

CITY COUNCIL

MEETING MINUTES

March 16, 2015

(A complete transcript of this meeting is available at City Hall during business hours
and on the City's Website, <http://www.prospectky.us>)

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; Court Reporter Barbie A. Hennessey.

Call to Order: Mayor Evans called the meeting to order at 7:01 p.m.

Approval of Minutes: Mayor Evans asked if there were any changes or motions regarding the minutes from the February 23, 2015 City Council meeting. A motion to approve the minutes was made and seconded, and the motion passed unanimously.

Mayor's Report: Mayor Evans reported:

- According to the latest financial report, the City is slightly under budget for the current fiscal year.
- ProTurf has been clearing alongside US 42 between Happy Hollow Road and the Hunting Creek entrance. There are plans for grading and seeding, then a 4-rail fence will be erected along the property lines of the residences abutting the highway.
- Plans are in progress for a stone entrance wall with "Welcome to the City of Prospect" in metal lettering at the intersection of Timber Ridge Drive and River Road.
- The bridge construction company will repave Timber Ridge Drive during the summer.
- The mayor will soon survey City streets with Director of Parks, Maintenance and Technology Ron Cundiff and develop a prioritization schedule for paving this summer.
- Representatives from Exceptional Living held a public meeting at the Harrods Creek firehouse last week to discuss their plans for a retirement community between Carslaw Court and Beech Avenue, just outside Prospect city limits. Following a motion from Councilwoman Leonard and a second from Councilman Schmidt, Council authorized the mayor to spend up to \$3000 to conduct a traffic study in the area in a unanimous vote. Chief Sherrard offered the use of the police department's traffic counters to collect the data at no cost, while Councilman Schmidt advised obtaining an independent analysis of the data.

Special Reports:

Dan Brown of Walsh Vinci Construction gave a status report on the East End Bridge project.

- The southbound tunnel is about 96% complete, while the northbound tunnel has about 100' left to go.
- Unstable shale led to a roof collapse at the north portal of the southbound tunnel. Blasting was halted while repairs were done and steel set supports installed.

- The removal of rock and dirt from the south portal continues, with about 80% of the removal already complete. As much rock as possible is taken to nearby quarries to be used elsewhere.
- The bridge over Wolf Pen Branch Road will be removed during the summer.
- Work on the Harrods Creek bridge has been suspended for about 10 days, until the flooding subsides.
- Walsh Vinci will soon do hot asphalt patching on the potholes on Timber Ridge Drive between US 42 and River Road, and later in the year will do a mill and fill to repair and repave the roadway.

Laurie Probus of Rumpke spoke about changes to yardwaste pickup incurred by the ban on plastic bags in Jefferson County that went into effect on January 1, 2015. Ms. Probus explained that the ban applies both to residents and to waste haulers, and is a fineable offense. Consequently, the ban applies to Prospect residents as well. In lieu of plastic bags, residents may use cans designated for yardwaste, paper bags, or compostable bags that look plastic but are distinguishable by a special stamp.

Committee Reports

Ethics Committee: John Embry informed Council that all disclosure forms have been submitted, save one. The committee recommends that Officer Elgin Price be granted 30 days after he returns to work to submit his form. Councilman Fulcher moved to ratify the committee's report, Councilman Miles seconded, and Council voted unanimously in favor of ratification.

Parks and Public Lands: Linda Wardell reported that an Eagle Scout project to install .10-mile markers along the Blue and Orange trails has been approved and is expected to be completed by the end of April; that wildflower walks are scheduled for March 28 at Putney Pond and the Woodlands and April 11 in Harrods Creek Park; and that trail workdays will be held soon. Councilman Fulcher inquired about the possibility of Harrods Creek firefighters conducting practice drills and obtaining detailed maps of the City's trails to assist them in rescue operations.

Forestation Board: Lee Tucci reported that the Board is working on its report on activities for the rest of the year and that soon treatment will begin on ash trees against emerald ash borer infestation. Treatment will be made available to residents at the same price as City trees this year. The Board will review the three bids submitted to provide treatment at its next meeting.

Library Committee: Councilwoman Leonard reported that the committee met to review the Baker & Taylor contract, to discuss how the City website relates to the library, and the possibility of inviting authors to come in and talk about their books. Councilwoman Leonard also encouraged members of the community to provide guest reviews.

History Book Committee: Councilwoman Leonard has photos from when Prospect Point was the only shopping center that she would like to return to the donor, but she does not know who they are.

Environmental Services Committee: Councilman Fulcher reported that the committee's next meeting will focus on recycling with Rumpke.

Landscaping and Beautification Committee: Mayor Evans reported that the next meeting will be Thursday, March 26, and that the committee, arborist Andrea Hanlon, and ProTurf are working together on replanting, relocating trees, spring cleanup, and reseeding.

Police Report

Chief Sherrard reported:

- House checks are about the same as last year, while other figures are much lower.
- Felony reports include the theft of a horse trailer from a farm on Rose Island Road; identity theft and the filing of a fraudulent tax return linked to a data breach in Indiana; the fraudulent use of a debit card without the card itself being stolen; and an attempted burglary in The Landings thwarted when the homeowner arrived home, linked to similar crimes on Dixie Highway and central Jefferson County.
- Some of the police department's older vehicles are being stripped in preparation for sale on www.govdeals.com. Proceeds from the sales will be used to purchase new equipment.
- In February, the department changed its policy to store all evidence and confiscated property with the Metro police department to improve accountability. The service is available for free, and frees up space in the department's property room.

Second Reading

Councilwoman Leonard did the second 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." After a motion to approve was made and seconded, Council voted unanimously in favor of the ordinance.

Old Business

Mayor Evans informed Council that Councilman Miles has drafted a letter asking MSD to give the 12.78 acres of surplus land behind Deep Creek Court to the City. Before proceeding, the mayor asked Council to tell him, if MSD agrees to give the land to the City, then would Council accept it? Council did not agree to accept the land, the mayor explained, then he would not send the letter.

Councilmen Miles and Stovall said they would accept the land if there were no monetary conditions placed on it. Councilman Schmidt said he could not support accepting the land without a plan, Councilwoman Leonard expressed her concerns that few homeowners would benefit from the acquisition, Councilman Fulcher stated he found the action premature and suggested the residents of Deep Creek Court form an HOA and acquire the land themselves, and Councilwoman Tucci expressed her concern about increased traffic. Discussion continued between Councilmen Schmidt, Fulcher, and Miles about plans for and the cost of developing and maintaining City parks. Councilwoman Leonard asked for a written opinion from the City's legal counsel defining Council's interface with the Friends of Prospect Parks nonprofit, noting that Council knows nothing of the organization's purpose, its board, or its obligations and liabilities for the City. Councilman Miles, one of the organization's founders, said he intended to create a memorandum of understanding with the City. At this point Mayor Evans called for a vote on his initial request, whereupon Council

voted 2 in favor of accepting the land, with 4 opposed. Following the vote, Councilwoman Tucci stated her opinion that Council needs clarity on what the next step would be before proceeding any further.

Comments from Citizens

Joe Kehlbeck, of 7812 Cedar Ridge Court, suggested the City revisit the idea of a roadway connecting Prospect Point and the Kroger shopping center, in light of the proposed retirement community, and said that Council has considered the Deep Creek land issue before—during Mayor Lonnie Falk’s tenure, according to Councilwoman Tucci—noting that it was rejected because the land is in a floodplan, and the City would have to absorb the cost of maintaining the land after the water subsides.

Adjournment

Following a motion to adjourn from Councilwoman Tucci and a second from Councilwoman Leonard, Council voted unanimously in favor of adjournment, and Mayor Evans declared the meeting adjourned at 8:40 p.m.

Prepared by:

Laura Taylor

Approved:

John Evans, Mayor