

Committee Reports

Parks and Public Lands: Linda Wardell reported:

- Councilman Miles has completed four bridges along the Red and Green Trails, with two additional 9' sections still to go.
- The committee signed off on an Eagle Scout project plan to finish off the remaining boardwalk sections in Little Hunting Creek Park, with a projected start date in March or April. Another proposed project will go through wetlands and connect Little Hunting Creek Park trails to Putney Pond trails.

- MSD has graded and seeded the Orange Trail in Harrods Creek Park. To deter use of the trail by people on ATVs or horseback, chains and signs will be posted.
- The committee is reviewing a proposal from Margaret Shea of Dropseed Nursery for planting native wildflowers and grasses in the open areas along the Orange Trail.
- The committee unanimously endorses David Wickes's request that the City ask MSD to donate the 12 acres of surplus land behind Deep Creek Court to the City.
- Jacquelyn McGrail plans to host two wildflower walks in the spring, and has offered to do a slideshow presentation on local wildflowers in the library.

Councilman Miles announced that the committee and the Police Department have jointly purchased a Gator for easy motorized access to City parks and trails.

Forestation Board: Lee Tucci reported that the Board is working on its budget for the remainder of the current and next fiscal years. Presently there is no money left to plant trees, but some remains for tree removal. The biggest projected expense is for treating ash trees along streets and medians against emerald ash borer infestation. To that end, the Board is gathering bids and plans to conduct a survey to determine if and how well the treatment is working. In the meantime, the trees must be treated by the end of June, but the Board has a plan to ensure it will be paid for.

Website Committee: Councilwoman Leonard reported that the City's website successfully sent out its first closing alert last week and explained how to opt-in to future alerts.

Library Committee: Councilwoman Leonard stated that the library is in better shape than it has been since she started volunteering, and thanked the volunteers who make its success possible. The committee will meet the first Friday in March to plan for the spring booksale (May 15-16) and discuss ideas for expanding services and features.

History Book Committee: Councilwoman Leonard reported that the book's structure is in place and committee members are starting to add meat to the bones, which enables them to see holes where more research is needed. More pictures are always welcome, and information about the Prospect business community prior to 1980, even trivial details, would be especially appreciated.

Environmental Services Committee: Councilman Fulcher stated the next meeting will be March 18.

Police Report

Chief Sherrard reported:

- There were no citations in January. All code enforcement issues, including 3 fences built in violation of the ordinance and an unpermitted dumpster, were resolved.
- House checks are about the same as last year. More and more residents are on extended leave, which means the time spent on house checks will be reflected in lower statistics (such as traffic enforcement) in other areas.
- There were five felony reports, including the attempted shooting at La Petite Academy, which does not appear to have been random; theft by a former employee; robbery and assault that arose over religious differences; and credit card fraud.

- A certified check for \$1,800, mailed to Chief Sherrard at City Hall, was determined by PNC Bank to be fraudulent. The chief noted that scammers are able to capture account information from a bank's attempt to deposit checks of this nature.

Coyotes

At Mayor Evans's request, Director of Parks, Maintenance and Technology Ron Cundiff spoke about the coyote situation in Prospect. Although there have been multiple sightings recently, especially in Fox Harbor, Prospect does not have a coyote problem, nor do they pose a serious threat to people. If coyotes are frequently seen in a specific location, there is probably easy access to a food source such as pet food or garbage. Yelling at coyotes will drive them away. Mr. Cundiff also noted that the coyotes in front of Sutherland are not real, and that local coyotes are not breeding with wolves, because there are not, in general, any wolves in Kentucky.

New Business

Mayor Evans presented Resolution 1, 2015 asking Council to ratify his acceptance of the Helm deed. Councilman Fulcher moved to accept the resolution and Councilwoman Leonard seconded the motion, and the resolution was adopted by a unanimous vote.

Councilman Miles did the first reading of ORDINANCE NO. 539, SERIES 2015: AN ORDINANCE REALATING (*sic*) TO THE GENERAL FUND OF THE CITY OF PROSPECT FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015, which calls for the transfer of \$54,243.05 from the General Fund to a special fund named "PARKS-MSD ALLOCATED FUNDS."

In response to a question from Councilwoman Tucci, Councilman Miles explained that \$54,243.05 is what remains of \$108,743.05 disbursed by MSD in compensation for the easement in Harrods Creek Park acquired in 2012 for the force main project. Council had voted to place the full amount in allocated reserves for Parks in December 2012, but that request was not put into effect. Since then, \$42,000 was transferred to a special fund to pay for tree replacement along the Orange Trail and \$12,500 was spent to build the staircase at the entrance to Harrods Creek Park.

In response to a question from Councilwoman Leonard, Councilman Miles explained that he is presenting this ordinance proposal now because MSD will be taking out the waste treatment plant in Harrods Creek Park in April or May, after which they will build a 35' x 75' canoe launch and an access trail to the canoe launch and the Orange Trail, and repave and repair the access road from Montero Drive to the parking lot, also adding 2-3 turnouts for two-way traffic. Once the total cost of these projects has been determined, Councilman Miles said he can then determine how much beyond the \$54,243.05 will be needed from the regular Parks budget to finish the project.

Councilman Fulcher asked if the numbers Councilman Miles cited should be included in the proposed ordinance, to which City Attorney Potts replied that they are not required but can be added. Furthermore, adding them will not delay a vote on the proposal.

Councilman Miles next made a motion asking Council to recommend Mayor Evans formally request MSD to consider giving the 12.78-acre parcel behind Deep Creek Court to the City. If MSD agrees, then Council will consider whether or not to accept the land and any proposed plan for it. Councilwoman Leonard asked that the request make clear that Council has not yet agreed to accept the land. Councilwoman Tucci asked if accepting the land imposed an implicit obligation to do

anything with it, to which Councilman Miles agreed that the land could be left to lie fallow. Council then voted unanimously to recommend the mayor act as requested.

Comments from Citizens

John Herzfeld of Wild Fox Lane spoke about Dancing with the Prospect Stars. While all 10 competitors raised at least \$5,000 each, Senator Ernie Harris was the champion, raising over \$25,000 for Apple Patch.

Jacquelyn McGrail of Rockingham Road spoke on several topics:

- The first wildflower tour will be Saturday, March 28 at 11 a.m. at Putney Pond (rain date March 29 at 1 p.m.) and the second will be Saturday, April 11 at 11 a.m. at Harrods Creek Park (rain date April 12 at 1 p.m.).
- Along with Council Members Miles and Leonard, the possibility of establishing a butterfly waystation in one of the City’s parks.
- Parking on streets during bad weather. Mrs. McGrail described a vehicle with out-of-state plates that has been parked on Deep Creek Drive for months. According to Councilman Fulcher and Chief Sherrard, the ordinance allows for on-street parking for a maximum of 24 hours. Councilwoman Leonard advised Mrs. McGrail to make a formal complaint.
- Issues with the calendar on the City website and insufficient publicity about upcoming meetings. Councilwoman Leonard informed her that City staff is working to get the complete calendar posted online and touching base with all City committees to verify schedules, membership, and contact information.

Executive Session

Following a motion unanimously passed, Council went into executive session to discuss property acquisition.

Adjournment

Mayor Evans returned from executive session to announce that no action was taken and that Council subsequently adjourned directly after the closed session.

Prepared by:

Laura Taylor

Approved:

John Evans, Mayor