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CITY OF  
PROSPECT, KENTUCKY

CITY COUNCIL MEETING

APRIL 20, 2015

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A P P E A R A N C E S

FOR THE CITY OF PROSPECT:

MAYOR JOHN EVANS

PROSPECT MAYOR'S OFFICE

Prospect City Hall

9200 US Highway 42

PROSPECT, KENTUCKY 40059

1 CITY OF PROSPECT, KENTUCKY

2 CITY COUNCIL MEETING

3 APRIL 20, 2015

4 MAYOR EVANS: All right. Welcome to  
5 the monthly City Council Meeting of the City of  
6 Prospect. This is April 20th, 2015. This is the  
7 regularly scheduled meeting of the Prospect City  
8 Council.

9 Five of the six council members are present.  
10 Absent is Luke Schmidt.

11 The first order of business on the agenda is  
12 the consideration of the minutes for approval,  
13 or not, of the City Council Meeting held last  
14 March 16, 2015. Does anyone on the council have  
15 a motion or any corrections to that or suggest?

16 COUNCIL MEMBER FULCHER: I move we  
17 accept them as presented.

18 MAYOR EVANS: Is there a second?

19 COUNCIL MEMBER TUCCI: Second.

20 MAYOR EVANS: Moved and seconded  
21 that we accept the minutes as presented. Any  
22 discussion?

23 COUNCIL MEMBERS: [no response]

24 MAYOR EVANS: If not, all in favor say  
25 aye.

1 COUNCIL MEMBERS: Aye.

2 MAYOR EVANS: Any opposed?

3 COUNCIL MEMBERS: [no response]

4 MAYOR EVANS: The ayes have it, and  
5 the minutes are approved.

6 Next item is my update on city matters. I've  
7 given some thought to this, and I will run down the  
8 list of things that I want to tell you about today.

9 First, landscaping work that we are actively  
10 engaged in has been slowed down by all the rain.  
11 As soon as we have a few dry days, the stretch  
12 on 42 between Happy Hollow Road and the  
13 entrance to Hunting Creek will be graded so that  
14 the accumulation of water can drain to where it's  
15 supposed to go. And that's going to take three or  
16 four days of dry weather before we can do that.  
17 Then it will be seeded. And after that, our  
18 maintenance guys will put up a four-board fence  
19 that will go in harmony with all the other  
20 four-board fences along that stretch of US 42.

21 Also, work along Hunting Creek Drive has also  
22 been hindered by the rain. We hope very much to  
23 get going on that later this week.

24 I have a meeting tomorrow with Andrea Hanlon  
25 and Rick Sansbury, the owner of Pro Turf, and

1 we're going to tour around and talk about what's  
2 going to be done first.

3 This particular part of our city is the oldest  
4 part, Hunting Creek having been started in the --  
5 the '60s, and it needs a lot of improvement.  
6 Really, nothing much has been done to it for a  
7 very long time. So we have a lot of those  
8 plantings to be done there, taking out some more  
9 things, putting in some new things.

10 At the same time as we're working on that, as  
11 well as the entrance, the triangle to the Hunting  
12 Creek Subdivision, we're working with the  
13 neighborhood associations with other neighbors in  
14 Bridgepointe, Innisbrook, The Landings, and the  
15 Hunting Creek Estates, and we're having meetings  
16 with those folks to discuss their needs and  
17 divisions of labor.

18 Entrances to all the neighbors will ho -- ha --  
19 have flowers planted as soon as the weather  
20 permits, hopefully, within the next week.

21 Other news. As you know, or I think you  
22 know, I terminated the policy of having police take  
23 home their police cars. For about 15 years the  
24 Prospect police, each, have had his or own -- her  
25 own police car to take anywhere they want. And

1 that's quite an expense, and I didn't consider it  
2 was a good use of taxpayer money, so I put it to a  
3 stop. We have sold the excess police cars. We  
4 realized \$18,800 for them. But that's small  
5 potatoes compared with what I anticipate the city  
6 will save in years to come from not having this  
7 take-home policy.

8 In other news. We're in discussion with  
9 paving contractors. We just learned, I think today,  
10 that Metro had awarded its contract to a particular  
11 company, and they are coming to talk with us  
12 tomorrow, and we will explore whether it makes  
13 sense for us to piggyback on that, in which case,  
14 we wouldn't even have to put it out for bids  
15 because it's already been bid. So we'll see how  
16 that goes tomorrow. I anticipate that the paving  
17 will actually begin probably in June.

18 I've already toured all the city streets,  
19 together with Ron Cundiff, which was a lot fun.  
20 And we gave each street a number from one to  
21 five, one being those that absolutely have to have  
22 it this year and so on. So we'll see what we have  
23 money for. This will all come out of the separate  
24 road maintenance fund, in which there are some  
25 substantial moneys. And I think we'll be doing a

1 lot of paving this summer.

2 Next, the Annual 4th of July event is well  
3 underway as far as planning. We've already  
4 contracted for the fireworks; we'll have the same  
5 contractor we had last year. And, if you remember  
6 last year, it was what we in Pennsylvania Dutch  
7 country call a "rockablitzer" [phonetic]. I'll spell  
8 that for you.

9 MAYOR EVANS: Actually that's -- that's  
10 the term that's applied to a pinochle hand where  
11 you get both a double fill out and a double  
12 pinochle in the same hand; that's a rockablitzer.

13 We've also lined up -- or are lining up  
14 everything else, including the food vendors. And I  
15 hope by then all this rain will be over.

16 Later in this meeting, we will have a first  
17 reading of an amended budget ordinance for the  
18 current fiscal year, and copies of that were laid on  
19 the -- sort of the sideboard as you come in  
20 available for you to look at. The right-hand margin  
21 of each of those it has a very short summary of  
22 what that item is and why it's being moved. And,  
23 if anyone has any questions about it, either  
24 tonight or any other time, I'll be glad to discuss.

25 Finally, I want, publically, to express my

1 appreciation to the city's employees for their good  
2 work. And it's very dangerous to start singling out  
3 individuals, so I'm not going to do that. But I did  
4 want to point out to you that I'm here every day,  
5 and I know what they do, and I know the attitude  
6 with which they do it. And this includes both the  
7 staff on the ground floor and it includes the police  
8 on the second floor.

9 We get many compliments on our police, who  
10 protect us, but they also help our residents when  
11 they are in a situation where they need help.

12 And while I'm on that subject, I want to  
13 introduce a comment of -- which, really, it's a  
14 negative. It's rare. But sometimes a resident will  
15 come in and will be abusive to the members of our  
16 staff. And I realize that's hard to hear, but it  
17 happens on rare occasion. And I want to say right  
18 now that I am not going to stand for that. If I'm  
19 here when that happens, I will escort that person  
20 out. And if I'm not big enough, there are people  
21 upstairs who are. And that's just going to be that.  
22 But, for the most part, people are very nice, and  
23 we get along just fine. And our staff is doing a  
24 very good job.  
25 Those are all my comments.

1       The next item on the agenda for today is  
2 committee reports. Well, no; the next item is the  
3 discussion of the proposed 2015/16 Budget  
4 Worksheet, if there's any discussion about that.

5       I have passed this out to all members of the  
6 council, gosh, I think a couple weeks ago. It's  
7 been slightly amended as time has gone on, but  
8 not very much. And if there's any discussion  
9 about it tonight, we'll do that now. If there's not,  
10 we can do it between now and the next meeting, as  
11 your time permits. I'll be glad to meet -- well, I  
12 can't meet with more than two of you at a time  
13 because that's a public meeting, and we can't do  
14 that, but. . . Sandra?

15               COUNCIL MEMBER LEONARD: I'd like to  
16 say something. I -- I want to thank both the Mayor  
17 and staff of City Hall.

18       For the first time, and I've been on the  
19 council for a while, I was allowed to participate in  
20 the budget process this year. I know all of us  
21 have done budgets, and they're awful. Nobody  
22 loves it. And this has been a long process.

23       But I honestly think that the budget this year  
24 is closer to being transparent and accurate than  
25 it's ever been before. I know that the police have

1 worked very hard on their component of the  
2 budget. Todd Shaw has been present at all of the  
3 meetings we've had, and there have been more  
4 than 12 of them.

5 And what we started with was looking at how it  
6 was done before, and that wasn't something I was  
7 comfortable with or, necessarily, that he was.  
8 Before, they would look at what was spent in the  
9 individual line item for the last five years and  
10 then, sort of, predict where it would go the next  
11 year. That isn't what we did this year. We started  
12 with Adam and Eve. We started with the building  
13 blocks that go into each component of a line item.  
14 For example, when we were looking at staff, we  
15 looked at, in the police department, not only  
16 salaries, but also all the individual and very  
17 complicated contributions that are made to pension  
18 plans, that are made to insurance programs, and  
19 everything else. And the actual numbers of each  
20 of those components are built into it.

21 I've learned more than I ever wanted to know  
22 about cleft branch [phonetic]. They are so  
23 complicated that I just. . . But, it's as accurate as  
24 we could make it this year.

25 The other thing we saw was that there were

1 categories that were very large and very broad.  
2 And people like Mr. Kehlback would come in in the  
3 past, and he would say, "How much money was  
4 spent on this," and we couldn't really give him a  
5 good answer. We -- he developed a lot of answers  
6 on his own. And part of the reason was that the  
7 category was so broad, if we wanted to say how  
8 much was spent on something, you didn't know  
9 that. You knew how much was spent on this and  
10 this and this and this.

11 And so one of the things this budget does is,  
12 every committee that does something for the city  
13 that causes money to be expended has now got  
14 individual line items that relate to those  
15 expenditures.

16 So, like, one of my passions is the library.  
17 You can look this year and there's a component on  
18 the library, and every dollar that gets spent on the  
19 library will be able to be tracked under library  
20 items this year.

21 Now, is it perfect, no. I'm sure that the mayor  
22 will invite somebody else to sit with them next  
23 year, and I'm sure that they can make it better.  
24 But we are so much closer than we've ever been  
25 before to being able to answer certain questions.

1 And, as we look at expenditures and see where  
2 they're going this year, we're going to be able to  
3 tell more things than we could in the past.

4 Anyway, all of that is -- the burden was on the  
5 mayor and the staff. And I'm very grateful to them  
6 for to allowing me to participate.

7 MAYOR EVANS: Thank you. Frank?

8 COUNCIL MEMBER FULCHER: I have a  
9 couple questions. And I -- I've been out of the  
10 loop here, so pardon my ignorance. But looking at  
11 Forestation, what -- what does the Forestation  
12 Operating Budget consist of?

13 MAYOR EVANS: What page are you on?

14 COUNCIL MEMBER FULCHER: I am on  
15 Page 8.

16 MAYOR EVANS: Well, I'll ask Mr. Tucci,  
17 since he's the one who submits the forestation  
18 budget, if he would respond to what the forestation  
19 budget consists of?

20 COUNCIL MEMBER FULCHER: The  
21 operating budget.

22 MR. TUCCI: Are you talking about  
23 what -- what is spent or activities? The activities  
24 are --

25 COUNCIL MEMBER FULCHER: Well, it's

1 Line Item 0. It says: Forestation Operating  
2 Budget. And we have \$8500 budgeted. It's a  
3 broad category, and I'm just not familiar with it.

4 MR. TUCCI: That would be tree planting.

5 COUNCIL MEMBER FULCHER: But you  
6 have a line item that says Tree Plantings.

7 MR. TUCCI: We have tree plantings. We  
8 have a line item for tree maintenance.

9 MAYOR EVANS: Lee, you don't have this  
10 in front of you --

11 COUNCIL MEMBER TUCCI: You don't --

12 MAYOR EVANS: -- so --

13 COUNCIL MEMBER TUCCI: -- have it --

14 MAYOR EVANS: -- it's not --

15 COUNCIL MEMBER TUCCI: -- in front --

16 MAYOR EVANS: -- really fair.

17 COUNCIL MEMBER TUCCI: -- of you

18 to --

19 MAYOR EVANS: There's a line item for  
20 Arborfest of --

21 MR. TUCCI: Yeah.

22 MAYOR EVANS: -- this is for your  
23 information -- 1550.

24 MR. TUCCI: Right.

25 MAYOR EVANS: A line item for Ash Tree

1 Treatments says 4000. These are proposed  
2 numbers. There's a line item for Forestation Tree  
3 Plantings at 6,500.

4 The line item that remains is the one Frank  
5 Fulcher is asking about and that's called  
6 Forestation Operating Budget, 8,500.

7 MR. TUCCI: Be tree removals, would be  
8 tree trimming, tree lights.

9 COUNCIL MEMBER FULCHER: Don't we  
10 have that in other areas, though? I -- if you don't  
11 have it in front of you, I don't --

12 COUNCIL MEMBER LEONARD:  
13 Actually --

14 COUNCIL MEMBER FULCHER: -- it's not  
15 that --

16 COUNCIL MEMBER LEONARD: -- I think  
17 that at the last time we had our meeting that we  
18 were going to mee -- make this more specific  
19 because we agreed that it probably isn't. I think it  
20 included tree trimming, tree pruning, and tree  
21 removal. And in terms of this is it somewhere  
22 else, no, not the work that they do.

23 COUNCIL MEMBER FULCHER: Okay. I  
24 thought I had seen it elsewhere also.

25 MAYOR EVANS: I don't know where else

1 it would be, honestly.

2 COUNCIL MEMBER LEONARD: If you  
3 did, then it very possibly is a mis -- well, if you  
4 did, the parks may have some. I don't know where  
5 you saw it.

6 COUNCIL MEMBER FULCHER: Okay.

7 COUNCIL MEMBER LEONARD: But if you  
8 find it, we should take a look at it.

9 COUNCIL MEMBER FULCHER: The other  
10 line -- that's fine. If there's additional information  
11 out there that I'm not privy to, I'll dig it out.

12 The other is Parks -- Parks and Recreation. I  
13 understand all -- all the line items. Mowing, that  
14 item -- what does -- what does that consist of?

15 COUNCIL MEMBER MILES: That's the --  
16 the cost -- the -- the possible cost of gasoline and  
17 getting extra people in case Ron and Mike aren't  
18 able to mow in the Harrods Creek Park.

19 COUNCIL MEMBER FULCHER: Well,  
20 isn't -- aren't we buying a mower just for that  
21 purpose?

22 COUNCIL MEMBER MILES: Yeah.

23 COUNCIL MEMBER FULCHER: Then  
24 why -- why -- my -- my question is: Why would we  
25 need that, if we're spending the money to do it

1 ourselves?

2 COUNCIL MEMBER MILES: We are doing  
3 it ourselves. I --

4 COUNCIL MEMBER FULCHER: Then  
5 why --

6 COUNCIL MEMBER MILES: -- I --

7 COUNCIL MEMBER FULCHER: -- then  
8 why do we need budget money, if we're doing it  
9 ourselves?

10 COUNCIL MEMBER MILES: Because this  
11 is the first year that we're doing it. And, in case  
12 we got into a situation where, because it rained or  
13 what have you, they -- Mike and Ron do not have  
14 time to cut it, because this is, you know, an  
15 experiment in seeing how long is it going to take,  
16 how often we're going to cut it, this is all new, I  
17 put money -- a line item in there as just kind of a  
18 backup contingency so that if we did have to hire  
19 somebody to come in for the day to cut grass,  
20 there would be money available to do that.

21 COUNCIL MEMBER FULCHER: Wouldn't  
22 that, most likely, come out of a -- of the general  
23 fund, if we -- if, in an emergency situation, we  
24 needed to do something that we had not planned  
25 on?

1 COUNCIL MEMBER MILES: Well, I think  
2 every -- because it's new, I was just trying to err  
3 on the sign of caution and -- and have some  
4 available funds to cover that.

5 COUNCIL MEMBER FULCHER: Okay.  
6 Moving on. Mulch, \$200. My wife spends \$200 on  
7 mulch. I mean, we've got a pretty big park for -- if  
8 we're spending 200 bucks on mulch.

9 COUNCIL MEMBER MILES: And the --

10 COUNCIL MEMBER FULCHER: What --

11 COUNCIL MEMBER MILES: -- mul --

12 COUNCIL MEMBER FULCHER: -- what's  
13 the plan there?

14 COUNCIL MEMBER MILES: -- the mulch  
15 is that we just planted 120 trees in Harrods Creek  
16 Park. We had some flooding. The mulch is still  
17 there, but some of it got covered up with mud, and  
18 so we're probably going to have to do some spot  
19 mulching around a handful of those trees. And so  
20 that's -- this would be spot mulching some new  
21 trees that we planted.

22 COUNCIL MEMBER FULCHER: So that's  
23 just replacement of stuff that --

24 COUNCIL MEMBER MILES: We have --

25 COUNCIL MEMBER FULCHER: -- reg --

1 regular maintenance?

2 COUNCIL MEMBER MILES: Right.

3 Right.

4 COUNCIL MEMBER FULCHER: And why  
5 would that not fit into the P&R maintenance?

6 COUNCIL MEMBER MILES: Because I  
7 was given mulch as one of the line items I was to  
8 use. So that's that mulch in there [phonetic]. I  
9 didn't come up with the line items that were given  
10 to me.

11 COUNCIL MEMBER FULCHER: Okay.  
12 Plantings? March plantings?

13 COUNCIL MEMBER MILES: Yes. We are  
14 in the process of removing the invasive  
15 honeysuckle plant, which has taken over all --  
16 pretty much, all land in -- everywhere. And when  
17 you take out honeysuckle, which we do with  
18 volunteers, you come back and you plant native  
19 species, usually spicebush, which is the native  
20 under storage [phonetic] plant. And you do that so  
21 that the spicebush will then be able to take off and  
22 then it inhibits the honey su -- honeysuckle coming  
23 back. When we cut the honeysuckle, we spray it  
24 with Roundup, which will kill the existing plant.  
25 But there's always spores in the ground. If you

1 plant a spicebush, it will be big enough to take off  
2 so that it will shade out the honeysuckle. And  
3 nothing guarantees it coming back [sic] but that  
4 helps keep it from coming back.

5 COUNCIL MEMBER FULCHER: And  
6 that -- that's independent of what you do, isn't it,  
7 Lee?

8 COUNCIL MEMBER MILES: Yes.

9 MR. TUCCI: Say that again.

10 COUNCIL MEMBER FULCHER: Plantings  
11 in the parks is independent what your --

12 MR. TUCCI: Yes.

13 COUNCIL MEMBER FULCHER: -- deals  
14 with?

15 MR. TUCCI: The -- the plantings at  
16 Harrods Creek Park replaced the trees taken out  
17 by MSD is a separate item or project.

18 COUNCIL MEMBER FULCHER: So  
19 you're -- you're not bushes, you're just trees?

20 MR. TUCCI: Right.

21 COUNCIL MEMBER FULCHER: The  
22 Special Projects and the Structures, I see -- I --  
23 the Structures, I -- I -- I saw -- I saw -- Stuart, I  
24 saw your -- your -- your plan, and I just want to  
25 comment. From my perspective, I looked at the

1 swings, which are \$7,000, and I think that's an --  
2 that's -- that --

3 COUNCIL MEMBER MILES: That's for  
4 two.

5 COUNCIL MEMBER FULCHER: I  
6 understand.

7 COUNCIL MEMBER MILES: Right.

8 COUNCIL MEMBER FULCHER: And  
9 that's something that I think we're in a situation,  
10 it's kind of like kids; they ask you for something  
11 for dinner and you get it for them, then they don't  
12 want to eat it but they want desert.

13 I think we're in the situation where, okay,  
14 we've got these parks; they're great assets. Let's  
15 get them the best they can be, right now, before  
16 we get into a capital expansion program. And  
17 that -- that's my feeling on -- on the structures.  
18 And I support the Boy Scouts, support the -- some  
19 of the special projects. But I'm finished with my  
20 comments.

21 COUNCIL MEMBER MILES: Adams --  
22 [phonetic].

23 MAYOR EVANS: Anyone else?

24 COUNCIL MEMBERS: [no response]

25 MAYOR EVANS: If not, we'll finish with

1 that item and go to the next one, which is the  
2 Parks and Public Lands Committee update by Ms.  
3 Wardell.

4 MS. WARDELL: Thank you. We've had  
5 kind of a busy month in the parks since I last  
6 spoke at the last meeting. We've had a [phonetic]  
7 of trail maintenance work days that were well  
8 attended by hard-working volunteers, and we did  
9 our best to correct some of the -- or make some  
10 adjustments in some of the trails and assist in  
11 drainage. We've had, as you all know, an awful lot  
12 of rain. We have a couple of areas that still need  
13 some work; they're pretty muddy in places. And  
14 we've got some plants to -- we have a few more  
15 volunteer workdays to address those two --  
16 basically, two areas at Harrods Creek Park. We  
17 need it to dry out a little bit before we can get  
18 back in there and work. But we will be back there  
19 improving the trails.

20 We also have had two wild flower walks. The  
21 first one in Putney Pond and Woodlands. It was a  
22 cold and not very pleasant day. And the flowers  
23 were kind of late this year because of the cold  
24 weather. We had one person show up to take the  
25 tour, and our volunteer Jacqueline McGrail, took

1 that person around and showed her all the  
2 vegetation and showed her where the flowers  
3 would come when they were ready to bloom.

4 Two weeks later, we had a wild flower walk in  
5 Harrods Creek Park that was on a beautiful day,  
6 very sunny and -- and wonderful. We had  
7 almost 25 members of the public come and take the  
8 walk, including my 3-year-old grandson, who had a  
9 great time. It was very well received.

10 This year Jacqueline, as she was going down  
11 the trail, would put markers with the name of the  
12 flowers so that the 25th person behind her would --  
13 who couldn't hear her describe the flower, would  
14 be able to see the marker and identify the plant.  
15 And that was very well received. So we will  
16 continue the wild flower walks again next year.

17 As -- as Stuart said, in addition to the trail  
18 maintenance days, we plan to have a few days of  
19 trying to continue to remove the bush honeysuckle  
20 and also pull the invasive garlic mustard. And  
21 Jacqueline McGrail has offered to help us with the  
22 bush honeysuckle removal, and she's very  
23 knowledgeable about those techniques. So that's  
24 a great help.

25 And finally, every month I talk about Eagle

1 projects. And there haven't been that very many  
2 that have been completed because of the weather.  
3 But we do have one scout who's been app -- app --  
4 received all of the approvals. The -- he's going to  
5 do trail markers at Harrods Creeks Park, mileage  
6 markers. And the markers have been ordered; they  
7 will probably be arriv -- arriving next week. So in  
8 the next few weeks he will be doing that.

9 And we have four additional scouts who have  
10 identified projects in -- are -- and are in various  
11 stages of their write-ups and getting their  
12 approvals.

13 Our Boy Scout liaison and member the Parks  
14 Committee, Lynn Granger, expects that we'll  
15 probably have all of those five projects completed  
16 by the middle of the summer. So the Boy Scouts  
17 continue to add to the value of our parks.

18 And I'd be happy to answer any questions.

19 MAYOR EVANS: Anyone have questions  
20 for Linda?

21 MS. SPEAKER: I --

22 MAYOR EVANS: Here's one.

23 MS. SPEAKER: -- I don't have a  
24 question, but I've been on that Putney Pond --

25 MS. WARDELL: M-hm.

1 MS. SPEAKER: -- wildflower walk  
2 before. I didn't go this time. But it seems like  
3 that's always the first one, and it's an always on  
4 a -- I -- I -- it's always on a crappy day.

5 MS. SPEAKER: And I -- I wonder if she  
6 could switch -- switch them around one time to  
7 make that one a little bit later.

8 MS. WARDELL: We can certainly talk to  
9 Jacqueline about that. When we identify the dates  
10 for the wildflowers --

11 MS. SPEAKER: Yeah.

12 MS. WARDELL: -- it -- we want to give  
13 people enough notice to make their plans. And we  
14 never know what the weather is going to be like  
15 and if the flowers are going to be in bloom.

16 MS. SPEAKER: Right.

17 MS. WARDELL: But that certainly is  
18 something we could -- we could talk about  
19 switching the order.

20 I think -- I think she feels that in general the  
21 flowers bloom a little earlier in Putney Pond  
22 because of the species and the -- and the terrain  
23 there.

24 MS. SPEAKER: M-hm.

25 MS. WARDELL: But I could certainly talk

1 to her about that and see if that might be a --

2 MS. SPEAKER: Yeah. Because when I  
3 went on the Putney Pond one last time, the flowers  
4 weren't in bloom either.

5 MS. WARDELL: Yeah.

6 MS. SPEAKER: So. . .

7 MS. WARDELL: We have a very short  
8 window.

9 MS. SPEAKER: Yeah. Yeah. Yeah.  
10 Okay.

11 MS. WARDELL: They're very ephemeral.  
12 But thank you.

13 MAYOR EVANS: Is that it?

14 COUNCIL MEMBERS: [no response]

15 AUDIENCE: [no response]

16 MAYOR EVANS: Thank you, Linda.  
17 Lee, the Forestation Board report, please.

18 MR. TUCCI: We've completed our  
19 forestation plant update, and Council received a  
20 copy of it this month. We're still waiting for a  
21 couple for forestation board members to sign off  
22 on it.

23 This is basically a conceptual type plan. But  
24 two things we said we'd try to do more of this  
25 year, is more public education. And some of you

1 may have noticed in the last newsletter, there was  
2 a big article about topping trees. Apparently,  
3 some of the members of the public don't know that  
4 it's not only a bad idea, but it's illegal.

5 And, the other thing we're going to do, and we  
6 have been doing, actually, is coordinating with the  
7 Landscape Committee. And this is associated by  
8 our good consulting arborist Andrea Hanlon, who  
9 works with landscape and the Forestation Board.

10 Last Tuesday, we were engaged in ash tree  
11 surveys. We have about 50 large ash trees, which  
12 we've a contract with Limbwalker Tree. But the  
13 Forestation Board and Andrea went out last  
14 Tuesday in the afternoon, and we looked at  
15 about 50 of these trees, and we decided about ten  
16 of them wouldn't be treated. And it's not because  
17 the emerald ash bore treatment is not working. In  
18 fact, they've been working very well. But these,  
19 roughly, ten trees are in various stages of decline  
20 from other natural causes and aren't so great, and  
21 so we don't want to spend the money on them,  
22 which in [phonetic] is about \$1,000, something like  
23 that, which we won't commit to.

24 The next activity would have been involved  
25 [phonetic] is hazardous trees. We have identified

1 three hazardous trees and written letters to the  
2 property owners to please remove them.

3 And then providing the funds are available for  
4 the remainder of the year, we're going to plant at  
5 least 12 trees and will go immediately in Hunting  
6 Creek Park at Midpoint entrance, Landing  
7 entrance, and the en -- and some other trees that  
8 will go in Cowley Park.

9 MAYOR EVANS: Thank you, Lee. Any  
10 questions?

11 COUNCIL MEMBERS: [no response]

12 MAYOR EVANS: All right. Sandra, would  
13 you give us a library update, please.

14 COUNCIL MEMBER LEONARD: Okay. A  
15 lo -- a number of things are happening in the  
16 library. One of the most interesting ones for me  
17 was, if any of you know Sue Grafton of "A" is for  
18 Alibi fame, she was here in our library last week.  
19 She came here for a meeting of the Louisville Loop  
20 group, and I ended up talking to her and took her  
21 upstairs. And she was so impressed with our  
22 library, then and there, and she donated 20  
23 cookbooks, and they're in beautiful condition, to  
24 our book sale. So she has way more books that  
25 she's going to donate, and we're delighted to get

1       them.

2           The book sale is coming along very well.  It's  
3 going to be Friday, May 15th, and Saturday,  
4 May 16th.  I have a number of volunteers who are  
5 going to be there to help you.  We've dealt with all  
6 of the donations that have come in so far.  So if  
7 you have more shelves at home you'd like to clean  
8 out, we're more than -- than willing to take them.

9           We also had a meeting of the Library  
10 Committee.  And one of the things that we thought  
11 we'd like to do more of were different kind of  
12 author events.  Sally Bingham came and spoke to  
13 us and talked about her newest book.  And I'm  
14 looking right now on author event, which will  
15 probably be in June.  This author, his name is  
16 James Pritchard, wrote a book called Embattled  
17 Capital, Frankfort Kentucky in the Civil War, and  
18 we're going to try to have him come in June and  
19 talk to us.

20           Do you want me to go right into the history --

21                   MAYOR EVANS:  Right into --

22                   COUNCIL MEMBER LEONARD:  -- book?

23                   MAYOR EVANS:  -- the history book,  
24 sure.

25                   COUNCIL MEMBER LEONARD:  The

1 History Book Committee is going to be meeting  
2 next week. I don't quite have the date yet. And  
3 we're going to start -- actually, we're going to  
4 continue pulling things together.

5 I've been telling you that we were having  
6 trouble getting information on the local business  
7 community, that's beginning to jell. People are  
8 giving me pictures and things anonymously. I love  
9 getting them. But if you put your name and have I  
10 a question, I could call you up and ask you a  
11 question. Anyway, that -- that is beginning to  
12 come together.

13 I still need information on early Fox Harbor  
14 and early Bridgepointe, if anybody has any.

15 MAYOR EVANS: Okay. Thanks.

16 COUNCIL MEMBER LEONARD: M-hm.

17 MAYOR EVANS: The Landscape and  
18 Beautification Committee, I'm the chairman of that.  
19 And I just already gave you an update and my --  
20 and my comments, and I don't have anything  
21 further to add to that.

22 Other than that, we're really making progress.  
23 Pro Turf is out here every day that they can be,  
24 given the weather. Andrea Hanlon is out here just  
25 about every day working with them, and we're

1 making progress.

2 Finally, Frank, the Environmental Services.

3 COUNCIL MEMBER FULCHER: At our  
4 most recent committee meeting, we reviewed the  
5 existing garbage/trash/recycle contract, re --  
6 reworked it to make it a -- a little use -- more  
7 user-friendly. We've added some options in the  
8 pricing portion of it that once we receive the bids,  
9 we'll be able to have kind of an a la carte menu of  
10 what the offerings are and what we feel the -- the  
11 people of Prospect want relative to some of the  
12 things. Bigger re -- recycle cans, backyard --  
13 backyard pick up is always a big issue, larger  
14 trash cans, we have all these things specified as  
15 options. So we will have an opportunity to review  
16 that and, hopefully, we can come up with a census  
17 after the bids are in, which is May the --

18 CITY ADMINISTRATOR LEVOLD: 18th.

19 COUNCIL MEMBER FULCHER: -- 18th,  
20 and move on to the next -- next contract. And  
21 that's it.

22 MAYOR EVANS: Yeah, a lot of work went  
23 into putting that bid together. Various members of  
24 the council, headed by Frank, you know, came up  
25 with different suggestions and amendments or

1 insertions into the proposed contract that we -- we  
2 put out for bid. And I think, finally, in the end,  
3 everybody was satisfied that we'd done everything  
4 we needed to do, so we advertised it, I guess, last  
5 Wednesday it went in the papers. And that's --  
6 that's in the works and we'll have a new trash  
7 collection/recycling collection contract shortly  
8 after May 18th.

9 Next comes the police report, and I'll call on  
10 the chief.

11 CHIEF SHERRARD: Okay. The house  
12 checks were way up this year compared to the  
13 same reporting period last year. I think a lot of  
14 that is attributed to the -- the new website. I think  
15 it's so user-friendly that a lot more people are  
16 using that, that they're that just basically using  
17 that resource more frequently than they did in the  
18 past. So we're encouraged by that.

19 And also I think the -- our newer part-time  
20 officers have really taken heart to that. And on  
21 their daily logs you see a lot more information  
22 that's on there. For example, if they check on a  
23 house, and there might be a UPS package on the  
24 front door, they're making notations. So you can  
25 tell that they're -- they're going by and checking

1 these houses more thoroughly than -- than we have  
2 in the past. So that's all very encouraging. And  
3 they've really taken ownership in that -- that part  
4 of the job, which is something that's pretty new to  
5 them.

6 Years and years ago in Metro they used to do  
7 that. But that's one of those things they got away  
8 from, and I don't think that that's a service they  
9 provide. And, of course, that's where all of these  
10 guys came from. So, I think that's a good thing.

11 Accidents were down a little bit compared to  
12 the previous months.

13 There are a few reports to -- to just elaborate  
14 on. There were two felony reports, two of which  
15 were identity theft. It's still a -- a problem, but  
16 it's a problem nationwide, where people are taking  
17 your identity and then filing taxes ahead of time.

18 And you don't know about it until your -- your  
19 tax accountant calls you and says, "Look, I  
20 attempted to file your taxes," or whatever, you  
21 know, after you sign off on it and they send it,  
22 "And the IRS says, We've already got one for  
23 you." And that's the first time that you're aware  
24 that there was an issue.

25 And so there were two of them last month. I

1 think we've already had a couple this month. So  
2 it's a -- it's a little bit more prevalent this year  
3 other than last year, although, it -- it wasn't  
4 totally unique even last year. It's pretty  
5 prevalent, but it happens all across the nation.  
6 You know, through some of the identity theft that  
7 they've had through, like, Home Depot, through  
8 Target, through Anthem, where they've gotten a  
9 hold of Social Security numbers, that's what  
10 happening. So somebody's filing a tax return in  
11 your name and everything in advance, and  
12 somehow trying to route that money.

13 Now, in a lot of cases, they don't ever  
14 actually get to collect money. And you can get it  
15 straighten out through the IRS, and you can get  
16 your return and everything. But it is kind of a  
17 problem. And you do need to file a police report  
18 when that happens. But, the IRS and everybody,  
19 they'll tell you that right up front; they'll give you  
20 the instructions on what to do. So if you're a  
21 victim of it, you're not alone and it can be  
22 rectified.

23 Let's see, we did have one, I guess, criminal  
24 mischief or a vandalism to a home in the --  
25 Sutherland, where someone broke out a leaded

1 glass entry door late in the evening. It was on a  
2 snowy night. It appeared that somebody was  
3 waiting for somebody specifically at home and just  
4 threw something through a glass door. No arrests  
5 have been made on that.

6 Let's see, there was a theft of controlled  
7 substances. Basically somebody stole the pain  
8 meds of a cancer patient. What a -- what a lovely  
9 person that would be. They took a cancer  
10 patient's Dilaudid. More than likely that's going to  
11 be the sister of a housekeeper. They've had the  
12 same housekeeper years and years without any  
13 problems whatsoever, but she brings her sister  
14 along to help once, and then now we have missing  
15 pain medication, so. . .

16 We had a theft from the Kroger's [sic] but that  
17 was a cashier stole \$650 from the store. So if the  
18 price of eggs goes up for a week or two --

19 CHIEF SHERRARD: -- now you'll know.

20 Let's see, we had a theft of a trailer. Actually, I  
21 don't know if you'd call it a theft. Somebody  
22 attaches one of these \$1200 trailers to the back of  
23 a car, leaves The Landings, and then when they  
24 get to their destination, they realize they didn't  
25 attach the chain to it, so now they're missing the

1 trailer. So --

2 CHIEF SHERRARD: -- so it's more of  
3 lost or mislaid property probably. But nobody  
4 turned the trailer back in, so, technically, it's a  
5 theft.

6 That's it, in terms of the reports.

7 Last month we talked about the assisted living  
8 place being built, and they wanted to know about  
9 some information about traffic. I don't fully have a  
10 report on there but I'll touch base a little bit with  
11 what we did. We did hook up our traffic counter  
12 over on Carslaw Court, and we had it up for 18  
13 days, which is a pretty lengthy period of time. I  
14 was surprised at the number of cars that come  
15 through. And ironically the -- the peak period is  
16 not during your normal time. You would think in  
17 the morning at rush hour and the afternoon. The  
18 peak period for that street is between noon and 7.  
19 Just a -- just a straight shot. It averages, during  
20 those times, no more than 48 to 50 cars in an  
21 hour, and that's -- included both directions. So  
22 you may have 25 going north, 25 going south or  
23 whatever. So it's not heavily traveled. In the  
24 scheme of things, I mean, that's not even a car a  
25 minute as it goes through. And that's at the

1 absolute peak period of time, which is, what, 3:00,  
2 is that what we said. 3:00 is the absolute peak  
3 time. And that was less than a car a minute and  
4 that would include both directions. So it's not  
5 heavily traveled.

6 There was a few hooligans that -- apparently  
7 at 5 in the morning wanted to test the speed. We  
8 had a car that went through at 60 miles an hour  
9 at 5:00 in the morning.

10 COUNCIL MEMBER MILES: Which  
11 direction was he going?

12 CHIEF SHERRARD: Now you're going to  
13 ask a question I can't answer.

14 COUNCIL MEMBER MILES: It might be  
15 my wife go -- going to the hospital.

16 CHIEF SHERRARD: Okay.

17 COUNCIL MEMBER MILES: Yeah.

18 CHIEF SHERRARD: Well, it's in here.  
19 But I -- I'm not smart enough to read it. I'll have  
20 to -- I would have to divert [sic] it to him. But we  
21 don't want to get into that. So it's just a little bit  
22 unique in that sense.

23 I did look at some of the -- I guess, the  
24 national data. And it was a little bit tough, at  
25 first, to find what their engineers recommend for

1 an assisted living home. And they're what they  
2 call "trips per day," "trips per hour through." But  
3 most of the trips that you would generate would be  
4 from staff members. And I haven't completely  
5 been able to go through everything there, but it  
6 doesn't look like -- they even recommend for  
7 national levels that you even order a traffic  
8 survey.

9 I know that they appropriated money last  
10 month to do a survey. Based on what I've read so  
11 far, and again, I haven't completely done [sic]  
12 through it, it doesn't look like any other locality  
13 would even attempt to pay the money to have a --  
14 an ad -- a traffic survey because it's such a small  
15 project that it would su -- it -- it would have such  
16 a low impact on traffic that they wouldn't  
17 recommend spending money to have an impact  
18 study done.

19 MAYOR EVANS: Jeff, it's our  
20 understanding that the employees will be using  
21 Beach Avenue.

22 CHIEF SHERRARD: Correct. So that  
23 would actually divert part of the -- the traffic that  
24 you would have. So you would even get a less  
25 accurate --

1 COUNCIL MEMBER LEONARD:

2 Actually --

3 CHIEF SHERRARD: -- statement.

4 COUNCIL MEMBER LEONARD: -- the  
5 reason for that is, we have chronically been told  
6 that tha -- those two streets are substandard  
7 streets and do not meet normal requirements, even  
8 for the type of traffic that they now take. That  
9 came up over and over again during the Kroger  
10 expansion discussions --

11 CHIEF SHERRARD: Okay.

12 COUNCIL MEMBER LEONARD: -- that  
13 they were not standard streets. I don't know if  
14 that's true, but it came up many, many times.

15 CHIEF SHERRARD: Well, there -- like I  
16 said, there's national standards and all that, and  
17 I'll go through the -- some of the data that I  
18 recovered on that.

19 COUNCIL MEMBER LEONARD: Well,  
20 and --

21 CHIEF SHERRARD: And have a --

22 COUNCIL MEMBER LEONARD: -- what  
23 we --

24 CHIEF SHERRARD: -- chance to go it

25 COUNCIL MEMBER LEONARD: -- find

1 out from Metro if that's true --

2 CHIEF SHERRARD: Yeah. That's --

3 COUNCIL MEMBER LEONARD: -- that  
4 there are --

5 CHIEF SHERRARD: -- true.

6 COUNCIL MEMBER LEONARD: -- certain  
7 standards.

8 CHIEF SHERRARD: Yeah; that would be  
9 easy enough to find out.

10 COUNCIL MEMBER LEONARD: M-hm.

11 CHIEF SHERRARD: But anyway, that's --  
12 I just sort of did a -- a little bit of a cursory thing.

13 We're going through a -- an audit through the  
14 Department of Criminal Justice Training. They  
15 do -- they -- every couple years they go through  
16 your records for your employees to make sure that  
17 you have everything that's up-to-date. And we're  
18 undergoing that on Wednesday afternoon. So  
19 we've had to kind of stop what we were doing in  
20 some sense and get together these files for them.  
21 They tell you up front what they want, so you just  
22 make sure that you have it in order. And we've,  
23 pretty much, been able to do that in the last week  
24 or so, so we're -- we're good on that. But it has  
25 taken away a little bit from what we were trying to

1 do.

2 We did get a -- a -- I guess, a commendation.  
3 Actually, it was an email from -- that Ms. Wardell  
4 sent. From a couple of weeks ago on the flower  
5 walk, Officer Hardy was out working the parks and  
6 encountered a -- a lady that was having some --  
7 some difficulties, some medical problems. And he  
8 said stayed with her and helped her go through  
9 the -- to make it through. She was only able to go  
10 just a little bit at a time, and he stayed with her  
11 and was able to make sure that she made it back  
12 safely. So he was commended for his duties that  
13 day. But that's, pretty much, par for the course  
14 for him. He's -- he's very kind. So anyway, I  
15 thank you for your note, and -- and I've already  
16 passed that along to him. But I think that's all I  
17 have.

18 MAYOR EVANS: Jeff, thank you.

19 And unless I hear to the contrary, I don't plan  
20 to spend that, I guess it was \$3,000 the council  
21 authorized to spend on a traffic study because I  
22 don't see that we need to do it.

23 COUNCIL MEMBER LEONARD: No. But  
24 it would help to know if they are substandard  
25 streets. It might not make any difference, but it

1 would be just one more piece of knowledge that  
2 was either accurate or --

3 CHIEF SHERRARD: They --

4 COUNCIL MEMBER LEONARD: -- it  
5 wasn't.

6 CHIEF SHERRARD: -- they will --  
7 actually, there's a -- a lady that I've dealt with on  
8 some traffic light issues that works with the  
9 engineers for Louisville Metro. I can actually put  
10 in a request through them, and they will come out  
11 and do an evaluation. They evaluated our  
12 intersection for us.

13 COUNCIL MEMBER LEONARD: Oh. That  
14 was nice.

15 CHIEF SHERRARD: The -- the middle of  
16 last year we had them run a secondary intersection  
17 because of the traffic flow and everything coming  
18 off of Timber Ridge.

19 COUNCIL MEMBER LEONARD: M-hm.

20 CHIEF SHERRARD: And it just took them  
21 a couple weeks to -- to put it all together, and they  
22 get back with you pretty well.

23 But there's a lady that we can deal with there  
24 and see if either her or some other engineer would  
25 tackle that one.

1 COUNCIL MEMBER LEONARD: Sure.

2 CHIEF SHERRARD: Yeah.

3 MAYOR EVANS: Let's --

4 CHIEF SHERRARD: We can -- we can  
5 make that request. That's easy.

6 MAYOR EVANS: -- talk about that after  
7 the meeting.

8 CHIEF SHERRARD: Sure.

9 MAYOR EVANS: All right. Any questions  
10 for Chief Sherrard?

11 COUNCIL MEMBERS: [no response]

12 MAYOR EVANS: Okay. The next item on  
13 our agenda is the Starbucks sign variance request.  
14 Is there someone here from Starbucks?

15 MS. GESEL: [indicates]

16 MAYOR EVANS: Please go up to the  
17 lectern and tell us who you are and where you live  
18 and all that kind of stuff.

19 MS. GESEL: My name is Tracie Gesel  
20 [phonetic]; I'm actually from Greenville, South  
21 Carolina. We are the company, Hilton Displays,  
22 that manufacture Starbucks signage, so I'm here  
23 on their behalf.

24 And, by accident, we put up one too many  
25 signs. We got the permits through Louisville but

1 didn't realize that we needed to permit in Prospect  
2 as well. I'm -- I'm from South Carolina, so. . .

3 So we have the siren logo, the circular logo.  
4 Driving this way going northbound, that elevation  
5 that you see is the one that is not permitted, and  
6 we would like to know if we can get it permitted.

7 I went to the store today and spoke to some of  
8 the employees. And they said that they have been  
9 receiving feedback from customers that they're  
10 missing the store, they're driving past it, thinking  
11 that they're either still at their old location or they  
12 just didn't know it was there.

13 So we think that it -- keeping that sign up  
14 would really help with the visibility and the  
15 inconvenience that drivers are having getting to  
16 the wrong place or get into that intersection and  
17 having to turn around in the Kroger parking lot.  
18 That's the main thing.

19 And then, as I was driving around, I noticed  
20 there were several other businesses just along this  
21 street that do have two -- two of their signs, like  
22 the Walgreens, there was a PNC Bank, a Republic  
23 Bank. I have photos of them, if you'd like to see  
24 what they have, their main signage on two  
25 elevations. So it's really something that

1 Starbucks would like to know how -- how these  
2 other businesses got them and how they can keep  
3 their -- their two signs up.

4 MAYOR EVANS: And you said you were  
5 Tracie?

6 MS. GESEL: Yes.

7 MAYOR EVANS: Yeah. Tracie, I'm going  
8 to turn this over to Holly LeVold, our chief  
9 administrative officer, and she knows more about  
10 this than I do, and let her give you chapter and  
11 verse.

12 Holly?

13 CITY ADMINISTRATOR LEVOLD:  
14 Walgreens and the bank, they are on two separate  
15 roads, 42 and Timber Ridge, and that's allowed in  
16 the ordinance.

17 Starbucks is not; it's only on 42. And that  
18 illegal sign faces the parking lot. And that's why  
19 it's --

20 MS. GESEL: Oh. So it's -- it's the front  
21 one that --

22 CITY ADMINISTRATOR LEVOLD: No;  
23 it's --

24 MS. GESEL: No?

25 CITY ADMINISTRATOR LEVOLD: -- the

1 side --

2 MS. GESEL: Okay.

3 CITY ADMINISTRATOR LEVOLD: -- one.

4 MS. GESEL: Okay.

5 CITY ADMINISTRATOR LEVOLD: Yeah.

6 MS. GESEL: Okay.

7 CITY ADMINISTRATOR LEVOLD: Yeah.

8 That's why they have two signs on each side of  
9 their building.

10 MS. GESEL: Okay.

11 CITY ADMINISTRATOR LEVOLD: It's  
12 because they face two different roads.

13 MS. GESEL: Is it the same with the PNC  
14 that's down this way? I noticed they were up  
15 against the parking lot.

16 CITY ADMINISTRATOR LEVOLD: Right.

17 MS. GESEL: Okay. Gotcha.

18 And I do have copies of the signs that's  
19 currently up, if anybody wants to see any of the  
20 elevation drawings.

21 COUNCIL MEMBERS: [no response]

22 MS. GESEL: No?

23 MAYOR EVANS: Well, this -- I have it  
24 on -- my agenda says you're here to request a  
25 variance?

1 MS. GESEL: Yes.

2 MAYOR EVANS: The city ordinance  
3 allows for the council to grant a variance, but  
4 only in -- when specific conditions are met.

5 And they are, both of these, the zoning lot on  
6 which an activity is located is unusually shaped or  
7 exhibits unusual topography, that's one, and such  
8 physical characteristics prevent legal signage from  
9 identifying the activity as compared to legal  
10 signage identifying other activities in the  
11 immediate area.

12 Given those conditions, I don't think that the  
13 council has the authority to grant a variance,  
14 unless you can explain to them and me why these  
15 conditions are met.

16 MS. GESEL: Well, we definitely have the  
17 unusually shaped building I think. It is former  
18 bank and vacant for several years, I understand.

19 And, like I said, customers just don't know  
20 Starbucks is there. They -- this is just what they  
21 told me, you know, today going and speaking with  
22 all the employees. So, really, I think the unusual  
23 shaped building, people still think it's a bank, they  
24 still think it's vacant.

25 The second issue, it's -- there's just a lot of

1 businesses as you're driving northbound and it's --  
2 it's just hard to see Starbucks.

3 COUNCIL MEMBER FULCHER: In the --  
4 in this revised ordinance that is not yet  
5 published --

6 COUNCIL MEMBER LEONARD: Well, it's  
7 not voted on or anything either.

8 COUNCIL MEMBER FULCHER: -- not  
9 voted on, that -- I'm just making this comment,  
10 that we have put in there, and subject to  
11 discussion, that in the event there is a -- a -- a  
12 new business, that there is a period of time that  
13 they're allowed a temporary --

14 COUNCIL MEMBER LEONARD: Banner.

15 COUNCIL MEMBER FULCHER: -- banner  
16 to alert potential customers that they exist.

17 Now, I don't -- you know, I don't know what  
18 that means because it doesn't -- it's not in force  
19 and enforceable; it's -- it's under -- you know, it's  
20 under the process. But --

21 MAYOR EVANS: When that's enacted,  
22 then that gives us the authority to permit --

23 COUNCIL MEMBER FULCHER: Right. I  
24 understand that.

25 MAYOR EVANS: It's not yet, so. . .

1 COUNCIL MEMBER LEONARD: Well, and  
2 it's not a sign; it's just an announcement --

3 COUNCIL MEMBER FULCHER:  
4 Announcement.

5 COUNCIL MEMBER LEONARD: -- of a  
6 new business.

7 COUNCIL MEMBER FULCHER: Yeah.  
8 Unfortunately, timing is everything; right?

9 COUNCIL MEMBER MILES: Have you  
10 guys put a sign at the old store directing people to  
11 the new store?

12 MS. GESEL: I don't believe they put one  
13 at the old store. My understanding was that they  
14 did attempt to put a "coming soon." And then,  
15 again, a -- a "now open" banner, and that they  
16 were asked to take it down.

17 CITY ADMINISTRATOR LEVOLD:  
18 Actually, that's not true. They -- we allowed them  
19 to have a banner --

20 MS. GESEL: Okay.

21 CITY ADMINISTRATOR LEVOLD: -- for  
22 ten days, and they actually put up two banners.

23 MS. GESEL: Gotcha. Okay. So they  
24 over did it?

25 CITY ADMINISTRATOR LEVOLD: Yeah.

1 MS. GESEL: Gotcha.

2 COUNCIL MEMBER MILES: But that  
3 might be a good idea is to put a sign at Starbucks  
4 that people are going to to let them know --

5 MS. GESEL: Right.

6 COUNCIL MEMBER MILES: -- that  
7 you've moved to the new location.

8 MS. GESEL: Would that also be subject  
9 to ten days?

10 COUNCIL MEMBER MILES: That, I don't  
11 know.

12 COUNCIL MEMBER LEONARD: Well, it  
13 depends on what you're going to put up. I mean, if  
14 they've they rented the space to someone else,  
15 there's an issue.

16 MS. GESEL: Right.

17 COUNCIL MEMBER LEONARD: But we  
18 would allow a window sign for a temporary thing to  
19 go up. And right now there is not a time limit on  
20 it, but I think a month would probably be as long  
21 as would be necessary.

22 MS. GESEL: Okay.

23 MAYOR EVANS: I'm glad they're there. I  
24 have coffee with the mayor at Starbucks every  
25 Friday and people are finding me.

1 MS. GESEL: Okay.

2 MAYOR EVANS: And I think it's a  
3 wonderful use of that building.

4 MS. GESEL: M-hm.

5 MAYOR EVANS: But I don't see that the  
6 council even has the authority to consider granting  
7 a variance, given the requirements that the code  
8 spells out.

9 MS. GESEL: I appreciate your time.  
10 Thank you.

11 MAYOR EVANS: I appreciate your  
12 coming. Thank you.

13 COUNCIL MEMBER FULCHER: Which --  
14 which sign is at -- is the one that's in violation,  
15 the one in the --

16 CITY ADMINISTRATOR LEVOLD: On  
17 the --

18 COUNCIL MEMBER FULCHER: -- front?

19 CITY ADMINISTRATOR LEVOLD: -- side.

20 Yeah. It's on the side. The small, round one, on  
21 the side.

22 COUNCIL MEMBER FULCHER: But -- but  
23 the one you can see going southbound is okay?

24 CITY ADMINISTRATOR LEVOLD: Right.

25 COUNCIL MEMBER LEONARD: Correct.

1           MAYOR EVANS: Starbucks is so good; I  
2 think people will find it.

3           COUNCIL MEMBER MILES: That's not an  
4 endorsement, is it, Mayor?

5           MAYOR EVANS: Huh?

6           COUNCIL MEMBER MILES: That's not  
7 an --

8           MAYOR EVANS: Absolutely. I -- I love  
9 Starbucks coffee. I can't afford very much of it,  
10 but I like it.

11           COUNCIL MEMBER TUCCI: Well, that's  
12 why they put it in the bank bi -- building; they've  
13 got that vault there that they can move the coffee  
14 into [phonetic].

15           MAYOR EVANS: Any old business to  
16 come before the council?

17           COUNCIL MEMBER LEONARD: Well, but  
18 before --

19           CITY ATTORNEY POTTS: Yes, sir.

20           COUNCIL MEMBER LEONARD: -- we do  
21 that, were we not going to vote on the amended  
22 [phonetic] budget?

23           MAYOR EVANS: Well, where did that  
24 come from?

25           COUNCIL MEMBER LEONARD: Before --

1 CITY ATTORNEY POTTS: We were doing  
2 it just --

3 COUNCIL MEMBER LEONARD: --  
4 Starbucks.

5 CITY ATTORNEY POTTS: -- before  
6 Starbucks.

7 MAYOR EVANS: Oh. That came up  
8 before Starbucks. Wonder why I skipped right over  
9 that.

10 CITY ATTORNEY POTTS: Because the  
11 chief was just finishing up.

12 MAYOR EVANS: Okay. We'll have to  
13 [phonetic] --

14 CHIEF SHERRARD: I just -- I'm a  
15 distraction.

16 MAYOR EVANS: Council has had an  
17 opportunity to look over the proposed ordinance  
18 amending this year's budget. And is there any  
19 discussion before I ask for a first reading?

20 COUNCIL MEMBER LEONARD: Just,  
21 again, thank you. I have been on the council for a  
22 long time. I have been coming to meetings  
23 since 1999. This is the very first time the City of  
24 Pro -- Prospect Council has ever looked at an  
25 amended budget. I think it is a great use of money

1 to make it flow into where we need it to flow. And  
2 I would like to encourage you at any future point in  
3 time you feel an amendment is appropriate, to  
4 come forward with it.

5 MAYOR EVANS: Thank you. Any other  
6 comments?

7 COUNCIL MEMBER MILES: I agree with  
8 Sandra. I think that even though we've done this  
9 forever, if someone would [phonetic] guess at the  
10 beginning of the year, when we put these together,  
11 and I think this is the perfect time to make those  
12 adjustments and to, you know, do things that need  
13 to be done in areas where we've saved money and  
14 other places.

15 MAYOR EVANS: Okay. Thank you very  
16 much.

17 Would anyone care to give the first reading to  
18 this ordinance which you all have?

19 COUNCIL MEMBERS: [no response]

20 MAYOR EVANS: Sandra, since you liked  
21 it so much, maybe you would.

22 COUNCIL MEMBER LEONARD: Okay. Do  
23 I have to do the whole thing?

24 MAYOR EVANS: You need read the  
25 entire title and, I believe, the first paragraph.

1 CITY ATTORNEY POTTS: Right.

2 COUNCIL MEMBER LEONARD: Is that --  
3 but not the numbers?

4 MAYOR EVANS: Not the numbers.

5 COUNCIL MEMBER LEONARD: [reads]  
6 City of Prospect, Kentucky, Ordinance  
7 Number 541, Series 2015.

8 An Ordinance Relating to the Amendment and  
9 Modification of the Budget for the General Fund of  
10 the City of Prospect for the Fiscal Year Beginning  
11 July 1st, 2014 and Ending June 30th, 2015.

12 Be it ordained by the City of Prospect,  
13 Kentucky:

14 Section I: The budget of the General Fund of  
15 the City of Prospect for the fiscal year beginning  
16 July 1st, 2014 and ending June 30th, 2015 shall be  
17 amended as follows:

18 And what follows are all of the amendments,  
19 and they are done perfectly, according to state  
20 law.

21 MAYOR EVANS: Thank you. That  
22 concludes the first reading of the proposed  
23 amendment. It will be taken up again at the next  
24 meeting to be considered for passage or not.

25 Now, any old business?

1 COUNCIL MEMBERS: [no response]

2 MAYOR EVANS: No old business?

3 COUNCIL MEMBERS: [no response]

4 MAYOR EVANS: Comments from citizens.

5 I have one person who has signed up; it says

6 Gloria Murray. Is Ms. Murray here?

7 MS. MURRAY: Here.

8 MAYOR EVANS: Would you please  
9 address us.

10 MS. MURRAY: Thank you. My name is  
11 Gloria Murray, and I live in -- off of -- on Harrods  
12 Landing Drive, in fact, Unit Number 1; I live in the  
13 green condos. You know this area; there is a set  
14 of eight condos. Some are green and then there's  
15 a set of blues that are very much larger than ours,  
16 just to give you an idea of where we're located.

17 I'm here [phonetic]. When you started off with  
18 your report, you talked about some of the things  
19 that -- that were going to be happening with road  
20 repair. And our units, there are eight of us;  
21 there's only eight units in our section. And our  
22 road, we know we own our road in front of our  
23 units, okay. But that road is also used by a larger  
24 condo association. Currently, right now, it is their  
25 only way out of their condo because the road for

1 the bridge right there is closed off, and they can't  
2 use that exit there or enter their -- their homes.  
3 So they have to go past our condos, and, of  
4 course, on the road that we are responsible for.  
5 Excuse me.

6 What we'd like to find out or for you to  
7 consider or let us know is, when road repairs will  
8 be done on Timber Ridge in the Harrods Landing  
9 area part of it; not the part in front of the Kroger's  
10 or whatever. But if you're going do an -- any  
11 repairs there, we'd like to know about it because  
12 we'd like to somehow be a part of that in a way of  
13 how we -- we repair our road. Our road is in very  
14 bad shape. And, as I said, there's only eight  
15 units, and for to us try to pay for that road,  
16 especially since it's used by 100 other people who  
17 don't pay for that road, but that's the only road  
18 that they have. We cannot close the road off. We  
19 can't -- as far as we know, we can't charge them a  
20 toll. So, you know, they have to use that road.  
21 And so over the years it's -- it's just -- it's being  
22 destroyed.

23 In terms of our units, there are -- like I said,  
24 there's eight of us. But 99% of the time there's  
25 only six units that are used. So you're talking

1 about six people who are using that -- that road in  
2 our unit.

3 So if they are going to be repairs, we'd like to  
4 know so that we can negotiate or be a part of the  
5 negotiation or something in order to get our road  
6 repaired. We know we have to pay for it, but  
7 paying for it our own will cost us about \$25,000.  
8 And for six units, that's a lot of money for to us  
9 come up with. So we're asking consideration,  
10 when you make some of these decisions about road  
11 repair there so that we be a part of it in some  
12 fashion.

13 So that's wha -- what I wanted to share. Any  
14 comments?

15 COUNCIL MEMBER MILES: And what --  
16 the road is closed? You said there's a road closed  
17 because of a bridge?

18 MS. MURRAY: Yeah. You know the --

19 CHIEF SHERRARD: Yeah.

20 MS. MURRAY: -- creek that's --

21 CHIEF SHERRARD: The road --

22 MS. MURRAY: -- right there?

23 CHIEF SHERRARD: -- the road from 42  
24 coming into Marina because of all the water and  
25 everything being up. So the only way in and out --

1 COUNCIL MEMBER MILES: Oh.

2 CHIEF SHERRARD: -- is the --

3 COUNCIL MEMBER MILES: Okay.

4 CHIEF SHERRARD: -- road --

5 COUNCIL MEMBER MILES: Gotcha.

6 CHIEF SHERRARD: -- past their condos.

7 COUNCIL MEMBER MILES: Gotcha.

8 Gotcha.

9 MS. MURRAY: Yeah.

10 COUNCIL MEMBER MILES: All right.

11 MS. MURRAY: Yeah.

12 COUNCIL MEMBER MILES: I was -- I  
13 was lost there for a second. Okay.

14 MS. MURRAY: And my understanding is  
15 that bridge won't be prepared -- won't be repaired  
16 for several months, and so they would not be able  
17 to use that at all. But most of them use our road  
18 anyway because -- because it's easier in terms --

19 CHIEF SHERRARD: Because you --

20 MS. MURRAY: -- of people wanting --

21 CHIEF SHERRARD: -- because you --

22 MS. MURRAY: -- to go to --

23 CHIEF SHERRARD: -- can go out --

24 MS. MURRAY: -- 42.

25 CHIEF SHERRARD: -- by the light.

1 MS. MURRAY: Yeah. Because there's a  
2 light there, so. . .

3 COUNCIL MEMBER MILES: And you  
4 got a bid from somebody, and they said it  
5 was \$25,000?

6 MS. MURRAY: \$25,000 for us to repair  
7 that road. And we've been patching it. We've  
8 been patching it for several years. So we're now  
9 at a point that, I mean, it's beginning to  
10 disintegrate and all that kind of thing, so that's  
11 not --

12 MAYOR EVANS: Ms. Murray, are you  
13 talking about, say I went in Timber Ridge Drive --

14 MS. MURRAY: M-hm.

15 MAYOR EVANS: -- and took the very  
16 first --

17 MS. MURRAY: First --

18 MAYOR EVANS: -- right --

19 MS. MURRAY: -- right.

20 MAYOR EVANS: -- hand --

21 MS. MURRAY: Yes.

22 MAYOR EVANS: -- turn.

23 MS. MURRAY: Yes.

24 MAYOR EVANS: And there are --

25 MS. MURRAY: Eight units right there.

1 MAYOR EVANS: Eight units?

2 MS. MURRAY: M-hm.

3 MAYOR EVANS: Is that where [phonetic]  
4 is?

5 MS. MURRAY: Yes.

6 MAYOR EVANS: All right. And Toni --  
7 well, I'm not sure if Toni lives there.

8 MS. MURRAY: No --

9 MAYOR EVANS: -- or not.

10 MS. MURRAY: -- she doesn't. She lives  
11 in the other --

12 MAYOR EVANS: I know -- I know exactly  
13 where you mean.

14 MS. MURRAY: Yeah.

15 MAYOR EVANS: I want to be clear.  
16 What you're asking is whether you could, more or  
17 less, piggyback --

18 MS. MURRAY: Exactly.

19 MAYOR EVANS: -- with the city in hopes  
20 of getting a better price, and you would be  
21 responsible for the cost of that particular  
22 re-paving?

23 MS. MURRAY: Oh, yeah; we know we  
24 have to pay for it.

25 MAYOR EVANS: Yeah.

1 MS. MURRAY: Because the city --

2 MAYOR EVANS: And I'm sorry --

3 MS. MURRAY: -- doesn't own it.

4 MAYOR EVANS: -- about that because  
5 it's a --

6 MS. MURRAY: Yeah.

7 MAYOR EVANS: -- private road and we  
8 can't.

9 MS. MURRAY: Right. Exactly.

10 MAYOR EVANS: Yeah.

11 MS. MURRAY: But if you're doing other  
12 roads, maybe that company would be willing to  
13 work with us in terms of coming down that little  
14 section right there.

15 COUNCIL MEMBER TUCCI: There's kind  
16 of a precedent for that with the -- the treatment of  
17 the -- with the green ash borer, where Limbwalker  
18 offers the same price to private citizens in order  
19 to treat their ash trees as the city is getting so  
20 that private citizens get a kind of a quantity  
21 discount.

22 MS. MURRAY: Right.

23 COUNCIL MEMBER TUCCI: And that -- it  
24 seems to me the analogy is pretty --

25 MAYOR EVANS: Yeah.

1 COUNCIL MEMBER TUCCI: -- strong  
2 there.

3 MAYOR EVANS: Yeah. I'm glad you  
4 brought it up.

5 MS. MURRAY: Thank you.

6 MAYOR EVANS: And if you would give  
7 me your contact information, I have One Harrods  
8 Creek Drive, so I --

9 MS. MURRAY: That's fine.

10 MAYOR EVANS: -- know where you live.

11 MS. MURRAY: M-hm.

12 MAYOR EVANS: But I wouldn't know your  
13 email address or your phone number. And --

14 MS. MURRAY: I can give you all that.

15 MAYOR EVANS: -- if you could leave  
16 that with me or with Holly.

17 MS. MURRAY: Okay.

18 MAYOR EVANS: We're -- we're on the  
19 move on this, as I said.

20 MS. MURRAY: Yeah.

21 MAYOR EVANS: So we'll get in touch  
22 with you, and we'll see if we can work something  
23 out.

24 MS. MURRAY: Okay. Great. Thank you.

25 MAYOR EVANS: Thanks. Okay. Even

1     though I don't have anyone else signed up, are  
2     there any other citizens that would like to address  
3     the council tonight?

4             AUDIENCE: [no response]

5             MAYOR EVANS: Okay. Nobody.

6             COUNCIL MEMBER TUCCI: You've got  
7     somebody here.

8             MS. DAVIS: Well --

9             MAYOR EVANS: Oh.

10            MS. DAVIS: -- it's just a comment.

11            MAYOR EVANS: I didn't mean to miss  
12     you.

13            MS. DAVIS: Do I have to come up to the  
14     speaker?

15            MAYOR EVANS: Well, we --

16            MS. DAVIS: It's not really -- it's a public  
17     thank you to someone. Do you want me to go up?

18            MAYOR EVANS: That's fine. You can do  
19     it.

20            MS. DAVIS: I want to thank Sandra  
21     Leonard for how she runs the library. I use the  
22     library quite a bit. And the last time you had a --  
23     and I haven't even thanked her yet, so I'm  
24     thanking her out loud now.

25            The last time you had a book sale, I was

1 looking for poetry books. And I had talked to her  
2 briefly. And apparently -- I don't know who she  
3 talked to or whatever, but the ne -- next time I  
4 came in to, you know, get some books, she had  
5 looked in the miscellaneous section, because I  
6 couldn't find anything, and she had a stack of  
7 books there that she had collected for me. And I  
8 thought that was really precious.

9 COUNCIL MEMBER LEONARD: And we  
10 were delighted --

11 MS. DAVIS: I thought that was --

12 COUNCIL MEMBER LEONARD: -- to give  
13 them to you.

14 MS. DAVIS: -- so thoughtful. I mean, it  
15 just kind of blew my mind.

16 MAYOR EVANS: That --

17 COUNCIL MEMBER LEONARD: Well --

18 MAYOR EVANS: -- is not --

19 COUNCIL MEMBER LEONARD: -- it's  
20 because --

21 MAYOR EVANS: -- surprising.

22 COUNCIL MEMBER LEONARD: -- there's  
23 not that many poetry readers here in Prospect, and  
24 we wanted to encourage you. Thank you.

25 MAYOR EVANS: Do you care to --

1 MS. DAVIS: Well, I wanted to thank her  
2 because it was like she went out of her way. You  
3 know, she --

4 MAYOR EVANS: Would you care to tell --

5 MS. DAVIS: -- you know, didn't really  
6 know me. And here's this stack of --

7 MAYOR EVANS: Would you tell --

8 MS. DAVIS: -- stack of --

9 MAYOR EVANS: -- care to --

10 MS. DAVIS: -- books here.

11 MAYOR EVANS: -- tell the court reporter  
12 your name so it can be in the record?

13 MS. DAVIS: Oh. Nancy Davis.

14 THE REPORTER: Davis?

15 MAYOR EVANS: Okay.

16 MS. DAVIS: Davis --

17 THE REPORTER: Okay.

18 MS. DAVIS: -- D-a-v-i-s. I'm from Fox  
19 Harbor.

20 THE REPORTER: Thank you.

21 MAYOR EVANS: Yeah. That's a tough  
22 one. Even though --

23 MS. DAVIS: I mean, I was just so, kind  
24 of, blown away. I thought I just -- I -- I can't tell  
25 you. I was just -- it was -- it was exciting.

1           MAYOR EVANS:  What kind of poetry do  
2 you like?

3           MS. DAVIS:  Well, I was just starting to  
4 get into it, so. . .

5           COUNCIL MEMBER LEONARD:  She took  
6 everything.

7           MS. DAVIS:  Yeah.

8           COUNCIL MEMBER LEONARD:  
9 Everything.  We only about five or six in the  
10 course --

11          MAYOR EVANS:  Well, talk to me later  
12 and we'll. . .

13          If there's nothing else, it's time to hear a  
14 motion to adjourn.

15          COUNCIL MEMBER FULCHER:  So  
16 moved.

17          MAYOR EVANS:  Nobody wants --

18          COUNCIL MEMBER MILES:  Second.

19          MAYOR EVANS:  -- to adjourn.  Moved  
20 and seconded.  Any discussion?

21          COUNCIL MEMBERS:  [no response]

22          MAYOR EVANS:  If none, we'll move to a  
23 vote.  All in favor?

24          COUNCIL MEMBERS:  Aye.

25          MAYOR EVANS:  All opposed?

1 COUNCIL MEMBERS: [no response]

2 MAYOR EVANS: We're adjourned.

3 [WHEREUPON, the City Council Meeting

4 concludes at 8:00 p.m.]

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CERTIFICATE OF REPORTER

STATE OF KENTUCKY AT LARGE

I, BARBIE A. HENNESSEY, 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 \_\_\_\_\_, 2015.

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My Commission Expires: Notary Public

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JANUARY 2, 2017 \_\_\_\_\_.

.

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