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CITY OF  
PROSPECT, KENTUCKY

CITY COUNCIL MEETING

NOVEMBER 18, 2013

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4 MAYOR EVANS: Tonight's meeting  
5 promises to be a little longer than most, so I think  
6 we'd better get started, and it is 7:00.

7 This is the regular council meeting of the City  
8 of Prospect of November 18, 2013. The record  
9 should reflect that all six members of the council  
10 are present.

11 And the first order of business is to see -- or  
12 entertain a motion regarding the minutes of the  
13 last regular council meeting held on October 21st,  
14 which all members of the council received in their  
15 packets. Is there such a motion?

16 COUNCIL MEMBER LEONARD: I move  
17 approval.

18 COUNCIL MEMBER BRAB: Second.

19 MAYOR EVANS: Moved and seconded.

20 All in favor say, "Aye."

21 COUNCIL MEMBERS: Aye.

22 MAYOR EVANS: All opposed?

23 COUNCIL MEMBERS: [no response]

24 MAYOR EVANS: The ayes have it, and  
25 those minutes are adopted.

1 Next item on the agenda -- just a second.

2 [WHEREUPON, counsel confers inaudibly.]

3 MAYOR EVANS: Oh, there he is. Todd,  
4 would you come up front and let me just say a few  
5 things to you, please.

6 MR. EBERLE: Where's "up front"? Okay.  
7 Good. I don't have to be --

8 MAYOR EVANS: Anywhere you'd like?

9 MR. EBERLE: -- I don't have to get  
10 behind the bar.

11 MAYOR EVANS: It didn't use to be this  
12 hard.

13 Mayor Eberle, the City of Prospect would like  
14 you to have this very small token of our esteem  
15 and appreciation to you for the many things you  
16 did for the City.

17 I wasn't here, but from what I understand,  
18 there were some difficult financial times that you  
19 got us through. You got us the Tree City Award.  
20 There were some other things that you did that --

21 MR. EBERLE: Added some parks.

22 MAYOR EVANS: You added Putney Park.

23 MR. EBERLE: Along with Stuart, so. . .

24 MAYOR EVANS: Yeah. And that's a  
25 wonderful thing.

1       And I think, from what I understand, you also  
2 defended us against those who would take all the  
3 trees off of the south side of 42.

4           MR. EBERLE: Todd. So far.

5           MAYOR EVANS: I appreciate that. Well,  
6 yeah, so far.

7           MR. EBERLE: Right.

8           MAYOR EVANS: So, with Prospect's  
9 thanks.

10          MR. EBERLE: Thank you. I appreciate  
11 it.

12        It's been about eight months. And some of my  
13 impertinent and unmannerly friends have asked  
14 me, "Is it hard work doing nothing?"

15        And my re -- and my reply always is, "Yes, it  
16 is, because you never know when you're done."

17        But I have -- I -- I've -- it's been a challenge  
18 since I retired, and it's -- it's been enjoyable. I  
19 had a successful surgery and probably another  
20 one, hopefully successful, coming up.

21        Got the chance to visit my son. And I really  
22 haven't spent a block of time with him for about 20  
23 years, and he's in London, England, so that was  
24 fun.

25        And got my mother squared away or at least

1 stabilized and -- and sta -- and living in the house  
2 that I was raised in. She's living there alone,  
3 she's 95. And so we make trips up there to go and  
4 visit her and make sure she's behaving herself.

5 MAYOR EVANS: You have a lot going on.

6 MR. EBERLE: So. . . Right. And we're  
7 working on the metro -- metro tree ordinance now,  
8 so. . .

9 MAYOR EVANS: Great.

10 MR. EBERLE: I appreciate it.

11 MAYOR EVANS: Thank you, Todd.

12 MR. EBERLE: Thank you.

13 [applause]

14 COUNCIL MEMBER MILES: I'd just like  
15 to add that it was a pleasure serving with Todd.  
16 And if it weren't for Todd, we wouldn't have the  
17 great parks that we have today. And we will  
18 always be thankful to you for that, Todd. Thank  
19 you very much.

20 MR. EBERLE: Thank you, Stuart.

21 COUNCIL MEMBER TUCCI: He also  
22 brought a real level of professionalism to the way  
23 we construct the budget; the way we work through  
24 a budget. When I first came on council, the  
25 budget was kind of done on the back of an

1 envelope, pretty much, and it's improved markedly  
2 and the big jump, the big jump, from that to where  
3 we are now was under the aegis of Todd.

4           MAYOR EVANS: Well, again, thank you,  
5 Todd.

6           The Mayor's update. Water company matters.  
7 There are still piles of dirt along Montero Drive;  
8 some of the digging and piles of dirt have been  
9 remediated as best they can. I think most of you  
10 know what I'm talking about. Oddly enough, I  
11 haven't had very many complaints, but the ones  
12 I've had have been pretty strong. And I --  
13 deservedly so.

14           And then there's the pool of water right  
15 outside of city hall, which also is a water company  
16 matter. And I was told about 2:00 this afternoon,  
17 by a would-be contractor about to bid on the job,  
18 that the water company hopes that it will be -- that  
19 they will start working on it on -- on Wednesday.  
20 And, meanwhile, this out -- this lane of 42 is  
21 closed.

22           So that's what's going on with Prospect and  
23 the water company.

24           Kelly Downard has undertaken to help us as  
25 much as he can; he's our Metro councilman from

1 here.

2 Another matter, an entirely different matter, I  
3 got looking at the legal handbook for Kentucky  
4 officials, and in the course of that, I learned  
5 something. Not -- when we became a third-class  
6 city, it appears to me that we lost the ability to opt  
7 out of having a primary election.

8 Whether the primary actually occurs or not  
9 will depend upon whether more than 2 people file  
10 to run for mayor, whether more than 13 people --  
11 or more than 12 people, rather, file to run for  
12 council. But we won't know whether that is so or  
13 not until the filing date has passed.

14 And for cities required to have a primary,  
15 which in my opinion Prospect is, the cutoff date for  
16 filing to run for either city council or mayor is --  
17 and I can't remember the precise date, and I can  
18 get it for anybody that wants it, but I believe it's  
19 in the third week of January of 2014, almost an  
20 entire year before the actual -- well, not the  
21 primary; the primary would be in May.

22 But that is my reading of what we're required  
23 to do. It's different from anything Prospect ever  
24 has done. And so I thought I should just tell  
25 everyone that and get it out there for anybody who

1 is interested in running for any of those offices.  
2 You can't wait until August, in my opinion. And  
3 the date, the earliest date for filing has already  
4 passed. So can you get the papers down at the  
5 Board of Election and -- and file.

6 COUNCIL MEMBER LEONARD: In the  
7 event that a primary were to take place, let's say  
8 two people ran for mayor, what --

9 MAYOR EVANS: Have to --

10 COUNCIL MEMBER LEONARD: -- would  
11 the --

12 MAYOR EVANS: -- be three.

13 CITY ATTORNEY POTTS: More than --

14 COUNCIL MEMBER LEONARD: Okay.

15 CITY ATTORNEY POTTS: -- two.

16 COUNCIL MEMBER LEONARD: More  
17 than two. What would the function of the primary  
18 be, to winnow it down to two?

19 COUNCIL MEMBER TUCCI: M-hm.

20 MAYOR EVANS: Yes.

21 CITY ATTORNEY POTTS: 2 and 12.

22 COUNCIL MEMBER LEONARD: 2 and 12.

23 CITY ATTORNEY POTTS: I only  
24 remember one election in Prospect where three  
25 people ran for Mayor; and the winner won with 40%

1 of the vote. That was 1989.

2 MAYOR EVANS: Moving on, I wanted to  
3 report that we had our first meeting of the Mayor's  
4 Advisory Committee last Tuesday over at the  
5 Kroger Conference Center. And most of the people  
6 who had agreed to be on that 24-member board  
7 showed up, and we had a very enjoyable,  
8 profitable meeting.

9 I asked Holly to make copies of her  
10 typewritten notes. She took handwritten notes and  
11 then typed them up at my request. And they --  
12 they were on the table back there for anybody who  
13 wants them.

14 The comments are too numerous for me to  
15 take the time to sit here and read them to you.  
16 It'd be better if you just were to look at them and  
17 sort of digest them.

18 The next such meeting will be on the second  
19 Tuesday in January.

20 I want to thank Kroger for hosting that  
21 meeting. I've written Steve Goddin a letter  
22 thanking them and I want to say it publicly now. It  
23 was a great facility that they made available to us.  
24 And they also, at the end of it, as they said,  
25 provided us with something I had not ever been to,

1 is a cheese tasting. And they have a special  
2 cheese shop, that they brought all these  
3 different -- four or five different cheeses that  
4 people could taste and to take home.

5 I want to move right into the committee  
6 reports. We have four of them scheduled. And the  
7 first of them is Parks and Public Lands. And who  
8 is here to give that report?

9 COUNCIL MEMBER MILES: Linda cannot  
10 be here so I will give that report.

11 MAYOR EVANS: All right.

12 COUNCIL MEMBER MILES: To update,  
13 we had a -- our largest volunteer work day this  
14 weekend. We had over 20 people show up working  
15 on three projects in Harrods Creek Park.

16 We had -- and I want to big -- a big thank you  
17 to the Bevin family. Tina Bevin is the mother of  
18 the family; Sam and Zach Bevin are students at the  
19 University of Kentucky; and Sophie Bevin is a  
20 student at Assumption High School.

21 Sophie was able to get eight girls from  
22 Assumption to come and volunteer, and they did a  
23 great job of working with me on a section of the  
24 trail.

25 We had Sam and Zach Bevin with a group of

1 UK students, and they were working on some  
2 erosion issues with one of the trails.

3 And then we had a group of represents, about  
4 seven Prospect residents, that were also working  
5 on taking a hill out of one section of the trail and  
6 making it more accessible.

7 And so we had a great work day, and I just  
8 want to -- it's just really great to see young people  
9 coming out and giving their time on behalf of our  
10 city.

11 We had a Boy Scout, and I do -- I apologize, I  
12 do not have his name. Lynn Granger is going to be  
13 here tonight, and he can update you on the scout  
14 project. We had one scout start a boardwalk  
15 project and another scout is working on finishing  
16 up a project to put bike racks at the entrance of  
17 both Harrods Creek Park and Putney Pond &  
18 Woodlands. Thanks.

19 MAYOR EVANS: Is that it?

20 COUNCIL MEMBER MILES: That's it?

21 MAYOR EVANS: Any questions for  
22 Stuart?

23 COUNCIL MEMBERS: [no response]

24 MAYOR EVANS: All right. Mr. Tucci  
25 here?

1 MR. TUCCI: Right here.

2 MAYOR EVANS: Lee, if you could give  
3 us the Forestation Report, please.

4 MR. TUCCI: We had a very successful  
5 Arborfest on the 26th of October, even though it  
6 was cold and kind of damp, had a good turnout of  
7 people. We actually gave away 68 trees. And we  
8 also planted two trees in a little green area at the  
9 new entrance to Putney Park.

10 Along the new initiatives, we're going to ask  
11 the fire company to advise us as to what trees  
12 need trimming along the roadways to a proper  
13 vehicle clearance.

14 And we're in the process -- actually Ron  
15 Cundiff has completed getting bids on taking out  
16 several dead trees in the area, and that work will  
17 go forward pretty soon.

18 So, any questions?

19 COUNCIL MEMBERS: [no response]

20 MAYOR EVANS: All right. Thank you,  
21 Lee.

22 MR. TUCCI: You're welcome.

23 COUNCIL MEMBER MILES: Mayor, I -- I  
24 did forget one thing, and I've got --

25 MAYOR EVANS: Go ahead.

1 COUNCIL MEMBER MILES: -- if I don't  
2 mention, I'll be in big trouble at home.

3 MAYOR EVANS: All right.

4 COUNCIL MEMBER MILES: My daughter,  
5 Madison Miles, who's a student at Collegiate, is  
6 setting up another work day with Collegiate  
7 students for next weekend. So I hope to report  
8 when -- at the next meeting that they work that  
9 they have accomplished. They were going to do it  
10 this weekend; they were going to do it on Sunday.  
11 But Sunday, as you know, was a -- a rain out day,  
12 so sorry about that.

13 MAYOR EVANS: The Library Committee,  
14 who's here for that?

15 COUNCIL MEMBER LEONARD: The  
16 library had a very successful book sale. The  
17 books that almost gone haven't [phonetic] -- we  
18 still have the final step of taking the books over to  
19 Half Price Books, so that we can get all new books  
20 for next book sale. Donations for that are already  
21 coming in.

22 And the dear person who is taking them over  
23 to Half Price Books is Frank Fulcher. We want to  
24 thank them. We had 23 volunteers work on this  
25 book sale. And I just -- it -- it never ceases to

1     amaze me the people here in Prospect that are  
2     willing to help.  It's been good.

3             MAYOR EVANS:  Is that it?

4             COUNCIL MEMBER LEONARD:  That's it.

5             MAYOR EVANS:  Any questions?

6             COUNCIL MEMBERS:  [no response]

7             MAYOR EVANS:  And the Website

8     Committee, is someone here to --

9             COUNCIL MEMBER LEONARD:  I'm --

10            MAYOR EVANS:  -- report on that?

11            COUNCIL MEMBER LEONARD:  -- here

12     because --

13            MAYOR EVANS:  Oh, you're --

14            COUNCIL MEMBER LEONARD:  -- Joe --

15            MAYOR EVANS:  -- going to do that, too.

16            COUNCIL MEMBER LEONARD:  --

17     Kehlbeck --

18            MAYOR EVANS:  Okay.

19            COUNCIL MEMBER LEONARD:  -- he's in

20     California.

21     The Website Committee is working.  It's going  
22     smoothly.  We, I hope, are going to test before we  
23     expose this to the world, but we are getting to the  
24     point there are actually things that are up and  
25     beginning to work.

1 COUNCIL MEMBER MILES: And, Sandra,  
2 I have a bunch of pictures ready to send you guys  
3 any time --

4 COUNCIL MEMBER LEONARD:  
5 Fantastic.

6 COUNCIL MEMBER MILES: -- you need  
7 them. Just let me know.

8 COUNCIL MEMBER LEONARD: How  
9 many is many?

10 COUNCIL MEMBER MILES: I mean as  
11 many as you want. I've -- I've got dozens, so. . .

12 COUNCIL MEMBER LEONARD: Well,  
13 pick what --

14 COUNCIL MEMBER TUCCI: Think --

15 COUNCIL MEMBER LEONARD: -- you  
16 want --

17 COUNCIL MEMBER TUCCI: -- first baby,  
18 you know.

19 COUNCIL MEMBER LEONARD: Yeah.  
20 Well, no, that's great.

21 COUNCIL MEMBER MILES: Yeah.

22 COUNCIL MEMBER LEONARD: Let -- I'll  
23 give you the email address for the Sawyers.

24 COUNCIL MEMBER MILES: Okay.

25 COUNCIL MEMBER LEONARD: And

1 they --

2 COUNCIL MEMBER MILES: Great.

3 COUNCIL MEMBER LEONARD: -- can  
4 start looking at them.

5 COUNCIL MEMBER MILES: Thanks a lot.

6 COUNCIL MEMBER LEONARD: That's  
7 terrific. Thank you.

8 COUNCIL MEMBER MILES: M-hm.

9 MAYOR EVANS: Stuart, did Lynn want to  
10 make comments regarding the Boy Scout projects  
11 in the parks?

12 COUNCIL MEMBER MILES: Yes. Lynn?

13 MAYOR EVANS: Is this the time for that?

14 COUNCIL MEMBER MILES: Yeah. I  
15 think this would be the time to do that.

16 MR. GRANGER: Do you want me to do  
17 that?

18 COUNCIL MEMBER MILES: Sure.

19 MAYOR EVANS: You're on.

20 COUNCIL MEMBER MILES: And you can  
21 give the background of -- of who -- who did the  
22 projects this weekend?

23 MR. GRANGER: And do you have the  
24 sheet?

25 COUNCIL MEMBER MILES: Yes.

1 MR. GRANGER: My printer wasn't  
2 working when I went to work.

3 COUNCIL MEMBER MILES: Here's this.

4 MR. GRANGER: Okay.

5 COUNCIL MEMBER MILES: And you can  
6 go ahead and go over that as well.

7 MR. GRANGER: Okay. I apologize. I  
8 prepared this and my computer at work today went  
9 out completely. So I had to call Stu to get a copy.

10 Let me do two things. Let me start off, on the  
11 list of projects right now, we've even had a couple  
12 more scouts step forward from the last time we  
13 met.

14 So where we are right now, we've got two bike  
15 racks nearing completion. If you look at those  
16 four posts, if you've seen them up, they're to put  
17 bikes on. We haven't gotten the holes drilled  
18 through yet to run chain through, so that's our  
19 next thing to do.

20 We've got one scout who started on the next  
21 section of boardwalk. And I've got two more  
22 scouts that might make it before the end of the  
23 year.

24 One of the unusual things right now, the Boy  
25 Scout Eagle requirements change come January

1 1st. And if you haven't re -- made your Eagle by  
2 then, you have to earn another merit badge. So  
3 they're motivated right now to move.

4 And normally we won't have four projects  
5 going on right now, but we do. So I don't know if  
6 all will make it by -- by January 1st, but I think two  
7 or three will. So we're -- we're getting there on  
8 projects. And the list has where we -- as of right  
9 now, like I said, this needs to -- could be updated,  
10 as far as that goes.

11 Second, we were asked last time to provide  
12 some information on our proposal as far as how do  
13 we go back and reimburse scouts. And our thought  
14 was that we'd cover half their material expenses;  
15 but they have to come back and apply for this.

16 And our intent is most Eagle Scout projects  
17 probably in the range of 3- to \$500 in materials.  
18 Most of the times -- or it's not unusual the  
19 beneficiary is not required to provide funding but a  
20 lot of times they do. The challenge we've got  
21 here, we're bui -- we're building pretty heavy  
22 structures and we're doing structures probably in  
23 the 5- to 800 to \$1,000 range and more.

24 And so the cou -- for Prospect to come back,  
25 if we can fund half of that, we can get more kids to

1 do projects. We could particularly help kids where  
2 mom and dad aren't able to write the check for  
3 this. And so what you have going on right now, in  
4 most of these projects mom and dad are writing the  
5 check or loaning money to it, they do some  
6 fundraising. If we can have a mechanism in place  
7 to provide half of the material costs back, we'll get  
8 them done quicker.

9 So there is -- my thought is, we have -- we're  
10 very -- in proposal I wrote and gave to Linda, and  
11 very specific of what we would -- we would fund  
12 for. Also, at the end they'll give us a copy of their  
13 project, all receipts, and there's no guarantee they  
14 will get reimbursed.

15 If they wind up building a structure that we're  
16 not happy with and we don't approve it, they won't  
17 get the money back from us. But I think I've got  
18 the details pretty well lined up. We're talking,  
19 like, wood and screws, don't tell me that dad  
20 bought a brand-new drill and he wants us to pay  
21 for half of it, you know, or Uncle Charlie drove in  
22 from St. Louis and wants \$100 for gas, that kind of  
23 thing. But I think what we're doing and to  
24 encourage more kids to participate, I think this is  
25 the way to go.

1           COUNCIL MEMBER MILES: I'd like to  
2 add that we have required the scouts to use  
3 roughhewn cedar for all their projects. And the  
4 reason we've done that is, is that the cedar will  
5 last for 25 to 30 years. Most people use just  
6 regular treated lumber, which has a very short life  
7 expectancy. Plus, the cedar looks really nice.

8           So we're really making the scouts use wood  
9 that is much more expensive than if they were to  
10 go do a project for some other park in some other  
11 city. And if -- and what's really nice is all the  
12 projects, because they're using the same material,  
13 there's uniformity across our parks on all these  
14 Eagle Scout projects.

15           MR. GRANGER: And we're -- we're using  
16 wood -- we're screwing them together, not nailing  
17 them together.

18           Our concern with the boardwalk is, is that it  
19 will not move and the -- Stu had a good shot, the  
20 rain we had recently, the water was up to it, but  
21 none of the sections have been installed so far;  
22 they all stayed in place.

23           COUNCIL MEMBER MILES: Yeah. They  
24 didn't move at all.

25           And, I mean, one of the bridges, Lynn, a scout

1 built, which is -- it's -- it's almost like a work of  
2 art. I think it was \$1,700 for materials for this  
3 bridge. I mean, you know, these scouts have --  
4 the -- the -- the value they've added to our park  
5 system not only in materials but in labor is very,  
6 very impressive.

7 MAYOR EVANS: Thank you.

8 COUNCIL MEMBER TUCCI: Well, the  
9 other nice thing is we've -- a young man who does  
10 something like that, he has a value added the rest  
11 of his life of being able to look back and --

12 COUNCIL MEMBER MILES: Right.

13 COUNCIL MEMBER TUCCI: -- say, "This  
14 is what I did."

15 So that's -- that makes me feel good to be  
16 doing something like that for these young men.

17 COUNCIL MEMBER MILES: And a lot of  
18 them are residents of Prospect, and they've had  
19 to, in the past, travel miles and miles away to  
20 build something in somebody else's park. And  
21 there's a pride of ownership; they're being able to  
22 build in -- in their own community.

23 MR. GRANGER: Well, just, you know, a  
24 couple weeks ago we went over to look at the site,  
25 we're putting bicycle racks because we're put --

1 installing those. There was a grandmother and a  
2 grandson, it looked like to me, rode up on two  
3 bikes. And they went down in the woods and  
4 chained their bikes to trees down in the woods  
5 where we're putting them in there.

6 And then at the same time, I had a son and  
7 dad meeting over at the boardwalk to discuss the  
8 next section of boardwalk. Someone jogging down  
9 yelled out, "Thank you," to us as they were going  
10 down the road.

11 So it's -- it's being used. And, like I say, it's  
12 working well. I'm very happy. We're getting these  
13 done faster than I thought we would. I mean, the  
14 interest is high, the kids are getting experience  
15 out there, troops are getting experience at it. And  
16 so again, this will help us keep this going.

17 COUNCIL MEMBER FULCHER: Lynn, I --  
18 I have a question. You did a very good job with  
19 this after our last conversation.

20 MR. GRANGER: Yes. You and I talked  
21 and --

22 COUNCIL MEMBER FULCHER: Yeah. On  
23 the -- in the second paragraph it -- or the third  
24 paragraph it says: [reads] Including materials,  
25 consumable supplies, refreshments, and tool

1 rental.

2 Is that refreshments in the wrong place or is  
3 it. . .

4 MR. GRANGER: No. Well, fir -- what  
5 typically is, we tell them they have -- like to  
6 keep -- if they're working four hours and it's a hot  
7 day, we want refreshments, we want lunches  
8 served, that kind of thing, to make sure the kids  
9 are okay.

10 And so in that instance we would consider  
11 refreshments as part of the supplies of the Eagle  
12 project. And so it's not unusual they buy pizza  
13 or -- or that kind of thing. And so that's a typical  
14 thing.

15 COUNCIL MEMBER FULCHER: Okay.  
16 Thanks.

17 COUNCIL MEMBER TUCCI: Part of their  
18 work is, they can't do it by themselves; they have  
19 to show that they can organize a work crew,  
20 volunteer work crew and have to keep that  
21 volunteer work crew happy. Pizza works pretty  
22 well for that.

23 MR. GRANGER: What's been nice, too,  
24 we've had a couple of troops, 317 primarily, and  
25 there's a lot of adult expertise now in this --

1 COUNCIL MEMBER MILES: Yes.

2 MR. GRANGER: -- that's falling over.

3 And you'll get one scout who's worked on two  
4 sections and then it's his time to do it. So we're  
5 getting them done a bit faster and the quality of  
6 work, walk down there and take a look, it looks  
7 really, really good I think.

8 COUNCIL MEMBER MILES: Yeah. You --  
9 you can go down there and you would think that  
10 professional carpenters put these projects  
11 together. I mean, it really is that level of -- of --  
12 of work.

13 MR. GRANGER: And soon we'll get about  
14 halfway -- I think half to two-thirds finished maybe  
15 by the end of this year. Then, hopefully, next year  
16 we'll have that main section complete.

17 MAYOR EVANS: Well, Lynn, thank you  
18 for all you do.

19 MR. GRANGER: Sure.

20 MAYOR EVANS: We really appreciate it.

21 MAYOR EVANS: Police report. Chief  
22 Sherrard?

23 CHIEF SHERRARD: Yes, sir.

24 COUNCIL MEMBER TUCCI: Trash  
25 recycling --

1 CHIEF SHERRARD: Okay.

2 COUNCIL MEMBER TUCCI: -- did we  
3 miss that?

4 COUNCIL MEMBER FULCHER: No.  
5 There's nothing to --

6 COUNCIL MEMBER TUCCI: Nothing?

7 COUNCIL MEMBER FULCHER: -- report.

8 CHIEF SHERRARD: Okay. With regard  
9 to Code Enforcement, there were no citations  
10 issued for the last month, so there's no actions  
11 currently pending for the Code Enforcement Board,  
12 so they did not need to meet this month.

13 We will have a -- a meeting in early  
14 December, the committee to study the nuisance  
15 ordinance. As you know, at the last meeting Jeff  
16 Stovall made his presentation, or at least the -- it  
17 came forward, I think Mr. Fulcher presented that --  
18 that. And we were charged to go back and look at  
19 some other items as it relates to, I think, the  
20 penalties, subsequent penalties, things of that  
21 nature. So that's what we're going back for in  
22 early December.

23 With regards to the stats for the month, house  
24 checks were up about 17% this month compared to  
25 same period last year.

1 Citations, they're along the lines of what  
2 we've been writing for the last several months.  
3 They continue to look up compared to last year;  
4 but it's along the lines of what we have been  
5 doing. Speeding citations, accounted for 32 of the  
6 47, and all but 6 were written along US 42, so. . .

7 There were 16 totals accidents for the month,  
8 three had minor injuries. That's a 45% increase  
9 over the last year.

10 Dispatch runs were the same.  
11 Officer-initiated runs were up approximately 22%.  
12 Burglar alarms were down about 25%.

13 There were five DUI arrests for the month.  
14 Only one of those involved a Prospect city  
15 resident. We were called to the scene on two  
16 deaths this past month, one of which was a natural  
17 causes death, and the other one was turned over  
18 to LMPD homicide because it's going to be ruled  
19 as suicide.

20 There's not a lot of significant to report with  
21 regards to our theft reports and things of that  
22 nature. However, October 13th, we did have a theft  
23 of jewelry from a home in Hunting Creek. It turned  
24 out it involved an employee of the Molly Maid  
25 Cleaning Service.

1        Within 24 hours she was already at a pawn  
2 shop, pawning those items. Again, that -- there's  
3 always a significant paper trail when it comes to  
4 that. So she was one of three people that were in  
5 the store. We have a link with the LMPD to be  
6 able to run those names through databases. And  
7 lo and behold, there was a hit on her name. They  
8 knew that she'd been in the home the day before.  
9 And so we've already taken out a warrant for her  
10 arrest for that theft. The property was recovered  
11 at the pawn shop.

12        Just about a week ago, on November 10th, at  
13 approximately 1:30 to 2:15 a.m. a Prospect  
14 resident noticed someone milling about in the  
15 evening. He wishes to remain anonymous.  
16 However, thank God, it was in the middle of the  
17 night, he couldn't sleep because he saw somebody  
18 milling about outside, called the police, and lo and  
19 behold, they were able to find a car, suspicious  
20 car over on Fairway View Court.

21        They were able to apprehend a juvenile next  
22 to that car. And he was very cooperative and  
23 found out that there were two other juveniles, and  
24 they were all out breaking into car -- not  
25 technically breaking in; these were all unlocked

1 cars. They weren't actually breaking into cars.  
2 They were checking unlocked cars. Odd part about  
3 that was, they were all dressed in fatigues. They  
4 were not traveling the main roadways; they were  
5 traveling through backyards so as not to be seen.  
6 One of them apparently pa -- made the fatal  
7 mistake of passing under a light, and he was seen  
8 by our resident who called it in.

9 So all three of them were arrested; and they  
10 were juveniles. Property was recovered. We  
11 found five victims. We have additional property  
12 that was recovered, so we're still trying to match  
13 up victims with property. It's not a si -- a real  
14 significant amount of property; but nonetheless,  
15 we do have some of that.

16 COUNCIL MEMBER MILES: Chief, can I  
17 ask you a question.

18 CHIEF SHERRARD: Sure.

19 COUNCIL MEMBER MILES: I know this  
20 has been a recurring problem. I know you've been  
21 preaching, "Lock your cars."

22 CHIEF SHERRARD: Yep.

23 COUNCIL MEMBER MILES: Do we think  
24 that these kids might be responsible?

25 CHIEF SHERRARD: They were -- they

1 were out a few days earlier. And they'd been  
2 hitting in Oldham County a little bit, too --

3 COUNCIL MEMBER MILES: Right.

4 CHIEF SHERRARD: -- it just wasn't  
5 within Prospect. And in terms of how long that  
6 they were doing this, I don't know. They probably  
7 will enter into some sort of agreement at court to  
8 find out a few other involved, to put it that way.  
9 That's generally done in juvenile court.

10 COUNCIL MEMBER MILES: Were they  
11 Prospect residents?

12 CHIEF SHERRARD: One of them was;  
13 another one lived in Oldham County, just outside  
14 of Prospect; and the one lived off of Shelbyville  
15 Road, east side of Shelbyville Road, Lake Forest  
16 Spring.

17 COUNCIL MEMBER MILES: These are  
18 under 18 individuals?

19 COUNCIL MEMBER BOWLING: High  
20 school.

21 CHIEF SHERRARD: 16, 16, and 17, I  
22 believe.

23 COUNCIL MEMBER BOWLING: They  
24 all -- all three of them, I believe, go to --

25 CHIEF SHERRARD: Yeah.

1 COUNCIL MEMBER BOWLING: --

2 Trinity --

3 CHIEF SHERRARD: They --

4 COUNCIL MEMBER BOWLING: --

5 together.

6 CHIEF SHERRARD: That's correct.

7 They're all high school. Could've started a

8 basketball team.

9 COUNCIL MEMBER BOWLING: Yeah.

10 CHIEF SHERRARD: Six-five, six-three,  
11 and five-eleven. You've got to have a point guard.

12 Let's see, we did have a break-in last  
13 Thursday at a home in the Sutherland. The  
14 resident came home and actually saw someone in  
15 the front yard leaving the front area of their home.  
16 She got a physical description of them. There was  
17 no car that was ever seen.

18 Within a few hours another agency stopped a  
19 car with someone inside that look very similar to  
20 our person. However, there was no property with  
21 him, so we're still following up on that angle. But  
22 very closely matched the physical description that  
23 our resident was able to get.

24 Other than that, that's all I have.

25 Anybody have any questions?

1 COUNCIL MEMBERS: [no response]

2 AUDIENCE: [no response]

3 MAYOR EVANS: All right. Thank you,  
4 Chief.

5 Next item of business, is the proposed  
6 amendment to Prospect's hunting ordinance. And  
7 that proposed amendment is offered by Councilman  
8 Bowling, so I'll turn it over to him.

9 COUNCIL MEMBER BOWLING: Yeah.  
10 Let me -- let me explain a little bit, some  
11 background of where this came from. I know that  
12 I've had a lot of questions in the last few weeks  
13 about this and -- and how it initiated.

14 In 2011, the General Assembly passed an  
15 amendment that protects hunting in the State of  
16 Kentucky.

17 In 2012, since it was actually a Constitutional  
18 Amendment, it has to go on the ballot for the  
19 people to vote on.

20 The people of Kentucky did that and  
21 unanimously voted, I think, it was 80% to 20% to  
22 accept that.

23 When that happened, there is a -- there was a  
24 handful of cities in Jefferson County and northern  
25 Kentucky who either had no hunting ordinances or

1 policies that regulated or forbid hunting. Those  
2 became null and void when this Constitutional  
3 Amendment was passed.

4 We are the last city, municipality who has not  
5 complied with that. At the last meeting I passed  
6 out the -- the minutes and the ordinance from  
7 Glenview here in Jefferson County. They  
8 rescinded theirs back in, I believe, August -- July  
9 it says here. And I read a little bit of it just  
10 because I think it summarizes it pretty well.

11 The amendment prote -- prohibits any  
12 regulation of hunting except by the legislature and  
13 its agencies like Fish & Wildlife. Counties and  
14 municipalities may no longer regulate or prohibit  
15 hunting. Consequently, the City of Glenview was  
16 required to repeal our no hunting ordinance. And  
17 this was the -- the vote, of course, that was -- that  
18 was unanimous.

19 So Prospect, of course, has -- has -- has been  
20 vocal about not allowing hunting, and we can't do  
21 that anymore. It's not up to us, wheth -- whether  
22 we think it's right, wrong, or indifferent, this is  
23 something that is above us, and it came down, and  
24 we are not compliant.

25 Our actual no hunting polic -- policy is

1 actually compliant because it only deals with  
2 public land within the city. Where we're not  
3 compliant is within our no discharge of weapons.  
4 And I enclosed a copy here of that. And I'll read it  
5 real quickly.

6 [reads] It shall be unlawful for any person to  
7 use or discharge any weapon or firearm except in  
8 defense of personal property, including any  
9 weapon from which a projectile, metal shot, metal  
10 pellet is or may be propelled or discharged under  
11 pressure, commonly known as air rifles, air  
12 pistols, or BB guns, within the city limits except  
13 duly authorized peace officials in the performance  
14 of their official duties.

15 So -- and if you'll notice, there -- there is an  
16 exclusion in there for our discharge of firearms  
17 and that is in defense of personal property. And  
18 the reason that that exclusion is in there is  
19 because it's federally protected in the  
20 Constitution, and we -- we don't have the right to  
21 tell people they can't do that.

22 There's now a -- a state amendment to our  
23 Constitution that does not allow us to tell people  
24 they can not longer hunt.

25 So, the amendment is for us to -- to be like

1 the other cities that had no hunting ordinances and  
2 to comply with that. This -- this isn't something  
3 that, like I said, that, you know, the Council is  
4 voicing an opinion on. This is something that --  
5 that is above us, that we are strictly complying  
6 with.

7 MAYOR EVANS: So are you moving the  
8 adoption of --

9 COUNCIL MEMBER BOWLING: I'm  
10 moving the adoption. And -- and what I think is  
11 best, and -- and Grover and I spoke a little bit  
12 of -- on this today, I think the cleanest thing for us  
13 to do, as -- as you see in -- in the -- my proposal  
14 is to ratify the language to include "or while in  
15 active hunting."

16 So it would read: [reads] It shall be unlawful  
17 for any person to use or discharge any weapon or  
18 firearm except in defense of personal or [sic]  
19 property or while in the act of hunting.

20 And that -- that is the -- that is the proposed  
21 amendment to our Number 22 of 1974.

22 MAYOR EVANS: Is there a second?

23 COUNCIL MEMBER BRAB: Second.

24 MAYOR EVANS: Okay. The move has  
25 been seconded.

1 Now the way amendments and ordinances work  
2 is, they have to layover for 30 days until the next  
3 regular meeting before they can be adopted.

4 COUNCIL MEMBER LEONARD: One --  
5 one of the things I think that --

6 MAYOR EVANS: I mean --

7 COUNCIL MEMBER LEONARD: -- we  
8 need --

9 MAYOR EVANS: -- I'm calling for --

10 COUNCIL MEMBER LEONARD: -- to  
11 do --

12 MAYOR EVANS: -- discussion.

13 COUNCIL MEMBER LEONARD: Okay. I  
14 think it needs to be put in appropriate format.  
15 Unlike others, I like to see the words that I'm  
16 voting on, what's been redacted, what's been  
17 included. And this does not do that.

18 Now he has verbally done that. But this is not  
19 how we bring an ordinance forward for a first  
20 reading.

21 We have another one in front of us today that  
22 Stuart Miles is proposing, which is in appropriate  
23 format. And I can see by looking at it exactly what  
24 Stuart is proposing.

25 COUNCIL MEMBER BOWLING: This --

1 COUNCIL MEMBER LEONARD: I can't --

2 COUNCIL MEMBER BOWLING: -- this

3 isn't an ordinance; it's -- it's an amendment to an  
4 ordinance. So it is different.

5 COUNCIL MEMBER LEONARD: No.

6 CITY ATTORNEY POTTS: No.

7 COUNCIL MEMBER LEONARD: This is  
8 an amendment to an ordinance.

9 COUNCIL MEMBER BOWLING: Right.  
10 Right. But I'm just saying, you say it was a  
11 proposal; I'm just saying it is an amendment.

12 CITY ATTORNEY POTTS: Let -- let me  
13 jump in here, if I may.

14 MAYOR EVANS: Please do.

15 CITY ATTORNEY POTTS: I do not  
16 believe that the city needs to do this. I believe  
17 that the city, under its home rule powers has a  
18 right to have -- to continue to have an ordinance  
19 that prohibits the discharge of a firearm within the  
20 city limits. And that is a -- an opinion that is  
21 shared by the Kentucky League of Cities.

22 As I suggested to Rob today, certainly, it's  
23 my opinion that you do not need to amend the  
24 firearm -- or the no discharge of firearms  
25 ordinance in order to be compliant with the

1 amendment on hunting because the discharge of  
2 firearms ordinance was not designed to, and was  
3 enacted prior, to the amendment that was passed  
4 on hunting.

5 And so I suggested that one way to approach  
6 this would be to ask the Attorney General for his  
7 opinion on whether or not this ordinance needs to  
8 be amended in order to be compliant with not only  
9 the amendment to the constitution, but the enacted  
10 provisions of KRS 65.870, which deals with the  
11 regulating of guns and provides, in part, that there  
12 can be no regulation on the manufacture, sale,  
13 purchase, taxation, transfer, ownership,  
14 possession, carriage, storage, or transportation of  
15 firearms.

16 It says nothing in there about the discharge of  
17 firearms. And it's very specific on everything but  
18 that. So I think the failure to include discharge in  
19 there, it supports the position that the discharge  
20 of firearms under the home rule and police powers  
21 of a city may still prohibit, within the city limits,  
22 the discharge of a firearm.

23 COUNCIL MEMBER LEONARD: I  
24 appreciate that because I have two questions -- or  
25 two areas of questioning came to mind. One is:

1 Where would this allow hunting within the city?

2 And the second one is: When we go over into  
3 criminal activities, obviously, there are all kinds  
4 of preclusions in regard to discharging firearms.

5 And how does this relate?

6 And going back to the first one, I have a small  
7 land. I can't imagine that this would allow me to  
8 go out in my backyard and shoot my neighbors'  
9 backyards. So there -- there has to be something  
10 else besides just no hunting.

11 COUNCIL MEMBER BOWLING: Well, a --  
12 a couple things. Fir -- first of all, you know,  
13 Grover, I know when you and I talked today, there  
14 was two things.

15 You -- you did agree that -- that because of  
16 this constitutional amendment, that Prospect  
17 cannot tell a Prospect resident that they cannot  
18 bow hunt on their private property.

19 CITY ATTORNEY POTTS: Correct.

20 COUNCIL MEMBER BOWLING: Correct.

21 But the discharge of weapons says: [reads]  
22 Discharge of any weapon or a firearm except in  
23 defense of personal property.

24 I don't know how you'd regulate or prohibit  
25 hunting any more than saying you can't discharge

1 a bow and arrow.

2 So it's -- it's -- you know, it's got to be one or  
3 the other. You know, it's -- you know --

4 COUNCIL MEMBER TUCCI: And --

5 COUNCIL MEMBER BOWLING: -- it's  
6 like you --

7 COUNCIL MEMBER TUCCI: -- are we  
8 confusing terminology here? Hunting does not  
9 necessarily include a discharge of firearms.

10 I have a good friend who's a falconer. As  
11 nearly as I can see, we have no regulations that  
12 prevent him from bringing his falcon in and  
13 catching bunnies or running a bunny down and  
14 wrestling him to the ground.

15 The firearm is a completely separate issue  
16 from the hunting.

17 COUNCIL MEMBER BOWLING: Right.

18 COUNCIL MEMBER TUCCI: And so long  
19 as we are allowing falconry, we're not in violation  
20 of the Constitution anyhow. We're just quibbling  
21 about the method of hunting.

22 MAYOR EVANS: Our city attorney has  
23 proposed asking for an Attorney General opinion  
24 on the matter. And I am going to request right now  
25 that he do that.

1 COUNCIL MEMBER LEONARD: Could we  
2 broaden his request to deal with more than just  
3 discharging a firearm?

4 COUNCIL MEMBER BOWLING: To what?

5 COUNCIL MEMBER LEONARD: Going  
6 to -- going to what Ms. --

7 COUNCIL MEMBER TUCCI: Falconry?

8 COUNCIL MEMBER LEONARD: -- Tucci  
9 has said. Well, not falconry, but --

10 COUNCIL MEMBER TUCCI: M-hm.

11 COUNCIL MEMBER LEONARD: -- we're  
12 dealing in generalities. When you were saying -- I  
13 agree with you, the word "hunting" and we're --  
14 we're saying that that's a gun. I think we need  
15 more specific guidelines on what we can and what  
16 we cannot do.

17 COUNCIL MEMBER BOWLING: Well, our  
18 ordinance specif -- I mean, we defined it in -- in  
19 our 136.05: [reads] To pursue for food or in sport,  
20 to manage in the search of game or to pursue with  
21 intent to capture.

22 So, you know, I -- I don't think that anybody  
23 has trouble with the definition of "hunting."

24 Now, as far as is anybody going to hunt in  
25 your backyard, well, not -- not that -- not unless

1 you give them permission. I mean, this doesn't  
2 change anything as far as property --

3 COUNCIL MEMBER LEONARD: Yeah.  
4 But I don't want my neighbors to be doing it,  
5 either.

6 COUNCIL MEMBER BOWLING: Well,  
7 that -- that's the point with this. You and I and  
8 this Council doesn't have the opportunity to say.  
9 It is now --

10 COUNCIL MEMBER LEONARD: Well --

11 COUNCIL MEMBER BOWLING: -- it is  
12 only the state --

13 COUNCIL MEMBER LEONARD: -- maybe  
14 we do.

15 COUNCIL MEMBER BOWLING: We don't.  
16 It is the state or Kentucky Fish and Wildlife. The  
17 state legislator -- it is very clear. And if you --  
18 and if you read, you know -- I -- I think this is --  
19 correct me if I'm wrong, but are you the  
20 commissioner from Kentuck --

21 MR. RAY: Yes, sir.

22 COUNCIL MEMBER BOWLING: -- Fish  
23 and Wildlife?

24 MR. RAY: May I address the Council?

25 COUNCIL MEMBER BOWLING: Can --

1 can he address the Council?

2 MAYOR EVANS: Well, you've invited him  
3 to, and I'm going to say yes.

4 COUNCIL MEMBER BOWLING: Okay.

5 MR. RAY: Thank you, council men and  
6 council ladies.

7 My name is Stuart Ray, and I'm the -- I'm your  
8 3rd District Commissioner for the Kentucky  
9 Department of Fish & Wildlife. The 3rd District is  
10 the old conge -- congressional districts but it's  
11 Jefferson County and all the surrounding districts.

12 I -- I happen to be the current acting chairman  
13 of the Department of Fish & Wildlife as well. And I  
14 also asked -- when you've mentioned legal  
15 opinions, I asked Counsel Margaret Everson, who  
16 is -- works on behalf of the Kentucky Department  
17 of Fish & Wildlife, and she also happens to be a  
18 representative of the State's Attorney General's  
19 office as well.

20 And -- and I'm not really here to overly  
21 influence, other than I thought Councilman Bowling  
22 summarized his points very well, and that is, to  
23 that this -- the fact that the Department of Fish &  
24 Wildlife is the governing body of hunting and  
25 fishing regulations in the State of Kentucky. And

1 we -- we always have had a watchful eye on all of  
2 our resources, but including the management of  
3 those resources. And, in fact, where they're  
4 restricted and where they're not restricted.

5 And certainly Prospect has historically had  
6 somewhat restrictive ordinances associated with  
7 those. And it's always been a gray area until the  
8 State Constitution did pass and -- and amend the  
9 State Constitution to offer Kentuckians the  
10 constitutional right to hunt.

11 So, I do recognize that the discharge of a  
12 weapon is a very concerning issue for you-all.

13 Ironically, Councilman -- is it --

14 COUNCIL MEMBER TUCCI: Tucci.

15 MR. RAY: -- Tucci, I happen to be 1 of  
16 the only 60 licensed falconers in the --

17 COUNCIL MEMBER TUCCI: All right.

18 MR. RAY: -- State of Kentucky as well,  
19 so thank you for thinking of falconry, as well as  
20 Councilman Bowling, archery, and -- and -- and  
21 firearm hunting. I -- I -- I enjoy all of them and --  
22 and recognize all of them as great management  
23 practices.

24 And so I -- I appreciate you-all bringing this  
25 forth. We're happy to comment or -- or inject

1 anywhere you-all see fit.

2 We -- we do get -- and -- and, you know, we  
3 have to address, the -- the constant complaints  
4 from many of your citizens associated with your  
5 deer population.

6 I did learn within the last day or so that --  
7 and -- and although I can't brag to be a Prospect  
8 resident, I was here for 10 years, back in the 70s.  
9 But 40059 does happen to be the largest deer car  
10 collision ZIP code, I believe, in Jefferson County.  
11 And we're the number -- and Jefferson County is  
12 the second county for deer car collisions in the  
13 state.

14 And so when -- when people -- or residents of  
15 your-all's are -- are complaining about the deer  
16 issues, we're the -- we're the ones they call.  
17 And -- and we're the ones that are addressing  
18 them, as well as, I'm sure, the Chief has to  
19 address many -- many of those issues as well.

20 So we certainly addre -- we feel as if hunting  
21 and -- and -- is the appropriate way for wildlife  
22 management. It's our way. We feel like the State  
23 Constitution offers your residents the right to  
24 hunt. And no one would ever dare think that, you  
25 know, there's -- there's -- there's not only laws,

1 but there's also ordinances where you can't shoot,  
2 you know. There -- there's two -- there's two  
3 situations here in Prospect that I know very well.  
4 You have everything from what I respectfully call,  
5 and I don't mean that disparaging, is the "postage  
6 stamp yard" in Hunting Creek, where I grew up, or  
7 in Fox Harbor or many of the neighborhoods where  
8 you have a very small. . .

9 Nobody is talking about -- al -- although, like  
10 you said, Councilman Bowling, it's not us to  
11 regulate what they do. But the reality is, is that I  
12 don't think anybody is looking to put a treestand  
13 and -- and -- and hunt out with a .30-06 out of the  
14 backyard of a -- an eighth of an acre.

15 But you also have the extremes of 50- and  
16 100-acre farms in Prospect. And -- and -- and,  
17 absolutely, well within their right and ability to  
18 hunt and -- and manage their deer as they see fit,  
19 and enjoy the sports that we hold near and dear to  
20 our heart. And -- and I can't fathom, whether it's  
21 even, honestly, in some poi -- cases 3 to 5 acres  
22 on up to 25 to 50 and 100 acres, people -- people  
23 do a lot of hunting and sport hunting.

24 So, other than that, our attorney, Margaret  
25 Everson, is here, if you need any questions

1     legally.

2           I'm here if you need an opinion from the  
3     Department of Fish and Wildlife. And we'd be  
4     happy to help in any way we can as you-all  
5     address those --

6           MAYOR EVANS: All right.

7           MR. RAY: -- issues --

8           MAYOR EVANS: Thank you very much.

9           COUNCIL MEMBER MILES: Can I ask --  
10    ask a quick question?

11          MAYOR EVANS: Question?

12          COUNCIL MEMBER MILES: But we're all  
13    in agreement the City still has the right to  
14    preclude people from hunting in our parks?

15          MR. RAY: That -- that is still a  
16    property -- and again, I'd ask Margaret to weigh  
17    in, but that is still a property rights issue. So, a  
18    property owner does have the ability to --

19          COUNCIL MEMBER MILES: Okay.

20          MR. RAY: -- forbid hu --

21          COUNCIL MEMBER MILES: I -- I thought  
22    so. I just --

23          MR. RAY: -- hunting on their property.  
24    So, as far as I understand it, yes, you're -- you're  
25    allowed to forbid hunting on your parks.

1 Now, I might tell you that 21st Century Parks  
2 did address this issue, as they are capturing  
3 tremendous amount of green space up and down  
4 eastern Jefferson County, and they are allowing  
5 archery hunting in 21st Century Parks.

6 COUNCIL MEMBER MILES: But that's --

7 MR. RAY: Just --

8 COUNCIL MEMBER MILES: -- a  
9 decision --

10 MR. RAY: -- just an --

11 COUNCIL MEMBER MILES: -- they --

12 MR. RAY: -- FYI. But it's --

13 COUNCIL MEMBER MILES: -- that's a  
14 decision they made.

15 MR. RAY: Correct.

16 COUNCIL MEMBER MILES: People just  
17 didn't come willy-nilly and start hunting in their  
18 parks without permission?

19 MR. RAY: Well, it's your -- it's your --  
20 ultimately, it's a city land --

21 COUNCIL MEMBER MILES: Okay.

22 MR. RAY: -- when you're talking about a  
23 park.

24 MAYOR EVANS: I've already requested  
25 our city attorney to go to the Attorney General

1 of -- of Kentucky for the legalities involved in this  
2 matter, which of course do matter.

3 I notice in sign-in sheet for public comment  
4 that many of the residents who are here this  
5 evening want to address this particular issue. And  
6 it seems to me that the time to do that would be  
7 right now.

8 So, if anyone wishes to speak to this issue,  
9 please come up to the lectern and give your name  
10 and your address, and please share your thoughts  
11 with us.

12 MR. RADEMAKER: My name is Ed  
13 Rademaker. I'm a Prospect resident for 15 years  
14 and moved here because my wife and I really did  
15 like the wildlife. It's a wonderful place to live and  
16 a wonderful place to really enjoy the wildlife,  
17 okay.

18 But anyway, I read your art -- or your -- your  
19 proposed amendment on it, Mr. Bowling, and I see  
20 a -- a -- a very sloppy attempt to -- to steam roll  
21 something over us here.

22 I agree with -- with the Mayor that we need to  
23 approach the -- the -- the Attorney General.  
24 Rather than -- than to have a -- an amateur do it  
25 and Fish and Wildlife that has a premise to -- to

1 actually do it, to propose to come into our area  
2 and thin out deer, you know.

3 Also, in fact, is that -- that's a -- that's a very  
4 dangerous idea. We live right on the edge, okay,  
5 of the park system. We hear hunting going on over  
6 in Oldham County.

7 And I want to tell you, some of those guys  
8 come over here and -- and they discharge a  
9 weapon. You ought to -- ought -- ought to see how  
10 unnerved you get when you have that bang, bang,  
11 bang going on in your backyard. Now I tell you,  
12 it's dangerous. It's wanton endangerment to have  
13 something like this happen.

14 Now, two years ago, this issue was brought up  
15 before. The idea was, is that you were going to  
16 have sharpshooters come in and go down the road  
17 and then knock off the deer. It became a  
18 tremendous issue here. A de -- a -- a -- that  
19 caused much, much division.

20 And finally, in fact, this Council had the good  
21 sense to say, "Table the motion. Table the  
22 motion."

23 It's not worth it. It's -- it's -- it's not worth it.  
24 So I just simply ask you -- ask you, Council, to --  
25 to thoroughly consider this -- this -- this issue.

1 Not only from a legal issue; but from -- in fact,  
2 from the idea of -- of this community, which has  
3 prided itself as a place -- a unique place in this --  
4 in this Commonwealth that is a place to live and a  
5 place to enjoy wildlife.

6 And for those of you that think it is support to  
7 go out and be -- and get a deer that you can feed  
8 out of your hand, to knock off squirrels in the  
9 backyard, this is absurd. Absolutely absurd. Then  
10 you say, I believe that, you know, that this is that,  
11 your belief. This -- this whole idea was to hunt in  
12 rural areas, like farms, not in the area that we  
13 have here. This is a subdivision. There's people  
14 playing, children in the streets.

15 I just hope you consider all ramifications of,  
16 in fact, what you're doing.

17 Thank you very much.

18 COUNCIL MEMBER BOWLING: Well, let  
19 me address that real quick.

20 MAYOR EVANS: Thank you, Mr.  
21 Rademaker.

22 COUNCIL MEMBER BOWLING: First of  
23 all, the -- the -- when this was brought up several  
24 years ago, that -- this -- that was the council  
25 weighing in on the deer situation. That is not what

1 this is.

2 A body bigger than us, that we have no say in,  
3 has said that we no longer have the right to  
4 regulate or prohibit hunting

5 MR. RADEMAKER: Then why don't you  
6 get an opinion of the Attorney General?

7 COUNCIL MEMBER BOWLING: We --  
8 we -- we --

9 MR. RADEMAKER: I can read the --

10 COUNCIL MEMBER BOWLING: We have  
11 re --

12 MR. RADEMAKER: -- law too, Mr.  
13 Bowling.

14 COUNCIL MEMBER BOWLING: -- we  
15 have --

16 MR. RADEMAKER: -- Mr. Bowling.

17 COUNCIL MEMBER BOWLING: --  
18 requested that. We have requested --

19 MR. RADEMAKER: Okay.

20 COUNCIL MEMBER BOWLING: -- that.

21 MR. RADEMAKER: Well, let them --

22 COUNCIL MEMBER BOWLING: But let  
23 me finish. Let --

24 MR. RADEMAKER: -- then we don't  
25 have --

1 COUNCIL MEMBER BOWLING: Then let  
2 me finish.

3 MR. RADEMAKER: -- else to say.

4 COUNCIL MEMBER BOWLING: But,  
5 every city in the State of Kentucky, so far, has  
6 repeal their ordinance, unanimously, with their city  
7 attorney except us. We're the last one. We can  
8 get a -- a -- a ruling. But I'm just telling you, this  
9 isn't the -- the -- the Council that is saying, "Hey,  
10 we need to do something about the deer problem."

11 We are being told by a higher authority than  
12 us that, "Hey, you are not in accordance with the  
13 constitution."

14 And we are the last city -- we're the last one  
15 holding on. So, to accuse us of -- of -- of putting  
16 something out there or portraying that's not what it  
17 is, that's simply not what it is. We are --

18 MR. RADEMAKER: Sir --

19 COUNCIL MEMBER BOWLING: --  
20 complying.

21 MR. RADEMAKER: -- let -- let me ask  
22 you: Do you hunt?

23 COUNCIL MEMBER BOWLING:  
24 Absolutely.

25 MR. RADEMAKER: Okay. So you're a

1 hunter. Do you hunt deer?

2 COUNCIL MEMBER BOWLING: I do.

3 MR. RADEMAKER: Would you hunt deer  
4 in Prospect?

5 COUNCIL MEMBER BOWLING:  
6 Absolutely I would.

7 MR. RADEMAKER: Okay.

8 COUNCIL MEMBER BOWLING: Sure.

9 MR. RADEMAKER: Then -- then I rest.

10 COUNCIL MEMBER BOWLING: But I --  
11 let me ask you this --

12 MR. RADEMAKER: No. I just rest --

13 COUNCIL MEMBER BOWLING: Okay.

14 Okay.

15 MR. RADEMAKER: -- my case.

16 COUNCIL MEMBER BOWLING: And I'll  
17 say this --

18 MR. RADEMAKER: You're --

19 COUNCIL MEMBER BOWLING: -- I've --

20 MR. RADEMAKER: You're -- I -- I think  
21 that what you want to do is that you want to hunt.

22 COUNCIL MEMBER BOWLING: That's  
23 not --

24 MR. RADEMAKER: That's --

25 COUNCIL MEMBER BOWLING: --

1 correct.

2 MR. RADEMAKER: -- that's the --

3 COUNCIL MEMBER BOWLING: I --

4 I've --

5 MR. RADEMAKER: -- sole idea of it.

6 COUNCIL MEMBER BOWLING: -- I've

7 been on this -- I've been on this Council for --

8 MR. RADEMAKER: You just --

9 COUNCIL MEMBER BOWLING: -- over a

10 year --

11 MR. RADEMAKER: -- want to hunt. You

12 want --

13 COUNCIL MEMBER BOWLING: -- I've

14 been on this Council for over a year, and I have

15 never proposed anything in -- in regards to

16 hunting, whatsoever.

17 I've got a large farm --

18 MR. RADEMAKER: But -- but this is --

19 COUNCIL MEMBER BOWLING: -- in

20 Nelson County --

21 MR. RADEMAKER: -- this is --

22 COUNCIL MEMBER BOWLING: -- an

23 hour --

24 MR. RADEMAKER: -- what you --

25 COUNCIL MEMBER BOWLING: -- and

1 45 --

2 MR. RADEMAKER: -- want to do.

3 COUNCIL MEMBER BOWLING: --

4 minutes from here.

5 MR. RADEMAKER: You --

6 COUNCIL MEMBER BOWLING: Well,

7 you're not compliant.

8 MR. RADEMAKER: You even bring --

9 THE REPORTER: I'm sorry.

10 MR. RADEMAKER: -- Fish and Wildlife.

11 THE REPORTER: You-all --

12 COUNCIL MEMBER BOWLING: I did not

13 bring them.

14 THE REPORTER: I'm sorry. You-all  
15 have to talk one -- one at a time.

16 MR. RAY: He didn't invite us.

17 COUNCIL MEMBER BOWLING: Was not

18 aware --

19 MR. RAY: I came --

20 COUNCIL MEMBER BOWLING: -- that

21 they --

22 MR. RAY: -- on my own --

23 COUNCIL MEMBER BOWLING: -- were

24 coming.

25 MR. RAY: -- accord. I came on my own

1 accord.

2 COUNCIL MEMBER BOWLING: Was --

3 MR. RAY: I had residents reach out --

4 MR. RADEMAKER: I'm sorry, sir. He  
5 had you speak before anyone else.

6 COUNCIL MEMBER BOWLING: Was not  
7 even aware that he was coming.

8 MR. RAY: No. I walked up to the mic  
9 before anyone else. He didn't have me speak first.

10 COUNCIL MEMBER BOWLING: Was not  
11 even aware that he was coming.

12 MAYOR EVANS: I just want to correct  
13 the record. Prospect is not alone in the ordinance  
14 it currently has. I cite as one example the City of  
15 Indian Hills.

16 There's another resident that would like to  
17 speak. Please, go ahead, sir.

18 MR. GLAZER: My name is Mark Glazer; I  
19 live at 8310 Star Point Court, and our house backs  
20 up to, like, the Harrods Creek Park.

21 And I really don't like the idea of a bunch of  
22 yahoos running around the woods with  
23 high-powered rifles or bows and arrows or anything  
24 like that, because they're very close to our house.  
25 They're -- they're in a -- an urban area. And I

1 think it's -- once you let the genie out, it's just  
2 going to be bad, you know, people coming from all  
3 over and that's going to be a shooting alley.

4 And, according to what this gentleman is  
5 saying, you can't even stop people from shooting  
6 guns. So, you know, like I say, once you let the  
7 genie out of the box, you can't stuff her back in.

8 COUNCIL MEMBER BOWLING: Let me  
9 say this: The parks behind your house will still be  
10 no hunting. I just want to -- you know, our no  
11 hunting ordinance --

12 MR. GLAZER: But --

13 COUNCIL MEMBER BOWLING: -- here in  
14 Prospect deals with the city park, which is what is  
15 behind Star Point Court. And that -- that will not  
16 change.

17 MR. GLAZER: It will -- but Mr.  
18 Rademaker also had a good point that on --  
19 usually, like, starting Friday evenings, you can  
20 hear people shooting, and it goes on all through  
21 the weekend. There -- there are people shoo -- I  
22 don't know where they're shooting, if it's Jefferson  
23 or Oldham or what. But -- I don't know if they're  
24 poachers or if they're on farms, but can you hear  
25 it.

1 COUNCIL MEMBER BOWLING: Well,  
2 yeah, you -- I mean, you've got to remember, you  
3 guys are 150 yards from Harrods Creek, which is  
4 the boundary between Oldham and Jefferson  
5 County. I mean, they allow hunting there. I mean,  
6 you can -- I live on the creek myself. You can see  
7 all the orange dots. I mean, that's -- that's were I  
8 moved. I knew that coming in.

9 There's obviously nothing we can do about  
10 Oldham County, you know, so. . . But that's where  
11 that's coming from.

12 MR. GLAZER: Well, I'm just saying you  
13 can --

14 COUNCIL MEMBER BOWLING: Sure.

15 MR. GLAZER: -- hear it --

16 COUNCIL MEMBER BOWLING:  
17 Absolutely.

18 MR. GLAZER: -- it's, like, living next to  
19 the projects.

20 COUNCIL MEMBER BOWLING: Sure.

21 MAYOR EVANS: Mr. Simpson?

22 MR. SIMPSON: John Simpson, 8501  
23 Harrods Bridge Way.

24 First, I would like to ratify the point that  
25 Councilwoman Leonard made, that this -- this is

1 not in proper form, this proposed ordinance; it's  
2 an email that was put together five days ago. It's  
3 clearly not in a form suitable for being added to  
4 the City Ordinances, and it -- it should be  
5 rewritten and introduced at the next council  
6 meeting, if there's a serious intention to entertain  
7 it.

8 In the second place, even by the terms of this  
9 amendment, there's a presumption that the  
10 ordinance had been found to be un -- the current  
11 ordinance is found to be unconstitutional. That's  
12 clearly not the case, and the city attorney made  
13 that point.

14 The third thing is, this ordinance -- proposed  
15 ordinance would -- would protect the right of  
16 property owners to prohibit hunting on their own  
17 property. I would hope that Prospect residents  
18 would be given an opportunity to post their  
19 property as out of bounds to hunting. And I hope  
20 the City of Prospect would make sure that all city  
21 property is out of bounds to hunting.

22 And -- and then finally, I -- I would say that  
23 living in Prospect is a little bit like flying coach on  
24 an airplane. The ordinary table manners, elbows  
25 out, don't apply when you're -- when you're flying

1 coach.

2 You're living very close to your neighbors.  
3 Hunting may have long traditions in the United  
4 States, but in highly urban areas there is some  
5 kind of doctrine that just -- just simply can't be  
6 condoned.

7 There are many people in Prospect who like  
8 the deer. And I'm not purporting to speak for  
9 them. But I think I can speak for the people who --  
10 who are primarily concerned about their own  
11 safety.

12 I would say that if anybody crosses my  
13 property with a bow and arrow or a gun or  
14 discharges a weapon that is anywhere near my  
15 property, I would take advantage of the right that's  
16 in the statute to defend myself.

17 But I -- I think this is just a -- I spent over 40  
18 years in Washington learning to bite my tongue  
19 when talking to lawmakers. But I will tell you now,  
20 I will indulge myself, this -- this is the most ill  
21 considered piece of legislation that has come  
22 before the city council in the time I've lived here.

23 Thank you.

24 COUNCIL MEMBER BOWLING: Two --

25 MAYOR EVANS: Thank you --

1 COUNCIL MEMBER BOWLING: -- quick  
2 points.

3 MAYOR EVANS: -- Mr. Simpson.

4 COUNCIL MEMBER BOWLING: Two quick  
5 points. The -- the email version you have is not  
6 what the Council has. The Council has an actual  
7 ordinance. It has all the numbers in it and is -- is  
8 correct.

9 MR. SIMPSON: The -- the citizens of any  
10 jurisdiction under the Kentucky law --

11 COUNCIL MEMBER BOWLING: Right.

12 MR. SIMPSON: -- are entitled to an oral  
13 reading of the proposed ordinance.

14 COUNCIL MEMBER BOWLING: Correct.  
15 Which -- which is what --

16 MR. SIMPSON: Which -- and all we have  
17 is this. And I wouldn't even --

18 COUNCIL MEMBER LEONARD: Here.

19 COUNCIL MEMBER BOWLING: Right.

20 MR. SIMPSON: Okay. Fine. But --  
21 but -- but this has to be presented and read out  
22 loud at a --

23 COUNCIL MEMBER LEONARD: It's -- it's  
24 still not --

25 COUNCIL MEMBER BOWLING: Correct.

1 MR. SIMPSON: -- meeting.

2 COUNCIL MEMBER BOWLING: Correct.

3 MR. SIMPSON: And I agree with you  
4 Councilwoman Leonard, this is not in the correct  
5 form.

6 And there was another point?

7 COUNCIL MEMBER BOWLING: Yeah.

8 The second thing was in regards to your private  
9 property, this -- this amendment changes nothing  
10 about private property. I mean, you still have all  
11 your rights. Nobody can come onto your property  
12 and hunt or even come on there at all without  
13 your. . . So that doesn't change. I just wanted to  
14 point that out.

15 MR. SIMPSON: That's just in nature of  
16 a -- a notice to you.

17 COUNCIL MEMBER BOWLING: Oh, it  
18 was --

19 MR. SPEAKER: Wow.

20 COUNCIL MEMBER BOWLING: -- it was  
21 a threat to me.

22 MR. SIMPSON: No. No. I'm -- I'm just  
23 saying that --

24 COUNCIL MEMBER BOWLING: Okay.

25 MR. SIMPSON: -- you as a hunter --

1 COUNCIL MEMBER BOWLING: Well, I  
2 don't -- I don't trespass.

3 MR. SIMPSON: No. That --

4 COUNCIL MEMBER BOWLING: I don't  
5 trespass.

6 MR. SIMPSON: If you're --

7 COUNCIL MEMBER BOWLING: So you --

8 MR. SIMPSON: -- walking around --

9 COUNCIL MEMBER BOWLING: -- don't --

10 MR. SIMPSON: -- the streets --

11 COUNCIL MEMBER BOWLING: -- have to  
12 worry about it.

13 MR. SIMPSON: -- of Prospect with a --

14 COUNCIL MEMBER BOWLING: You don't  
15 have to worry about it. I don't trespass. So we're  
16 safe.

17 MR. SIMPSON: Okay.

18 COUNCIL MEMBER BOWLING: Yeah.

19 MAYOR EVANS: Anyone else? Yes, sir.  
20 Please come up.

21 MR. MORRIS: I didn't sign in. May I  
22 address?

23 MAYOR EVANS: Yes, you may.

24 MR. MORRIS: My name is Ed Morris. I'm  
25 the president of the 3rd District, League of

1 Kentucky Sportsmen here in the area. But even  
2 more so, I represent an organization called QDMA;  
3 we're a national organization about 75,000 people,  
4 38 states, several foreign countries, organized by  
5 professional deer biologists about deer habitat and  
6 deer populations.

7 What you guys are going through, I got  
8 articles here from 15 states, urban areas, the  
9 exact same issues that you-all are facing right  
10 now. City of Indianapolis, City of Minneso --  
11 Milwaukee, Atlanta, all these major cities have  
12 similar issues to what Mr. Rademaker and  
13 everybody else has.

14 But what does happen and what does occur  
15 and what this Council -- what I'll urge you to  
16 consider, as an example, Doe Valley, a gated  
17 community of Brandenburg, has very, very high  
18 deer population. Is anybody familiar with the lone  
19 star tick?

20 COUNCIL MEMBERS: [no response]

21 MR. MORRIS: Loan star tick carries  
22 Rocky Mountain spotted fever. They've had four  
23 cases already this year. We've had several cases  
24 in Jefferson County. The primary carrier, whitetail  
25 deer.

1 Blacklegged tick, Lyme's disease. Primary  
2 carrier, whitetail deer.

3 What's going to happen, in the areas,  
4 historically -- and I'll -- I'll leave you a bunch of  
5 information so you-all can review. But,  
6 historically, in areas that have high deer  
7 populations -- they estimate this -- this area ought  
8 to typically carry about 20 deer per square mile.

9 The last report I saw over here it was  
10 somewhere close to 100 deer per square mile in  
11 this area. When that deer population gets that  
12 heavy there's all kinds of diseases, there's all  
13 kinds of damage to landscape, trees, shrubs, all  
14 the dollars; people invest a lot of money in  
15 landscaping. We hear it every day, you know what  
16 happens, they, you know, put \$8,000 of  
17 landscaping out and it's gone in three days.

18 But primarily is, last year in the State of  
19 Kentucky there were eight fatalities, including two  
20 kids, from deer collisions with automobiles.

21 Like Mr. Ray said, two -- two highest counties  
22 are Jefferson and Boone. And the highest ZIP  
23 code in Jefferson is right here.

24 If at some point in time a child or somebody  
25 gets killed out here on US 42, and they say,

1 "You-all have talked about a deer problem for two  
2 or three years and never did anything about it,"  
3 there's going to be some -- probably some serious  
4 issues with that.

5 You've got a deer problem, regardless of how  
6 you want to address it. And every report here from  
7 Cornell University, Duke, all the major  
8 universities, say, the best alternative to  
9 controlling deer is through traditional hunting.

10 A lot of these cities set up their own  
11 programs. Not just open it up, we're doing --  
12 we're running the -- the system right now for 21st  
13 Century Parks.

14 MAYOR EVANS: I have a question, sir.  
15 Are you --

16 MR. MORRIS: Yes.

17 MAYOR EVANS: -- a resident of  
18 Prospect?

19 MR. MORRIS: No, sir, I'm not.

20 MAYOR EVANS: I thought not.

21 MR. MORRIS: No, sir. No, sir, I'm not.  
22 I live in the east end of Middletown.

23 But I grew up in an area that -- a very urban  
24 area as well. But we didn't have the deer 25 years  
25 ago. These issues weren't there. That's why --

1 that's why we have these issues now.

2 But there's a lot of other ramifications that go  
3 with a high deer population. Typically, you're  
4 going to have -- all -- cities like you are -- if -- it's  
5 a Catch-22. You're going to have people like Mr.  
6 Rademaker, who gives their point of view, and  
7 you're going to have the deer biologists, who say  
8 if you don't do something, there's going to be a --  
9 an even more consequences. And there has to be  
10 happy medium.

11 And there are ways that you can manage, just  
12 like other cities have done across the nation, just  
13 like the City of Prospect and small areas to  
14 address that problem and still give everybody a  
15 little bit of what they want.

16 MAYOR EVANS: All right. Thank you.  
17 I -- I have five people who are residents that  
18 would like to speak.

19 Yes, ma'am? Please state your name and your  
20 address.

21 MS. EMBRY: Mayor Evans, Members of  
22 the Council, my name is Caroline Embry. I live on  
23 Weyanoke Court, and I've been a -- a resident of  
24 Prospect for a little over 11 years.

25 I didn't really come tonight to speak to the

1 deer issue because I didn't feel like I knew enough  
2 about it to address it, and I still don't feel like I  
3 know enough to make any substantive comments.  
4 But I do applaud the Mayor's decision to seek an  
5 official Attorney General's opinion; I think that's  
6 very important.

7 I do share some of the concerns that have  
8 been raised here tonight about the safety issue.  
9 I -- I know that we do have a -- a significant deer  
10 population that may pose some problems. But I  
11 think safety is -- should be tantamount, especially  
12 in our park areas and -- and surrounding our  
13 homes. And I love the deer. I don't want to  
14 encounter one on US 42.

15 So I know there are lots of conflicting issues  
16 to deal with here. But I think -- I'm certainly not  
17 an attorney and can't address the letter of the law,  
18 but I do know from other issues that home rule  
19 does come into play in many other instances where  
20 municipality can choose to be more restrictive than  
21 state law. And I think it's important, then, to get  
22 an Attorney General's opinion and proceed from  
23 there.

24 I really came to speak tonight to my love for  
25 the parks in general. The lovely natural areas of

1 Hunting Creek were one of the key factors that  
2 attracted my husband and I to this area. And the  
3 development of the parks, the -- the development  
4 of the wonderful hiking trails, has added  
5 immeasurably to our joy of living here.

6 So, I just want to thank the Mayor and the  
7 Council Members for your continuing support of  
8 our parks, and just to say, please, continue that  
9 support and keep up the good works. And thank  
10 you for all you're doing to really enhance the  
11 quality of life here in Prospect. We have a lovely  
12 park system. Thank you very much.

13 COUNCIL MEMBER MILES: Thank you.

14 MAYOR EVANS: Thank you, Mrs. Embry.

15 Anyone else? There are several people who  
16 signed in that haven't said anything. Does  
17 anybody want to speak at this time? Yes, sir?

18 MR. RAUSCH: My name is Edwin Rausch,  
19 and I live on 7205 Fox Harbor Road.

20 And I would just like to second the comments  
21 that she made. I am a volunteer for the parks  
22 department, and to say that I am proud of the work  
23 we've done is -- is, you know, a -- a major  
24 understatement. I think this adds a -- just a -- a  
25 different quality of life, gives our children

1 somewhere to play. It -- it is something that  
2 separates us from a lot of communities, this park  
3 system that's being built.

4 I hope to -- that you continue to support all  
5 projects that are brought before you as far as the  
6 park system is concerned. Thanks.

7 COUNCIL MEMBER MILES: And I want  
8 to --

9 MAYOR EVANS: Thank you, sir.

10 COUNCIL MEMBER MILES: -- point Ed  
11 out. Ed is one of our regular volunteers, and he  
12 was one of the seven people who showed up this  
13 weekend and wheeled around heavy instruments.  
14 And I've enjoyed -- and I don't want to scare you  
15 away, but, if you are a resident, it's a great way to  
16 meet people, and you will sleep really good when  
17 you get done.

18 MR. RAUSCH: Amen.

19 MAYOR EVANS: Mike, did you want to  
20 say something? You've got your name down here.

21 MR. POWERS: I just drew a line beside  
22 it.

23 MAYOR EVANS: I know. I just thought  
24 you were undecided what you wanted to talk about.

25 MR. POWERS: Well, the only thing I

1 would add, and it's really not --

2 THE REPORTER: I'm sorry. I need his --  
3 I need his name.

4 MR. POWERS: I'm Mike Powers; I live at  
5 7106 Gunpowder Court in Fox Harbor.

6 The biggest concern that I have about this  
7 whole discussion, no matter what this law may be  
8 in the state, someone who fires a weapon from  
9 another yard doesn't mean that bullet is -- or that  
10 arrow is not going to penetrate my space.

11 Now, just because I can keep somebody from  
12 discharging a weapon on my premises, doesn't  
13 mean that someone on my premises wouldn't be  
14 harmed by an act done someplace else.

15 And I think that's the point that we really need  
16 to try to make with the Attorney General, that this  
17 is a public safety issue more than anything else.

18 That's all I have.

19 MAYOR EVANS: Thank you, Mike.

20 Anyone else want to address the Council?

21 AUDIENCE: [no response]

22 MAYOR EVANS: All right. At this point,  
23 I think we move into executive session, and if  
24 Council would leave --

25 CITY ATTORNEY POTTS: You have

1 another ordinance.

2 MAYOR EVANS: We do?

3 COUNCIL MEMBER MILES: Yes.

4 COUNCIL MEMBER TUCCI: M-hm.

5 CITY ATTORNEY POTTS: We have the  
6 ATV Ordinance.

7 MR. SPEAKER: It's not on the agenda.

8 MAYOR EVANS: Oh, Ordinance 523, is  
9 that -- .

10 COUNCIL MEMBER LEONARD: No.

11 CITY ATTORNEY POTTS: It's 529.

12 COUNCIL MEMBER LEONARD: It's 529.

13 COUNCIL MEMBER TUCCI: 529.

14 MAYOR EVANS: Oh. It's not on the  
15 agenda; that's why I missed it.

16 COUNCIL MEMBER LEONARD: Is that a  
17 typo?

18 CITY ATTORNEY POTTS: Probably is.  
19 Because we wouldn't be 523.

20 CITY ADMINISTRATOR SIMMS: 523 has  
21 long since passed.

22 CITY ATTORNEY POTTS: Right. Since  
23 it's a typo, you can correct it.

24 MAYOR EVANS: So who's offering this  
25 ordinance?

1 COUNCIL MEMBER MILES: I am.

2 MAYOR EVANS: Then have at it.

3 COUNCIL MEMBER MILES: Would you  
4 like me to give a background or. . .

5 MAYOR EVANS: I would love it.

6 COUNCIL MEMBER MILES: As you know,  
7 MSD is currently doing a project on Hunting Creek  
8 Park. And I've worked with them that when they're  
9 done with putting in their pipeline, they would  
10 replace the trail that was there with a nicer trail,  
11 and they're in the process of doing that.

12 And when they're done, it'll be a lovely trail  
13 that ma -- meanders along the creek. And they've  
14 give us, in total, \$42,000 to replant the trees  
15 along this trail. They're going to seed it. It's  
16 going to be built properly. It's -- it's a real coup  
17 for us.

18 I've been working with the contractor who's  
19 putting in that trail. And after work every night I  
20 go and look at their work, make sure they're doing  
21 it as they promised and -- and, for the most part,  
22 they have been.

23 I got a call about three weeks ago from the  
24 contractor, who was frantic because someone was  
25 back driving on this trail he was building in an

1     ATV.  And so I immediately dropped what I was  
2     doing, went there.  I called the Prospect Police;  
3     they met me there.

4             And I was informed by the Prospect Police  
5     that we have no ordinance that says you can't ride  
6     an ATV in one of our parks.  And so, I immediately  
7     decided we need to have an ordinance that says  
8     you can't ride an ATV through our parks for lots  
9     and lots of reasons, one of which is they're getting  
10    ready to spend a lot of money seeding and  
11    strawing this entire area that they're landscaping  
12    for us and it would create thousands of dollars in  
13    damage if somebody came in on an ATV and drove  
14    over all of this work.

15            And so what I'm proposing is that we amend  
16    Ordinance 529 to include in the language  
17    all-terrain vehicles or motorized vehicles.  And --

18                   MR. SPEAKER:  Do you read the whole  
19    ordinance?

20                   COUNCIL MEMBER MILES:  And we  
21    don't -- we won't -- we'll read the whole ordinance.  
22    We don't do that tonight; right?

23                   MAYOR EVANS:  No.  But I would read  
24    into the record the title of the ordinance and the  
25    number and the series of it, Stuart --

1 COUNCIL MEMBER MILES: It's --

2 MAYOR EVANS: -- and say it was the  
3 first reading.

4 COUNCIL MEMBER MILES: -- it's City of  
5 Prospect, Ordinance Number 529, Series 2013, An  
6 Ordinance Relating to the Amendment and  
7 Modification of Chapter 73 of the Code of  
8 Ordinances of the City of Prospect. Is that  
9 sufficient?

10 MAYOR EVANS: Yeah. Is there a  
11 second?

12 COUNCIL MEMBER LEONARD: Second.

13 COUNCIL MEMBER TUCCI: Second.

14 MAYOR EVANS: We've had the first  
15 reading.

16 COUNCIL MEMBER LEONARD: I would  
17 like to suggest that when we do our agendas, that  
18 we put in enough information so that the people  
19 know what we have and we're going to discuss. I  
20 think the -- the -- the -- what you've done is -- is  
21 very well done. But you can't tell by looking at the  
22 agenda that we're going to talk about ATVs  
23 tonight.

24 MAYOR EVANS: No. That's very well  
25 taken, Sandra. And just by way of parts of an

1 excuse, this past week was a very unusual week,  
2 in addition to which I was sick at home for a  
3 couple of the days. So I wasn't able to even  
4 review this before it went out.

5 COUNCIL MEMBER LEONARD: No. We  
6 have not always done it. It isn't -- it isn't just this  
7 agenda.

8 MAYOR EVANS: Gotcha. Okay. The  
9 next order of businesses is an Executive Session,  
10 and the Council will meet upstairs in the library for  
11 probably 5 or 10 minutes. And then we'll come  
12 back down and go back into open session.

13 CITY ATTORNEY POTTS: We need to --  
14 we need for someone to move to go into Executive  
15 Session.

16 MAYOR EVANS: Yes, we do.

17 COUNCIL MEMBER BRAB: So moved.

18 MAYOR EVANS: Second?

19 COUNCIL MEMBER TUCCI: Second.

20 MAYOR EVANS: All in favor?

21 COUNCIL MEMBERS: Aye.

22 [WHEREUPON, Council enters into Executive  
23 Session.]

24 MAYOR EVANS: We're back in open  
25 session following an Executive Session in which

1 personnel matters were discussed. No action was  
2 taken in the Executive Session.

3 However, I now would like to make a  
4 nomination with respect to the office of City Clerk  
5 of the City of Prospect, and I nominate Ms. Holly  
6 LeVold to be our City Clerk. This nomination is  
7 subject to a vote of approval, or not, from the City  
8 Council.

9 So I ask the members of the City Council; Ms.  
10 Tucci?

11 COUNCIL MEMBER TUCCI: Yes.

12 MAYOR EVANS: Mr. Stuart -- Mr. Miles?

13 COUNCIL MEMBER MILES: Yes.

14 MAYOR EVANS: Bill Brab?

15 COUNCIL MEMBER BRAB: Yes.

16 COUNCIL MEMBER BOWLING: Yes.

17 MAYOR EVANS: Rob? Frank?

18 COUNCIL MEMBER FULCHER: Yes.

19 MAYOR EVANS: Sandra?

20 COUNCIL MEMBER LEONARD: Yes.

21 MAYOR EVANS: It's unanimous.

22 Congratulations, Ms. LeVold, you're now the City  
23 Clerk. Would you step forward, please.

24 [applause]

25 MAYOR EVANS: You have to come up

1 top.

2 MS. LEVOLD: [complies]

3 MAYOR EVANS: Raise your right hand.

4 MS. LEVOLD: [complies]

5 MAYOR EVANS: I, state your name --

6 MS. LEVOLD: I, Holly LeVold --

7 MAYOR EVANS: -- do solemnly swear --

8 MS. LEVOLD: -- do solemnly swear --

9 MAYOR EVANS: -- that I will support the  
10 Constitution of the United States --

11 MS. LEVOLD: -- that I will support the  
12 Constitution of the United States --

13 MAYOR EVANS: -- and the Constitution  
14 of the Commonwealth --

15 MS. LEVOLD: -- and the Constitution of  
16 the Commonwealth --

17 MAYOR EVANS: -- and be faithful and  
18 true to the Commonwealth of Kentucky --

19 MS. LEVOLD: -- and be faithful and true  
20 to the Commonwealth of Kentucky --

21 MAYOR EVANS: -- as long as I continue  
22 to be a citizen thereof --

23 MS. LEVOLD: -- as long as I continue to  
24 be a citizen thereof --

25 MAYOR EVANS: -- and that I will

1 faithfully execute, to the best of my ability --

2 MS. LEVOLD: -- and that I will faithfully  
3 es -- execute, to the best of my ability --

4 MAYOR EVANS: -- the Office of City  
5 Clerk --

6 MS. LEVOLD: -- the Office of City  
7 Clerk --

8 MAYOR EVANS: -- of the City of  
9 Prospect, Kentucky --

10 MS. LEVOLD: -- of the City of Prospect,  
11 Kentucky --

12 MAYOR EVANS: -- according to law --

13 MS. LEVOLD: -- according to law --

14 MAYOR EVANS: -- and I do further  
15 solemnly swear --

16 MS. LEVOLD: -- and I do further  
17 solemnly swear --

18 MAYOR EVANS: -- that since the  
19 adoption of the present Constitution --

20 MS. LEVOLD: -- that since the adoption  
21 of the present Constitution --

22 MAYOR EVANS: -- I, being a citizen of  
23 the state --

24 MS. LEVOLD: -- I, being a citizen of the  
25 state --

1           MAYOR EVANS:  -- have not fought a  
2 duel with deadly weapons --

3           MS. LEVOLD:  -- have not fought a duel  
4 with deadly weapons --

5           MAYOR EVANS:  -- within this state nor  
6 out of it --

7           MS. LEVOLD:  -- within this state nor out  
8 of it --

9           MAYOR EVANS:  -- nor have I sent or  
10 accepted a challenge --

11          MS. LEVOLD:  -- nor have I sent or  
12 accepted a challenge --

13          MAYOR EVANS:  -- to fight a duel with  
14 deadly weapons --

15          MS. LEVOLD:  -- to fight a duel with  
16 deadly weapons --

17          MAYOR EVANS:  -- nor have I acted as a  
18 second in carrying a challenge --

19          MS. LEVOLD:  -- nor have I acted in a  
20 second in carrying a challenge --

21          MAYOR EVANS:  -- nor aided or  
22 assisted --

23          MS. LEVOLD:  -- nor aided and  
24 assisted --

25          MAYOR EVANS:  -- any person thus

1 offending --

2 MS. LEVOLD: -- any person thus

3 offending --

4 MAYOR EVANS: -- so help me God.

5 MS. LEVOLD: -- so help me God.

6 MAYOR EVANS: Congratulations.

7 CITY CLERK LEVOLD: Thank you.

8 [applause]

9 MAYOR EVANS: Now --

10 MR. SPEAKER: Something new in  
11 business.

12 MAYOR EVANS: Stuart, what other  
13 business do you have to bring?

14 COUNCIL MEMBER MILES: At the last  
15 council meeting, I proposed taking -- we -- we  
16 have a category of expenditures in our current  
17 budget [examines document].

18 COUNCIL MEMBER BRAB: Grounds  
19 improvement.

20 COUNCIL MEMBER MILES: Grounds  
21 improvement. And it is -- we have \$80,000 set  
22 aside in this year's budget for grounds  
23 improvement.

24 In the past, we had used that category to do  
25 improvements in park areas. And several people

1 felt that it would be better if you're doing it for  
2 parks, to call it that.

3 We currently only have \$5,000 in our park  
4 budget. And to give you some background, as I  
5 did in the last meeting, that represents one-tenth  
6 of 1% of our budget.

7 If you look at other similar cities,  
8 Jeffersontown uses 2-1/2% of its budget for parks;  
9 Louisville, 3-1/2%; St. Matthews, 5%; Hurstbourne,  
10 14%. And so what I'm proposing is, is taking a  
11 portion of that which falls under the same umbrella  
12 of public -- public works, John?

13 MAYOR EVANS: I'm sorry --

14 COUNCIL MEMBER BRAB: It is under  
15 public works, professional services.

16 COUNCIL MEMBER MILES: Public works,  
17 professional services.

18 We don't need to amend the budget to make  
19 this move; it stays under the same category. I'm  
20 suggesting taking some of those moneys, putting it  
21 under the park subtitle, and using it for parks.  
22 And I've proposed several projects, put that money  
23 to use for, and I'll quickly enumerate them. Some  
24 were very small.

25 There's some clean up that needs to be done

1 as kind of the final part of Putney Pond &  
2 Woodlands work that we did. There's a large  
3 stump that needs to be removed. There's a debris  
4 pile that needs [sic] to be removed, and that's  
5 \$800 to do those two things.

6 One thing that's new, and -- and I didn't mean  
7 to spring this on you; this just came up, what I've  
8 been trying to do from the beginning with the work  
9 that MSD is doing in our parks is, I've been trying  
10 to piggyback on what they're doing and have it  
11 benefit Prospect.

12 And so one of these things was this trail we  
13 had put in. If we were to pay to have that trail put  
14 in, it would cost tens of thousands of dollars to --  
15 to have something like that put in, if -- if -- maybe  
16 even \$100,000. And we got it as part of our deal  
17 with MSD to do this.

18 Another thing I've been working on was a  
19 stream crossing. And I'm going to bring your  
20 attention to this map that I have printed out. And  
21 this map shows Harrods Creek Park.

22 If you look on this map, there is a blue trail,  
23 which is our current hiking trail; it's also known as  
24 the "upper trail."

25 There is an orange trail, which is labeled the

1 "10-foot wide path," and that is what MSD is in the  
2 process of creating for us. And that is a -- it's  
3 on -- it goes mostly along the creek. And it is  
4 2 feet high and 10 feet wide, and it will be seeded  
5 in grass.

6 And there is a culvert that you see, as marked  
7 on the left side of your page. That culvert, right  
8 now, has a temporary stream crossing. And by  
9 "temporary," I mean it's only permitted by the  
10 Corps of Engineers to be temporary. And that  
11 stream crossing is shown in the pictures that I've  
12 handed out to you.

13 It -- the stop one is the big stream crossing.  
14 This isn't Harrods Creek, it's a tributary to  
15 Harrods Creek. It's approximately 25 feet across  
16 this stream.

17 There's a smaller stream crossing leading to  
18 this and it's approximately 10 feet.

19 MSD, in doing this project, had to spend tens  
20 of thousands, if not \$100,000, in getting permits to  
21 put in the different elements that they've done.  
22 I've negotiated with MSD, and I've been working on  
23 this for quite a while, to leave those crossings in  
24 for us at no cost to the City of Prospect, and they  
25 have agreed to do that. But they did say that we

1 would have to get a permanent permit to do that  
2 from the Corps of Engineers. But they have  
3 allowed us to piggyback on their permit and they  
4 have put us in contact with Red Wing, who did  
5 their permit work.

6 And so they've already done the groundwork.  
7 They just have to go in and basically update it  
8 with -- with the proper language to make it a  
9 permanent permit. And once we have that  
10 permanent permit, these crossings will remain --  
11 they'll be permanent and left behind. So we won't  
12 have to go back and build a bridge or bridges to  
13 get access. This is really important --

14 MAYOR EVANS: Well, that was my  
15 question: What would happen if you didn't do  
16 this?

17 COUNCIL MEMBER MILES: We  
18 wouldn't -- we wouldn't be able --

19 CITY ATTORNEY POTTS: You wouldn't  
20 be able to access it.

21 COUNCIL MEMBER MILES: -- we  
22 wouldn't be able to access it; right.

23 And, as you can see, we wouldn't be able to  
24 get back -- this is going to be a grass pat. We  
25 wouldn't be able to come back and mow the grass;

1 we wouldn't be able to get back -- there's a  
2 beautiful meadow we're going to have as part of  
3 this park. We wouldn't be able to mow the  
4 meadow. It would be -- we wouldn't have access  
5 to get back there. There's lots of Eagle Scout  
6 projects.

7 We'd be making Eagle Scouts, you know, carry  
8 hundreds of pounds of lumber, you know, which  
9 they probably wouldn't do it, so we -- we would be  
10 cutting ourselves off of Eagle projects because  
11 this trail goes, you know, several miles. So this  
12 is -- this was a real coup.

13 And I just found out about a week and a half  
14 ago from MSD that they've been working with the  
15 Corps on my behalf to try and get the Corps to  
16 agree to this. And Red Wing has been talking to  
17 them. And they believe, and they feel with the  
18 highest level of confidence, that they will be able  
19 to get this permit for us.

20 And so I got a bid. And that bid from Red  
21 Wing is right here. It enumerates all of the things  
22 they're going to do to get that permit and what the  
23 receivables will be.

24 Red Wing has done a lot of work in this area.  
25 And they're -- they're one of the renown groups in

1 the area for doing this kind of work.

2 Now, when I was negotiating with MSD on this,  
3 they kept telling me, "Well, we're not going to  
4 need to pull this crossing until next year."

5 Unfortunately, they have fi -- fortunately, but  
6 unfortunately, they've finished this work way  
7 ahead of schedule, so they plan to be finished with  
8 this phase of the project, which is good news for  
9 us because we're going to get all this park land  
10 back at the end of December.

11 And so they said they were planning to pull  
12 this creek crossing as soon as they finished the  
13 work. But they have agreed, if we have this permit  
14 process -- if we start this permit process, it will  
15 take three or four months, that they will leave the  
16 culvert in because they're that confident the  
17 permit will be successful.

18 And so in addition to this, we are looking at  
19 putting a canoe launch in this area as well. And  
20 so they will include getting the permits to put the  
21 canoe launch in with this work.

22 So it's really a threefer. For \$4,300 we're  
23 going to get a permit to allow two existing stream  
24 crossings and to allow to have a canoe launch in  
25 this area, if we choose it. We don't have to do the

1 canoe launch, but if we were to have to go back,  
2 we would have to spend a whole lot of money to  
3 get permission from the Corps to put a canoe  
4 launch in this area. And so this allows us to have  
5 that option, if -- if we choose to do so.

6 COUNCIL MEMBER FULCHER: What is  
7 it, time sensi -- why would it be time sensitive,  
8 if -- if you've got a permit? If you say, "We want a  
9 canoe launch." You've got the approvals -- or the  
10 permits.

11 COUNCIL MEMBER MILES: No. No. It  
12 was just pulling out -- the canoe launch isn't the  
13 time sensitive part; it's MSD, when they finish  
14 their work, they come back and they pull these  
15 stream crossings out because they only have a  
16 temporary --

17 COUNCIL MEMBER FULCHER: Right. I  
18 under --

19 COUNCIL MEMBER MILES: -- permit.

20 COUNCIL MEMBER FULCHER: -- I  
21 understand that. I --

22 COUNCIL MEMBER MILES: Right.

23 COUNCIL MEMBER FULCHER: But I  
24 understood you to say that if we get the -- as part  
25 of the permit, the canoe launch --

1 COUNCIL MEMBER MILES: Right. Well,  
2 there --

3 COUNCIL MEMBER FULCHER: Well, if  
4 we have that permit and --

5 CITY ATTORNEY POTTS: You wouldn't  
6 have to put the canoe launch in immediately.

7 COUNCIL MEMBER FULCHER: That's  
8 my --

9 CITY ATTORNEY POTTS: There's no  
10 time sensitive.

11 COUNCIL MEMBER MILES: Right.

12 COUNCIL MEMBER FULCHER: -- that's  
13 my -- that --

14 COUNCIL MEMBER MILES: Right.

15 COUNCIL MEMBER FULCHER: -- that's  
16 my question --

17 COUNCIL MEMBER MILES: Yeah.

18 COUNCIL MEMBER FULCHER: -- is  
19 the --

20 COUNCIL MEMBER MILES: You have --

21 COUNCIL MEMBER FULCHER: -- canoe  
22 launch --

23 COUNCIL MEMBER MILES: -- you have  
24 up to two year --

25 COUNCIL MEMBER FULCHER: -- time

1 sensitive?

2 COUNCIL MEMBER MILES: -- you have  
3 two years to finish --

4 COUNCIL MEMBER FULCHER: Okay.

5 COUNCIL MEMBER MILES: -- the project  
6 once it starts.

7 COUNCIL MEMBER LEONARD: How  
8 much is the canoe launch?

9 COUNCIL MEMBER MILES: How much  
10 would it cost?

11 COUNCIL MEMBER LEONARD: M-hm.

12 COUNCIL MEMBER MILES: I have no  
13 idea because we haven't gotten that far. We don't  
14 have to do the canoe launch.

15 It can be as simple as just walking down a  
16 mud path leading down to the creek that would  
17 cost nothing. Or we could put in, you know, gravel  
18 or concrete down to the creek, some kind of -- I  
19 mean, there's 100 different ways you can do a  
20 canoe launch, but all of them require having a  
21 permit to do a canoe launch.

22 And so this is, basically, if we were to  
23 separately go and get a canoe launch, it would  
24 cost thousands of dollars to do that just by the  
25 can -- you know, by itself. And again, we're

1 piggybacking all of this -- all of these three things  
2 to be done under one permit. So it -- it is a real  
3 coup for the city.

4 COUNCIL MEMBER LEONARD: Actually  
5 the cost, though, is all of the consultants?

6 COUNCIL MEMBER MILES: Right.

7 COUNCIL MEMBER LEONARD: It's not  
8 Corps of Engineers.

9 COUNCIL MEMBER MILES: Right. It's  
10 not Corps of Engineers. It's -- but there's a very  
11 detailed packet that you have to --

12 COUNCIL MEMBER LEONARD: And, you  
13 know, the form is online.

14 COUNCIL MEMBER MILES: Yeah. So  
15 I'm recommending -- I'm recommending that  
16 project. And again, that is -- that is time  
17 sensitive.

18 The other I talked about before, and that's  
19 having -- in the budget having a -- a private  
20 contractor, Grayson Shiprek, who grew up in  
21 Prospect, and he's given us a great deal at \$55 an  
22 hour. Whenever trees fall across the trails in our  
23 parks, we'll call him up and he'll go and clear  
24 those. And that's been a problem in the past  
25 because Ron is already overworked. The park is

1 expanded, and it's just grown beyond Ron's ability  
2 to go and clear them in a timely manner.

3 COUNCIL MEMBER LEONARD: But  
4 instead of \$2,000 shouldn't we have an experience  
5 where somebody bills us for something? I mean,  
6 why -- what does this amount of money mean?

7 COUNCIL MEMBER MILES: Well, what --  
8 and again, like any budget, you're -- and  
9 especially on something you're doing for the first  
10 time, you're making an educated guess on what  
11 you think the expense will be.

12 And so from my experience --

13 COUNCIL MEMBER LEONARD: Well, is  
14 this \$2,000 every two months?

15 COUNCIL MEMBER MILES: No. No. No.

16 COUNCIL MEMBER TUCCI: No.

17 COUNCIL MEMBER MILES: It's for --

18 COUNCIL MEMBER TUCCI: No.

19 COUNCIL MEMBER MILES: -- the year.

20 COUNCIL MEMBER LEONARD: For the  
21 year.

22 COUNCIL MEMBER MILES: It's for the  
23 year.

24 COUNCIL MEMBER LEONARD: For the  
25 year, starting when?

1 COUNCIL MEMBER MILES: For the year  
2 starting this budget year. Until the end of this  
3 budget year.

4 COUNCIL MEMBER LEONARD: So it's  
5 six months worth of --

6 COUNCIL MEMBER MILES: But part of it  
7 was paying to -- to clear the backlog. Because we  
8 haven't -- it hasn't been cleared in, like, six  
9 months. And so, it's going to take a lot of time to  
10 go and clear what's blocked, and then going  
11 forward, it's just maintenance. It's -- and I'm --  
12 and again, I'm guessing every two months they  
13 might spend three or four hours having to go back  
14 and clear storm damage. So again, that's a guess.  
15 I guessed time.

16 But just like our -- our snow removal, there'll  
17 be years where hardly any trees will fall across  
18 the trail and then we'll have a big storm and  
19 several trees will fall across the trail. So, I mean,  
20 until we get a couple of years under our belt, this  
21 is an educated guess.

22 COUNCIL MEMBER BRAB: So your --

23 COUNCIL MEMBER LEONARD: Is \$55 --

24 COUNCIL MEMBER BRAB: -- your  
25 proposal is up -- up to --

1 COUNCIL MEMBER MILES: Up to. Up  
2 to --

3 COUNCIL MEMBER BRAB: Up to?

4 COUNCIL MEMBER MILES: -- \$2,000.

5 Right. We're not going to just spend 2,000 if -- if  
6 we don't need to.

7 COUNCIL MEMBER LEONARD: Is 55 the  
8 average rate?

9 COUNCIL MEMBER MILES: No. He  
10 usually charges 65, and he usually has a four-hour  
11 minimum. And for us he's doing at 55 with a  
12 one-hour minimum. Which is -- I mean, to hire a  
13 professionally bonded insured company to get  
14 somebody to come do one hour work, that doesn't  
15 happen.

16 COUNCIL MEMBER LEONARD: M-hm.

17 COUNCIL MEMBER MILES: So, I mean,  
18 he's really doing this as a favor to the city. He  
19 grew up in this park in -- when it wasn't a park.  
20 He played in it as a kid. And so he just wants to  
21 see this succeed. And -- and, plus, he hikes the  
22 trails, so. . .

23 COUNCIL MEMBER TUCCI: Sir, I just  
24 have an ignorant question: I'm presuming that if a  
25 tree falls across a trail, all they're doing is --

1 COUNCIL MEMBER MILES: Right.

2 COUNCIL MEMBER TUCCI: -- cutting out  
3 that section of log --

4 COUNCIL MEMBER MILES: Exactly.

5 COUNCIL MEMBER TUCCI: -- as it's --

6 COUNCIL MEMBER MILES: And rolling  
7 the --

8 COUNCIL MEMBER TUCCI: -- and the  
9 rest just --

10 COUNCIL MEMBER MILES: Right.

11 COUNCIL MEMBER TUCCI: -- and the  
12 rest just lies there and --

13 COUNCIL MEMBER MILES: Right.

14 COUNCIL MEMBER TUCCI: -- does --  
15 grows mushrooms or whatever?

16 COUNCIL MEMBER MILES: Right. The  
17 big part of it is just hiking to the spot where the  
18 tree fell.

19 COUNCIL MEMBER TUCCI: M-hm.

20 COUNCIL MEMBER MILES: You know,  
21 that's the big part of it. The actual cutting the  
22 tree doesn't take a lot of time. You've got to get  
23 to the tree, cut the tree, move the tree out of the  
24 way, and then walk back. And so that's -- you  
25 know, that's why.

1       If it falls ten feet from the entrance of the  
2 trail, it's a very quick job. If it's a mile or -- and  
3 a half into the trail, then --

4               COUNCIL MEMBER BRAB: They could do  
5 it faster if they had ATVs.

6               COUNCIL MEMBER MILES: That's right.  
7 Well, and that's -- and that is, in -- in all  
8 seriousness, once this gets done, this lower trail  
9 doubles as a road for maintenance vehicles and  
10 they'll be able to drive their trucks back to where  
11 the tree has fallen. We're going to have mile  
12 markers on the trail so we can -- we can direct  
13 them close proximity.

14       The other is the paving of the -- what used to  
15 be the road into Put -- Putney Pond & Woodlands.  
16 And we have done zero maintenance on that road  
17 since we purchased it. There's a small part at the  
18 very beginning that's been newly paved; that  
19 doesn't have to be paved.

20       But the majority of it is in horrible disrepair to  
21 the point that it's getting into subsurface. And --  
22 and Ann will tell you, if you allow a road to -- to  
23 grasp beyond that, then the cost of repairing it  
24 grows expodentially [sic]. And you're not just  
25 throwing asphalt on it, you're having to repair the

1 subsurface. And so I'm proposing -- I got a bid for  
2 \$8,100 to do that. The good news is, is we no  
3 longer allow motor vehicles on it; it will just be  
4 pedestrians and bicycles, and once this is done,  
5 the contractor believes it will be, in his experience  
6 for other kind of walking trails, 10 to 15 years  
7 before you would have to pave that again.

8 COUNCIL MEMBER FULCHER: Stuart,  
9 didn't we just say that there's no bicycles allowed  
10 in parks.

11 COUNCIL MEMBER MILES: No. It's --  
12 unless it's on hard surfaces, like a paved surface.  
13 And then we went into detail of what a paved  
14 surface is, so that people wouldn't ride on a gravel  
15 road or on a -- on a another area.

16 COUNCIL MEMBER FULCHER: Well, I --  
17 I think that there's an ordinance -- a bicycle  
18 ordinance that says there's no bicycles on  
19 sidewalks, which is a hard surface. I'm -- I'm  
20 trying to -- trying to reconcile --

21 COUNCIL MEMBER TUCCI: Yeah.

22 COUNCIL MEMBER FULCHER: -- the --  
23 the differences here between a walking path and a  
24 bicycle path when we -- we had a little discussion  
25 earlier that there -- there is a bicycle ordinance --

1 COUNCIL MEMBER MILES: Yeah. And  
2 that --

3 COUNCIL MEMBER FULCHER: -- and  
4 why it would not apply to this.

5 COUNCIL MEMBER MILES: And -- do  
6 you happen to have -- we had a whole discussion,  
7 didn't we, on --

8 CITY ATTORNEY POTTS: M-hm.

9 COUNCIL MEMBER MILES: -- in the  
10 email about this. And we -- we addressed this in  
11 this ordinance so that it would limit people from  
12 riding bikes on trails.

13 CITY ATTORNEY POTTS: We -- I think  
14 we said that there's already an ordinance that --  
15 that does that.

16 COUNCIL MEMBER MILES: Right.

17 CITY ATTORNEY POTTS: Right.

18 COUNCIL MEMBER MILES: Right. So --  
19 and, Frank, I'll be happy to look at that again. But  
20 from -- from my recent reading of it, I don't think  
21 there's anything that -- that would disallow  
22 somebody from riding their bike on the surface,  
23 unless we posted it, no bicycle riding. And -- and  
24 I think this is a 10-foot wide path, which is totally  
25 appropriate for a bicycle.

1 COUNCIL MEMBER LEONARD: Yeah.  
2 You keep saying "a road." Frank and I went down  
3 and walked it. It is, it's a driveway.

4 CITY ATTORNEY POTTS: Right.

5 COUNCIL MEMBER TUCCI: M-hm.

6 COUNCIL MEMBER LEONARD: And --

7 COUNCIL MEMBER MILES: Right.

8 COUNCIL MEMBER LEONARD: -- the  
9 bulk of it, really, for walking is just fine.

10 COUNCIL MEMBER MILES: Right. But  
11 it -- it is in -- it is in disrepair and you -- again, if  
12 you let something deteriorate to a point, it costs  
13 more to fix it. And if it were any other road in  
14 Prospect, or any other surface or sidewalk, we  
15 would -- we would go in and pave it.

16 COUNCIL MEMBER LEONARD: See,  
17 that's my concern. I think that this should stand  
18 with all of the other projects that we have that  
19 relate to paving. I think it should go into the  
20 paving budget. And I think that when we look at  
21 what we need to do with paving, we should  
22 evaluate the status and use of this with the status  
23 and use of other roads that have got issues in the  
24 city.

25 COUNCIL MEMBER MILES: Yeah.

1 COUNCIL MEMBER LEONARD: Because  
2 we just walked this. And for walking, this, really,  
3 is not in bad shape at all. In fact, it's quite  
4 pretty.

5 COUNCIL MEMBER MILES: It -- well, I  
6 appreciate that. There is an area that is -- is in  
7 really bad shape.

8 COUNCIL MEMBER LEONARD: Well, it's  
9 not bad. There's some side -- subsidence in the  
10 middle of one part of it.

11 COUNCIL MEMBER MILES: But I  
12 checked with Ann on this and you -- according to --  
13 to Ann's perception of this, and, Ann, I won't  
14 speak for you; I'll let you -- you know, I won't --

15 COUNCIL MEMBER LEONARD: Well, but  
16 she's talking to you about a road. This is not a  
17 road. This is a driveway.

18 COUNCIL MEMBER MILES: No, this is  
19 about where you can use road funds.

20 COUNCIL MEMBER LEONARD: Oh. Can  
21 we --

22 COUNCIL MEMBER MILES: Right.

23 COUNCIL MEMBER LEONARD: -- use  
24 road funds --

25 CITY ATTORNEY POTTS: You can't use

1 road funds --

2 CITY ADMINISTRATOR SIMMS: No.

3 CITY ATTORNEY POTTS: -- for this.

4 COUNCIL MEMBER LEONARD: Okay. So

5 this -- but that's still not a reason not to do it --

6 we use -- we use regular funds for roads also --

7 CITY ATTORNEY POTTS: Sure.

8 COUNCIL MEMBER LEONARD: -- right?

9 CITY ADMINISTRATOR SIMMS: Yes.

10 COUNCIL MEMBER MILES: But -- but --

11 COUNCIL MEMBER LEONARD: And I

12 thi -- I thi -- I don't think this is in really bad

13 shape. I'm sorry.

14 COUNCIL MEMBER TUCCI: I guess I'm

15 thinking that -- I'm recalling the days when I had,

16 you know, kids in sort of stair step fashion, and

17 one of them is going to be in a stroller.

18 COUNCIL MEMBER MILES: Right.

19 COUNCIL MEMBER TUCCI: You know,

20 and I -- it's -- I like the idea of having almost a

21 loop, you know, that -- that you can make there

22 with your one child in the stroller and the other kid

23 hanging on and --

24 COUNCIL MEMBER MILES: Right.

25 COUNCIL MEMBER TUCCI: -- falling

1 into -- into the pond.

2 COUNCIL MEMBER MILES: Right.

3 COUNCIL MEMBER TUCCI: Because it  
4 wouldn't be any fun if we couldn't do that. But we  
5 have the possibility of having a -- a -- a loop that  
6 would work for --

7 COUNCIL MEMBER LEONARD: Actually  
8 there's --

9 COUNCIL MEMBER TUCCI: -- for --

10 COUNCIL MEMBER LEONARD: -- dirt.

11 COUNCIL MEMBER TUCCI: -- strollers  
12 or wheelchairs that we don't have anywhere else --

13 COUNCIL MEMBER LEONARD: But --

14 COUNCIL MEMBER TUCCI: -- around.

15 COUNCIL MEMBER LEONARD: -- but  
16 there isn't a loop. There's -- there's --

17 COUNCIL MEMBER TUCCI: Well, when  
18 you get --

19 COUNCIL MEMBER LEONARD: -- you  
20 have to go over --

21 COUNCIL MEMBER TUCCI: -- then you  
22 get across the bridge and you've got a little steep  
23 hill to get -- push up, and then you're on the road  
24 again.

25 COUNCIL MEMBER MILES: And that's --

1 and, Sandra, that is part of the thing for next year  
2 budget, is that I have a bid to -- if -- if the --

3 COUNCIL MEMBER LEONARD: Create  
4 the loop?

5 COUNCIL MEMBER MILES: Yeah, finish  
6 the loop. Yes. As you go -- did you -- when you  
7 walk towards 42 --

8 COUNCIL MEMBER LEONARD: Right.  
9 There's --

10 COUNCIL MEMBER MILES: -- and  
11 there's a --

12 COUNCIL MEMBER LEONARD: And  
13 you --

14 COUNCIL MEMBER MILES: -- hole in the  
15 gate --

16 COUNCIL MEMBER LEONARD: Yeah.  
17 And you'd have to take a stroller --

18 COUNCIL MEMBER MILES: Right.

19 COUNCIL MEMBER LEONARD: -- over  
20 the --

21 COUNCIL MEMBER MILES: I have -- I  
22 have a --

23 COUNCIL MEMBER LEONARD: -- the --

24 COUNCIL MEMBER MILES: -- bid to --

25 COUNCIL MEMBER FULCHER: Over the

1 dirt.

2 COUNCIL MEMBER MILES: -- finish that  
3 up and have it go across and connect with the  
4 sidewalk. So --

5 COUNCIL MEMBER LEONARD: Shouldn't  
6 you do it at the same time?

7 COUNCIL MEMBER MILES: Well, I -- I  
8 guess you could.

9 COUNCIL MEMBER LEONARD: I don't  
10 think that's very expensive. It's really short.

11 COUNCIL MEMBER MILES: Well, the bid  
12 was \$2500. And -- and the -- and the reason it's  
13 more expense is, is that you have to --

14 COUNCIL MEMBER LEONARD: You have  
15 to do the bottom.

16 COUNCIL MEMBER MILES: -- you've got  
17 to put the --

18 COUNCIL MEMBER LEONARD: Right.

19 COUNCIL MEMBER MILES: -- subsurface  
20 in.

21 COUNCIL MEMBER LEONARD: Right.

22 COUNCIL MEMBER MILES: And so I just  
23 thought, again, in the spirit of kind of breaking  
24 things up, I thought, because this needs to -- and  
25 it's just -- it looks -- it looks bad. And -- and --

1 and, you know, everybody is proud of this city.

2 And --

3 COUNCIL MEMBER LEONARD: Well, how  
4 did the problem --

5 COUNCIL MEMBER MILES: We're  
6 proud --

7 COUNCIL MEMBER LEONARD: --  
8 truthfully --

9 COUNCIL MEMBER MILES: -- of our  
10 parks.

11 COUNCIL MEMBER LEONARD: -- it's  
12 like a black hole. We look at \$4300, but then  
13 there's a canoe launch. We look at this, but then  
14 we're going to add this.

15 And I personally think that the parks need to  
16 develop a five-year plan; it needs to contain these  
17 things; they need to have dollar values; and they  
18 need to be prioritized. That way, let's say we get  
19 to January, and we have more because it's a good  
20 year, we could look at the parks' five-year plan  
21 and say, "My gosh, you can do this earlier."

22 And I --

23 COUNCIL MEMBER MILES: And I -- and  
24 I -- I have --

25 COUNCIL MEMBER LEONARD: -- right

1 now --

2 COUNCIL MEMBER MILES: -- I have

3 no --

4 COUNCIL MEMBER LEONARD: -- we

5 don't --

6 COUNCIL MEMBER MILES: -- problem --

7 COUNCIL MEMBER LEONARD: -- any of

8 that.

9 COUNCIL MEMBER MILES: Yeah. And I  
10 have no problem with doing the five-year plan, and  
11 I think at the last meeting I offered for next year's  
12 budget to articulate everything that it's -- in this.  
13 And -- and --and I told you that the reason I didn't  
14 do it this year was because of the unusual  
15 circumstances leading --

16 COUNCIL MEMBER LEONARD: Oh, yeah,  
17 I hear you.

18 COUNCIL MEMBER MILES: -- to budget,  
19 and we all just wanted to get a budget done.

20 COUNCIL MEMBER LEONARD: M-hm.

21 COUNCIL MEMBER MILES: We didn't  
22 have time to have a very well thought out  
23 conversation on this topic. And so these are the  
24 things that I've listed that I felt were time  
25 sensitive either because of the need or because of

1 just the condition that they've gotten in.

2 The other issue -- the other item I have, and  
3 we've already talked about this, was funding the --  
4 the Eagle Scout projects. And Lynn, I think, did a  
5 great job of just giving us the background of how  
6 that money would be spent. That was \$2500 for  
7 funding half the cost of future projects. We're  
8 estimating we do about six a year. And so that  
9 number is 2500. And that would be done in the fall  
10 and the spring.

11 Future scout project plaques. It has been a  
12 custom for most cities, when an Eagle Scout does  
13 a project, the city provides a plaque in recognition  
14 of the scout. We haven't done that. And so I am  
15 proposing \$50 per plaque for future projects would  
16 be 300, and we have roughly 18 projects we've  
17 never acknowledged the scout. And so I would like  
18 \$900 for plaques for those projects done in the  
19 past to acknowledge the scouts.

20 I have 1,000 for signage, and that's signs on  
21 park rules, boundaries, trail markers. Again,  
22 that's an estimation.

23 I have \$10,000 for the hiking path bridge at  
24 Harrods Creek Park. And I'll -- just to show you  
25 where that is, if you go back to this map. The blue

1 trail is the existing trail. The red trail is an area  
2 of about seven-tenths of a mile. A beautiful area  
3 along the creek. There is a huge ravine that is  
4 roughly 12-foot across and 10-foot deep that  
5 prohibits us from putting in that red lower trail. If  
6 we put that bridge in, we could, then, continue that  
7 loop in the park and finish the loop and open up  
8 another seven-tenths of a mile of trail.

9 I talked -- and before I had said 20,000. I  
10 still think that I can get it for cheaper. But when  
11 talking with some people on the Council, they  
12 thought it might be a good idea to break this  
13 project up into two parts and do it -- do the first  
14 part at the end of this fiscal year, and then have  
15 money for the second part the next fiscal year.  
16 And the total for all those projects is \$29,962.

17 MAYOR EVANS: Speaking from the  
18 chair, I think this is probably the most discussion  
19 I've ever allowed without having a motion the  
20 floor. So now I think it's appropriate that  
21 somebody make a motion that is involved with all  
22 the discussion we've just had.

23 COUNCIL MEMBER MILES: I make a  
24 motion that the Council approve moving money  
25 currently under the category of -- you going to

1 help me, Bill?

2 COUNCIL MEMBER BRAB: Yeah.

3 Grounds improvement.

4 COUNCIL MEMBER MILES: Grounds  
5 improvement, moving \$29,962 from that line item  
6 over to the line item --

7 COUNCIL MEMBER BRAB: You're  
8 already -- you're already 2500 over. So it's more  
9 than this.

10 COUNCIL MEMBER MILES: Okay. Thank  
11 you. Are you going to make me do the math?

12 MAYOR EVANS: It'd be about 32,000 --

13 COUNCIL MEMBER MILES: 32,000.

14 COUNCIL MEMBER BRAB: 32,500.

15 COUNCIL MEMBER MILES: Yeah.

16 32,500 --

17 COUNCIL MEMBER BRAB:

18 Approximately.

19 COUNCIL MEMBER MILES: -- over into  
20 the parks budget.

21 MAYOR EVANS: Is there a second?

22 COUNCIL MEMBER BOWLING: I'll  
23 second.

24 COUNCIL MEMBER TUCCI: Second.

25 MAYOR EVANS: Been moved and

1 seconded.

2 Any further discussion?

3 COUNCIL MEMBER FULCHER: I -- I'd  
4 like to make a comment here.

5 MAYOR EVANS: Sure.

6 COUNCIL MEMBER FULCHER: The last  
7 couple of meetings I've found, and this is without  
8 making any judgments on parks or anything, people  
9 ask me, "How much more money are we going to  
10 throw at these parks without being able to see  
11 something?"

12 Now these are -- and I'll grant you, these are  
13 people who don't use the parks, which is a very  
14 large number. And everybody is -- oh,  
15 philosophically supports the concepts of parks,  
16 that we have parks and they're nice and there are  
17 certain group of people that use the parks and God  
18 bless them.

19 Stuart, you've done a great job with them.

20 I'm just making a point that the people that I  
21 talk to about parks say they're nice parks, but how  
22 much more money are we going to spend on parks?  
23 Is there going to be an end to it? And I thought at  
24 the last meeting that we had agreed we would see  
25 a plan. Now Sandy mentioned a -- the loop, and

1 that's not a bad idea. I was over there. But it's  
2 not in a plan. And --

3 COUNCIL MEMBER LEONARD: And it's  
4 not there.

5 COUNCIL MEMBER FULCHER: -- it --  
6 it's not there.

7 And then -- but you want to repave that path.  
8 Now if -- logically, if you wanted to make that  
9 loop, you would stop repaving right where you go  
10 through the fence so that, you know, all these  
11 other concerns can be addressed. And it's not  
12 part of a plan.

13 And so, I really, while I'm not intrinsically  
14 opposed to line item by line item here, I really  
15 strongly hope that the Council insists on a  
16 detailed plan, detailed projects, that we can see  
17 going forward, that we can explain to the  
18 residents, "Here's what it's going to look like in  
19 two years or three or five." Not Stuart got another  
20 idea; let's go spend some money. And that's the --  
21 that's the impression that a -- quite a few people  
22 in this city have. Amen.

23 COUNCIL MEMBER MILES: All right.  
24 And I'll only comment that the Number 1 thing that  
25 people used to look at when they were buying a

1 home was a golf course. Now -- a golf course now  
2 is Number 2 on the list. The number one thing  
3 people look for in buying a home is parks and  
4 spaces like this.

5 And so, I think the number one thing that the  
6 city gets out of this is quality of life. And --  
7 and -- and there are hundreds of people who use  
8 these parks.

9 But secondly, every dollar we put in these  
10 parks raises the value of everybody's own in  
11 Prospect. So even if you don't use the park, even  
12 if you hate parks, your value of your home is still  
13 going to go up.

14 And I agree with you, and -- and we are  
15 working on -- we have a committee and we're  
16 working on a master plan for this park. That's  
17 where this map -- this is a rough draft of that map.

18 And I told you I will put together a five-year  
19 budget, as best I can. And again, it's hard to look  
20 down --

21 COUNCIL MEMBER LEONARD: The --

22 COUNCIL MEMBER MILES: -- five --

23 COUNCIL MEMBER LEONARD: --

24 concern --

25 COUNCIL MEMBER MILES: -- years --

1 COUNCIL MEMBER LEONARD: -- is --

2 COUNCIL MEMBER MILES: -- on

3 anything.

4 COUNCIL MEMBER LEONARD: -- is not  
5 that you'll do it and it -- it won't change. Of  
6 course, it will change over time.

7 COUNCIL MEMBER MILES: Right.

8 COUNCIL MEMBER LEONARD: The  
9 concern is that we do this one increment, and, oh,  
10 my God, now we've set ourselves up to another  
11 expenditure.

12 COUNCIL MEMBER MILES: Right.

13 COUNCIL MEMBER LEONARD: Well, if  
14 we'd known that walking in, I think would could all  
15 be more prudent. And I don't -- I think the parks  
16 are a huge asset to the city. I certainly have  
17 supported them.

18 The first thing that people who talk to me look  
19 at is the police force and the second thing is the  
20 quality of the schools.

21 I think the parks are very important. But I  
22 also think there are other components that people  
23 look at when they're going to buy a house in our  
24 city.

25 COUNCIL MEMBER MILES: Yes.

1           COUNCIL MEMBER TUCCI: I'm sure that  
2 is true. It -- it's -- it's a matter of balance.

3           COUNCIL MEMBER LEONARD: I agree.

4           MAYOR EVANS: I'm not supposed to  
5 discuss because I'm the chair, but it seems to me  
6 there are so many good things about Prospect that  
7 it's very hard to prioritize it; one man's meat is  
8 another man's something else, so. . .

9           COUNCIL MEMBER LEONARD: That's  
10 probably true.

11           COUNCIL MEMBER TUCCI: We -- we do  
12 have -- because we sort of had this ephemeral  
13 sidewalk that never arrived from Fox Harbor Road  
14 over to City Hall.

15           And that money has sat there for two years  
16 untapped because it turned out there were a lot of  
17 good reasons for not spending the money for those  
18 two years. So it is just sitting there. It's  
19 available. And it isn't taking money away from  
20 something else that we need to do in Prospect.

21           It doesn't amount to enough money if we took  
22 the \$30,000 and distributed it among all the  
23 residents; you know, give them a refund. It's --  
24 it's not that much money.

25           So this is one thing. I absolutely concur with

1 the idea that it would be good to have a plan and a  
2 schedule that -- that ran longer than --

3 COUNCIL MEMBER MILES: Yes.

4 COUNCIL MEMBER TUCCI: -- from now  
5 until the 30th of -- of June of this year.

6 Also, though, we have made a lot of progress,  
7 and a lot of expensive progress, from when we  
8 first purchased Putney Pond & Woodlands, that --  
9 that area, and where we are today. It's been  
10 pretty rapid progress. And so the expenses have  
11 been large. I don't expect them --

12 COUNCIL MEMBER MILES: No.

13 COUNCIL MEMBER TUCCI: -- to  
14 continue at that rate because what I really  
15 remember also is Carol McAllister standing here  
16 and saying, "Remember, every time you put in  
17 another trail, you destroy the -- the habitat for  
18 wildlife."

19 You know, she's a bird watcher. And every  
20 time you --

21 COUNCIL MEMBER MILES: Right.

22 COUNCIL MEMBER TUCCI: -- -- hack  
23 your way, another way --

24 COUNCIL MEMBER MILES: Right.

25 COUNCIL MEMBER TUCCI: -- in there

1 doing your Daniel Boone act --

2 COUNCIL MEMBER MILES: Right.

3 COUNCIL MEMBER TUCCI: -- there are  
4 a lot of birds that don't have a place to nest.

5 COUNCIL MEMBER MILES: Right.

6 COUNCIL MEMBER TUCCI: So there's a  
7 lo -- there's a logical place where we should reach  
8 in that five-year plan that says, "Now we're doing  
9 maintenance."

10 COUNCIL MEMBER MILES: Right.

11 COUNCIL MEMBER TUCCI: We're  
12 through.

13 COUNCIL MEMBER LEONARD: Well, we  
14 already need maintenance. When we walked --

15 COUNCIL MEMBER TUCCI: We need  
16 maintenance.

17 COUNCIL MEMBER LEONARD: -- when  
18 we walked there, that fence is already coming  
19 apart over there.

20 COUNCIL MEMBER MILES: Well, the --  
21 and the fence that was coming apart wasn't the  
22 new fence; it was the fence that had been there for  
23 30-plus years that's --

24 COUNCIL MEMBER LEONARD: But, see,  
25 we don't have any maintenance money.

1 COUNCIL MEMBER MILES: Well, that --  
2 Ron has the boards to fi -- I mean, that is pennies.  
3 I mean, that literally is --

4 COUNCIL MEMBER LEONARD: Well, no,  
5 but it's got to be painted too.

6 COUNCIL MEMBER MILES: Right.

7 COUNCIL MEMBER LEONARD: And  
8 that's not pennies.

9 COUNCIL MEMBER MILES: Right.  
10 Anyway, that's the work that Ron does.

11 Anyway, I think I've -- I hope -- have I  
12 answered everybody else's question or. . .

13 COUNCIL MEMBERS: [no response]

14 COUNCIL MEMBER MILES: Okay.

15 MAYOR EVANS: Okay. If we're finished  
16 with our discussion, we'll put the matter to a vote.  
17 All in favor say, "Aye."

18 MOST COUNCIL MEMBERS: Aye.

19 MAYOR EVANS: All opposed?

20 COUNCIL MEMBER FULCHER: No.

21 COUNCIL MEMBER LEONARD: Opposed.

22 MAYOR EVANS: I'd like it with roll call  
23 votes.

24 Sandy?

25 COUNCIL MEMBER TUCCI: Yes.

1 MAYOR EVANS: Stuart?

2 COUNCIL MEMBER MILES: Yes.

3 MAYOR EVANS: Bill?

4 COUNCIL MEMBER BRAB: Yes.

5 COUNCIL MEMBER BOWLING: Yes.

6 MAYOR EVANS: Rob? Frank?

7 COUNCIL MEMBER FULCHER: No.

8 MAYOR EVANS: Sandy?

9 COUNCIL MEMBER LEONARD: No.

10 MAYOR EVANS: Okay. The ayes have it  
11 and the motion is passed 4 to 2.

12 MR. SPEAKER: Can you-all amend the  
13 budget?

14 MAYOR EVANS: We will do an  
15 amendment to the budget in due course. We're not  
16 right now; okay?

17 Anything else to come before the Council  
18 tonight?

19 COUNCIL MEMBERS: [no response]

20 AUDIENCE: [no response]

21 MAYOR EVANS: I have nothing.

22 There being no further discussion, no further  
23 motions, I will entertain a motion to adjourn.

24 COUNCIL MEMBER BRAB: So moved.

25 COUNCIL MEMBER TUCCI: So moved.

1 MAYOR EVANS: Second?

2 COUNCIL MEMBER BOWLING: Yeah.

3 COUNCIL MEMBER MILES: Aye.

4 MAYOR EVANS: All in favor?

5 COUNCIL MEMBER MILES: Oh. Sorry.

6 MAYOR EVANS: Anybody want to go

7 home?

8 [WHEREUPON, the City Council Meeting

9 concludes at 9:09 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 \_\_\_\_\_, 2013.

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My Commission Expires: Notary Public

.

AUGUST 27, 2017 .

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Notary ID: 494347

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**WORD INDEX**

<b>&lt; \$ &gt;</b>	<b>13</b> 7:10	<b>3</b> 18:17 45:21	<b>73</b> 75:7
<b>\$1,000</b> 18:23	<b>136.05</b> 40:19	<b>30</b> 20:5 35:2	<b>75,000</b> 64:3
<b>\$1,700</b> 21:2	<b>13th</b> 26:22	<b>300</b> 107:16	<b>&lt; 8 &gt;</b>
<b>\$10,000</b> 107:23	<b>14</b> 82:10	<b>30-06</b> 45:13	<b>80</b> 31:21
<b>\$100</b> 19:22	<b>15</b> 48:13 64:8	<b>30-plus</b> 116:23	<b>800</b> 18:23
<b>\$100,000</b> 83:16	97:6	<b>30th</b> 115:5	<b>8310</b> 56:19
84:20	<b>150</b> 58:3	<b>3-1</b> 82:9	<b>8501</b> 58:22
<b>\$2,000</b> 92:4, 14	<b>16</b> 26:7 29:21, 21	<b>317</b> 23:24	<b>&lt; 9 &gt;</b>
94:4	<b>17</b> 25:24 29:21	<b>32</b> 26:5	<b>9:09</b> 119:9
<b>\$2500</b> 104:12	<b>18</b> 1:23 2:3, 8	<b>32,000</b> 109:12, 13	<b>95</b> 5:3
107:6	29:18 107:16	<b>32,500</b> 109:14, 16	
<b>\$29,962</b> 108:16	<b>1974</b> 34:21	<b>38</b> 64:4	<b>&lt; A &gt;</b>
109:5	<b>1989</b> 9:1	<b>3rd</b> 42:8, 9 63:25	<b>a.m</b> 27:13
<b>\$30,000</b> 114:22	<b>1st</b> 18:1, 6	<b>&lt; 4 &gt;</b>	<b>ability</b> 7:6 45:17
<b>\$4,300</b> 87:22	<b>&lt; 2 &gt;</b>	<b>4</b> 118:11	46:18 79:1, 3 92:1
<b>\$42,000</b> 73:14	<b>2</b> 7:9 8:21, 22	<b>40</b> 8:25 60:17	<b>able</b> 10:21 19:2
<b>\$4300</b> 105:12	82:8, 9 84:4 112:2	<b>40059</b> 44:9	21:11, 21 27:6, 19,
<b>\$5,000</b> 82:3	118:11	<b>42</b> 4:3 6:20 26:6	21 30:23 76:3
<b>\$50</b> 107:15	<b>2,000</b> 94:5	65:25 68:14 103:7	85:18, 20, 22, 23, 25
<b>\$500</b> 18:17	<b>2:00</b> 6:16	<b>45</b> 26:8 55:1	86:1, 3, 18 96:10
<b>\$55</b> 91:21 93:23	<b>2:15</b> 27:13	<b>47</b> 26:6	110:10
<b>\$8,000</b> 65:16	<b>20</b> 4:22 10:14	<b>494347</b> 121:23	<b>absolutely</b> 45:17
<b>\$8,100</b> 97:2	31:21 65:8	<b>&lt; 5 &gt;</b>	50:9 52:24 53:6
<b>\$80,000</b> 81:21	<b>20,000</b> 108:9	<b>5</b> 18:23 45:21	58:17 114:25
<b>\$800</b> 83:5	<b>2011</b> 31:14	76:11 82:9	<b>absurd</b> 50:9, 9
<b>\$900</b> 107:18	<b>2012</b> 31:17	<b>50</b> 45:15, 22	<b>accept</b> 31:22
	<b>2013</b> 1:23 2:3, 8	<b>523</b> 72:8, 19, 20	<b>accepted</b> 80:10, 12
<b>&lt; 1 &gt;</b>	75:5 121:17	<b>529</b> 72:11, 12, 13	<b>access</b> 85:13, 20,
<b>1</b> 43:15 82:6	<b>2014</b> 7:19	74:16 75:5	22 86:4
111:24	<b>2017</b> 121:21	<b>55</b> 94:7, 11	<b>accessible</b> 11:6
<b>1,000</b> 107:20	<b>2-1</b> 82:8	<b>&lt; 6 &gt;</b>	<b>accidents</b> 26:7
<b>1:30</b> 27:13	<b>21st</b> 2:13 47:1, 5	<b>6</b> 26:6	<b>accomplished</b> 13:9
<b>10</b> 44:8 76:11	66:12	<b>60</b> 43:16	<b>accord</b> 55:25 56:1
84:4, 18 97:6	<b>22</b> 26:11 34:21	<b>65</b> 94:10	<b>accounted</b> 26:5
<b>100</b> 45:22 65:10	<b>23</b> 13:24	<b>65.870</b> 37:10	<b>accurate</b> 121:9
90:19	<b>24</b> 27:1	<b>68</b> 12:7	<b>accuse</b> 52:15
<b>100-acre</b> 45:16	<b>24-member</b> 9:6	<b>&lt; 7 &gt;</b>	<b>acknowledge</b>
<b>10-foot</b> 84:1 98:24	<b>25</b> 20:5 26:12	<b>7:00</b> 2:6	107:19
108:4	45:22 66:24 84:15	<b>70s</b> 44:8	<b>acknowledged</b>
<b>10th</b> 27:12	<b>2500</b> 107:9 109:8	<b>7106</b> 71:5	107:17
<b>11</b> 67:24	<b>26th</b> 12:5	<b>7205</b> 69:19	<b>acre</b> 45:14
<b>12</b> 7:11 8:21, 22	<b>27</b> 121:21		<b>acres</b> 45:21, 22
<b>12-foot</b> 108:4	<b>&lt; 3 &gt;</b>		<b>act</b> 34:19 71:14

116:1  
**acted** 80:17, 19  
**acting** 42:12  
**action** 77:1  
**actions** 25:10  
**active** 34:15  
**activities** 38:3  
**actual** 7:20 32:25  
 61:6 95:21  
**add** 5:15 20:2  
 71:1 105:14  
**Added** 3:21, 22  
 21:4, 10 59:3 69:4  
**addition** 76:2  
 87:18  
**additional** 28:11  
**addre** 44:20  
**address** 15:23  
 41:24 42:1 44:3,  
 19 46:5 47:2 48:5,  
 10 50:19 63:22  
 66:6 67:14, 20  
 68:2, 17 71:20  
**addressed** 98:10  
 111:11  
**addressing** 44:17  
**adds** 69:24  
**adjourn** 118:23  
**ADMINISTRATOR**  
 72:20 101:2, 9  
**adopted** 2:25 35:3  
**adoption** 34:8, 10  
 79:19, 20  
**adult** 23:25  
**advantage** 60:15  
**advise** 12:11  
**Advisory** 9:4  
**aegis** 6:3  
**afternoon** 6:16  
**agencies** 32:13  
**agency** 30:18  
**agenda** 3:1 72:7,  
 15 75:22 76:7  
**agendas** 75:17

**ago** 21:24 27:12  
 49:14 50:24 59:2  
 66:25 73:23 86:14  
**agree** 38:15 40:13  
 48:22 62:3 86:16  
 112:14 114:3  
**agreed** 9:6 84:25  
 87:13 110:24  
**agreement** 29:7  
 46:13  
**ahead** 12:25 17:6  
 56:17 87:7  
**aided** 80:21, 23  
**air** 33:11, 11  
**airplane** 59:24  
**al** 45:9  
**alarms** 26:12  
**alley** 57:3  
**allow** 33:23 38:1,  
 7 58:5 87:23, 24  
 96:22 97:3  
**allowed** 46:25  
 85:3 97:9 108:19  
**allowing** 32:20  
 39:19 47:4  
**allows** 88:4  
**all-terrain** 74:17  
**alternative** 66:8  
**amateur** 48:24  
**amaze** 14:1  
**Amen** 70:18  
 111:22  
**amend** 36:23 43:8  
 74:15 82:18  
 118:12  
**amended** 37:8  
**amendment** 31:6, 7,  
 15, 18 32:3, 11  
 33:22, 25 34:21  
 36:3, 8, 11 37:1, 3,  
 9 38:16 48:19  
 59:9 62:9 75:6  
 118:15  
**amendments** 35:1  
**amount** 28:14

47:3 92:6 114:21  
**angle** 30:21  
**Ann** 96:22 100:12,  
 13  
**Ann's** 100:13  
**anonymous** 27:15  
**answered** 117:12  
**anybody** 7:18, 25  
 9:12 30:25 40:22,  
 24 45:12 60:12  
 64:18 69:17 119:6  
**anymore** 32:21  
**anyway** 48:18  
 117:10, 11  
**apart** 116:19, 21  
**apologize** 11:11  
 17:7  
**apparently** 28:6  
**appears** 7:6  
**applaud** 68:4  
**applause** 5:13  
 77:24 81:8  
**apply** 18:15 59:25  
 98:4  
**appreciate** 4:5, 10  
 5:10 24:20 37:24  
 43:24 100:6  
**appreciation** 3:15  
**apprehend** 27:21  
**approach** 37:5  
 48:23  
**appropriate** 35:14,  
 22 44:21 98:25  
 108:20  
**approval** 2:17 77:7  
**approvals** 88:9  
**approve** 19:16  
 108:24  
**approximately**  
 26:11 27:13 84:15,  
 18 109:18  
**Arborfest** 12:5  
**archery** 43:20 47:5  
**area** 12:8, 16  
 30:15 43:7 49:1  
 50:12 56:25 64:1

65:7, 11 66:23, 24  
 69:2 74:11 86:24  
 87:1, 19, 25 88:4  
 97:15 100:6 108:1,  
 2 115:9  
**areas** 37:25 50:12  
 60:4 64:8 65:3, 6  
 67:13 68:12, 25  
 81:25  
**arrest** 27:10  
**arrested** 28:9  
**arrests** 26:13  
**arrived** 114:13  
**arrow** 39:1 60:13  
 71:10  
**arrows** 56:23  
**art** 21:2 48:18  
**articles** 64:8  
**articulate** 106:12  
**aside** 81:22  
**asked** 4:13 9:9  
 18:11 42:14, 15  
**asking** 39:23  
**asphalt** 96:25  
**Assembly** 31:14  
**asset** 113:16  
**assisted** 80:22, 24  
**associated** 43:6  
 44:4  
**Assumption** 10:20,  
 22  
**Atlanta** 64:11  
**attempt** 48:20  
**attention** 83:20  
**ATTORNEY** 8:13,  
 15, 21, 23 36:6, 12,  
 15 37:6 38:19  
 39:22, 23 42:18  
 45:24 47:25, 25  
 48:23 51:6 52:7  
 59:12 68:5, 17, 22  
 71:16, 25 72:5, 11,  
 18, 22 76:13 85:19  
 89:5, 9 98:8, 13, 17  
 99:4 100:25 101:3,

7  
**attorneys** 121:13  
**attracted** 69:2  
**ATV** 72:6 74:1, 6, 8, 13  
**ATVs** 75:22 96:5  
**AUDIENCE** 31:2 71:21 118:20  
**August** 8:2 32:8 121:21  
**authority** 52:11  
**authorized** 33:13  
**automobiles** 65:20  
**available** 9:23 114:19  
**average** 94:8  
**Award** 3:19  
**aware** 55:18 56:7, 11  
**Aye** 2:20, 21 76:21 117:17, 18 119:3  
**eyes** 2:24 118:10

< B >

**baby** 15:17  
**back** 5:25 9:12 18:13, 15, 24 19:7, 17 21:11 25:18, 21 32:8 38:6 44:8 57:7 73:25 76:12, 12, 24 85:12, 24, 25 86:1, 5 87:10 88:1, 14 93:13 95:24 96:10 107:25  
**background** 16:21 31:11 73:4 82:4 107:5  
**backlog** 93:7  
**backs** 56:19  
**backyard** 38:8 40:25 45:14 49:11 50:9  
**backyards** 28:5 38:9

**bad** 57:2 100:3, 7, 9 101:12 104:25 111:1  
**badge** 18:2  
**balance** 114:2  
**ballot** 31:18  
**bang** 49:10, 10, 11  
**bar** 3:10  
**basically** 85:7 90:22  
**basketball** 30:8  
**BB** 33:12  
**beautiful** 86:2 108:2  
**beginning** 14:25 83:8 96:18  
**behalf** 11:9 42:16 86:15  
**behaving** 5:4  
**behold** 27:7, 19  
**belief** 50:11  
**believe** 7:18 29:22, 24 32:8 36:16, 16 44:10 50:10 86:17  
**believes** 97:5  
**belt** 93:20  
**beneficiary** 18:19  
**benefit** 83:11  
**best** 6:9 34:11 66:8 79:1, 3 112:19  
**better** 2:6 9:16 82:1  
**Bevin** 10:17, 17, 18, 19, 25  
**beyond** 92:1 96:23  
**bicycle** 21:25 97:17, 24, 25 98:23, 25  
**bicycles** 97:4, 9, 18  
**bid** 6:17 86:20, 20 97:1 103:2, 24 104:11  
**bids** 12:15

**big** 6:2, 2 10:16, 16 13:2 84:13 93:18 95:17, 21  
**bigger** 51:2  
**biggest** 71:6  
**bike** 11:16 17:14 98:22  
**bikes** 17:17 22:3, 4 98:12  
**Bill** 77:14 109:1 118:3  
**bills** 92:5  
**biologists** 64:5 67:7  
**bird** 115:19  
**birds** 116:4  
**bit** 24:5 29:2 31:10 32:9 34:11 59:23 67:15  
**bite** 60:18  
**black** 105:12  
**Blacklegged** 65:1  
**bless** 110:18  
**block** 4:22  
**blocked** 93:10  
**blue** 83:22 107:25  
**Board** 8:5 9:6 25:11  
**boards** 117:2  
**boardwalk** 11:14 17:21 20:18 22:7, 8  
**body** 42:24 51:2  
**bonded** 94:13  
**book** 13:16, 20, 25  
**books** 13:17, 18, 19, 19, 23  
**Boone** 65:22 116:1  
**bottom** 104:15  
**bought** 19:20  
**boundaries** 107:21  
**boundary** 58:4  
**bounds** 59:19, 21  
**bow** 38:18 39:1 60:13

**BOWLING** 29:19, 23 30:1, 4, 9 31:8, 9 34:9 35:25 36:2, 9 38:11, 20 39:5, 17 40:4, 17 41:6, 11, 15, 22, 25 42:4, 21 43:20 45:10 48:19 50:18, 22 51:7, 10, 13, 14, 16, 17, 20, 22 52:1, 4, 19, 23 53:2, 5, 8, 10, 13, 16, 19, 22, 25 54:3, 6, 9, 13, 19, 22, 25 55:3, 6, 12, 17, 20, 23 56:2, 6, 10 57:8, 13 58:1, 14, 16, 20 60:24 61:1, 4, 11, 14, 19, 25 62:2, 7, 17, 20, 24 63:1, 4, 7, 9, 11, 14, 18 77:16 109:22 118:5 119:2  
**bows** 56:23  
**box** 57:7  
**Boy** 11:11 16:10 17:24  
**BRAB** 2:18 34:23 76:17 77:14, 15 81:18 82:14 93:22, 24 94:3 96:4 109:2, 7, 14, 17 118:4, 24  
**brag** 44:7  
**Brandenburg** 64:17  
**brand-new** 19:20  
**break** 108:12  
**break-in** 30:12  
**breaking** 27:24, 25 28:1 104:23  
**bridge** 21:3 58:23 85:12 102:22 107:23 108:6  
**bridges** 20:25 85:12  
**bring** 35:19 55:8, 13 81:13 83:19

<p><b>bringing</b> 39:12 43:24</p> <p><b>broaden</b> 40:2</p> <p><b>brought</b> 5:22 10:2 49:14 50:23 70:5</p> <p><b>budget</b> 5:23, 24, 25 81:17, 22 82:4, 6, 8, 18 91:19 92:8 93:2, 3 99:20 103:2 106:12, 18, 19 109:20 112:19 118:13, 15</p> <p><b>bui</b> 18:21</p> <p><b>build</b> 21:20, 22 85:12</p> <p><b>building</b> 18:21 19:15 73:25</p> <p><b>built</b> 21:1 70:3 73:16</p> <p><b>bulk</b> 99:9</p> <p><b>bullet</b> 71:9</p> <p><b>bunch</b> 15:2 56:21 65:4</p> <p><b>bunnies</b> 39:13</p> <p><b>bunny</b> 39:13</p> <p><b>Burglar</b> 26:12</p> <p><b>business</b> 2:11 31:5 81:11, 13</p> <p><b>businesses</b> 76:9</p> <p><b>buy</b> 23:12 113:23</p> <p><b>buying</b> 111:25 112:3</p> <p><b>&lt; C &gt;</b></p> <p><b>California</b> 14:20</p> <p><b>call</b> 17:9 44:16 45:4 73:23 82:2 91:23 117:22</p> <p><b>called</b> 26:15 27:18 28:8 64:2 74:2</p> <p><b>calling</b> 35:9</p> <p><b>canoe</b> 87:19, 21, 24 88:1, 3, 9, 12, 25 89:6, 21 90:8, 14, 20, 21, 23 105:13</p>	<p><b>caption</b> 121:8</p> <p><b>capture</b> 40:21</p> <p><b>capturing</b> 47:2</p> <p><b>car</b> 27:19, 20, 22, 24 30:17, 19 44:9, 12</p> <p><b>Carol</b> 115:15</p> <p><b>Caroline</b> 67:22</p> <p><b>carpenters</b> 24:10</p> <p><b>carriage</b> 37:14</p> <p><b>carrier</b> 64:24 65:2</p> <p><b>carries</b> 64:21</p> <p><b>carry</b> 65:8 86:7</p> <p><b>carrying</b> 80:18, 20</p> <p><b>cars</b> 28:1, 1, 2, 21</p> <p><b>case</b> 53:15 59:12</p> <p><b>cases</b> 45:21 64:23, 23</p> <p><b>Catch-22</b> 67:5</p> <p><b>catching</b> 39:13</p> <p><b>category</b> 81:16, 24 82:19 108:25</p> <p><b>caused</b> 49:19</p> <p><b>causes</b> 26:17</p> <p><b>ceases</b> 13:25</p> <p><b>cedar</b> 20:3, 4, 7</p> <p><b>Center</b> 9:5</p> <p><b>Century</b> 47:1, 5 66:13</p> <p><b>certain</b> 110:17</p> <p><b>certainly</b> 36:22 43:5 44:20 68:16 113:16</p> <p><b>CERTIFICATE</b> 121:1</p> <p><b>certify</b> 121:5, 11</p> <p><b>chain</b> 17:18</p> <p><b>chained</b> 22:4</p> <p><b>chair</b> 108:18 114:5</p> <p><b>chairman</b> 42:12</p> <p><b>challenge</b> 4:17 18:20 80:10, 12, 18, 20</p> <p><b>chance</b> 4:21</p>	<p><b>change</b> 17:25 41:2 57:16 62:13 113:5, 6</p> <p><b>changes</b> 62:9</p> <p><b>Chapter</b> 75:7</p> <p><b>charged</b> 25:18</p> <p><b>charges</b> 94:10</p> <p><b>Charlie</b> 19:21</p> <p><b>cheaper</b> 108:10</p> <p><b>check</b> 19:2, 5</p> <p><b>checked</b> 100:12</p> <p><b>checking</b> 28:2</p> <p><b>checks</b> 25:24</p> <p><b>cheese</b> 10:1, 2</p> <p><b>cheeses</b> 10:3</p> <p><b>Chief</b> 24:21, 23 25:1, 8 28:16, 18, 22, 25 29:4, 12, 21, 25 30:3, 6, 10 31:4 44:18</p> <p><b>child</b> 65:24 101:22</p> <p><b>children</b> 50:14 69:25</p> <p><b>choose</b> 68:20 87:25 88:5</p> <p><b>circumstances</b> 106:15</p> <p><b>citations</b> 25:9 26:1, 5</p> <p><b>cite</b> 56:14</p> <p><b>cities</b> 7:14 31:24 34:1 36:21 64:11 66:10 67:4, 12 82:7 107:12</p> <p><b>citizen</b> 78:22, 24 79:22, 24</p> <p><b>citizens</b> 44:4 61:9</p> <p><b>CITY</b> 1:4, 13 2:1, 2, 7 3:13, 16, 19 6:15 7:6, 16 8:13, 15, 21, 23 11:10 20:11 26:14 32:4, 15 33:2, 12 36:6, 12, 15, 16, 17, 20 37:21, 21 38:1, 19 39:22 46:13 47:20, 25</p> <p>52:5, 6, 14 56:14 57:14 59:4, 12, 20, 20 60:22 64:10, 10 67:13 71:25 72:5, 11, 18, 20, 22 75:4, 8 76:13 77:4, 5, 6, 7, 9, 22 79:4, 6, 8, 10 81:7 84:24 85:19 89:5, 9 91:3 94:18 98:8, 13, 17 99:4, 24 100:25 101:2, 3, 7, 9 105:1 107:13 111:22 112:6 113:16, 24 114:14 119:8</p> <p><b>clean</b> 82:25</p> <p><b>cleanest</b> 34:12</p> <p><b>Cleaning</b> 26:25</p> <p><b>clear</b> 41:17 91:23 92:2 93:7, 10, 14</p> <p><b>clearance</b> 12:13</p> <p><b>cleared</b> 93:8</p> <p><b>clearly</b> 59:3, 12</p> <p><b>Clerk</b> 77:4, 6, 23 79:5, 7 81:7</p> <p><b>close</b> 56:24 60:2 65:10 96:13</p> <p><b>closed</b> 6:21</p> <p><b>closely</b> 30:22</p> <p><b>coach</b> 59:23 60:1</p> <p><b>Code</b> 25:9, 11 44:10 65:23 75:7</p> <p><b>cold</b> 12:6</p> <p><b>Collegiate</b> 13:5, 6</p> <p><b>collision</b> 44:10</p> <p><b>collisions</b> 44:12 65:20</p> <p><b>come</b> 3:4 10:22 17:25 18:15, 24 47:17 48:9 49:1, 8, 16 60:21 62:11, 12 63:20 67:25 68:19 76:11 77:25 85:25 88:14 94:14 118:17</p> <p><b>comes</b> 27:3</p>
--	---	--

**coming** 4:20 11:9  
 13:21 55:24 56:7,  
 11 57:2 58:8, 11  
 116:18, 21  
**comment** 43:25  
 48:3 110:4 111:24  
**comments** 9:14  
 16:10 68:3 69:20  
**Commission** 121:19  
**commissioner**  
 41:20 42:8  
**Committee** 9:4  
 10:5 13:13 14:8,  
 21 25:14 112:15  
**commonly** 33:11  
**Commonwealth**  
 50:4 78:14, 16, 18,  
 20  
**communities** 70:2  
**community** 21:22  
 50:2 64:17  
**company** 6:6, 15,  
 18, 23 12:11 94:13  
**compared** 25:24  
 26:3  
**complaining** 44:15  
**complaints** 6:11  
 44:3  
**complete** 24:16  
**completed** 12:15  
**completely** 17:9  
 39:15  
**completion** 17:15  
**compliant** 32:24  
 33:1, 3 36:25 37:8  
 55:7  
**complied** 32:5  
**complies** 78:2, 4  
**comply** 34:2  
**complying** 34:5  
 52:20  
**components** 113:22  
**computer** 17:8  
**concepts** 110:15

**concern** 20:18  
 71:6 99:17 112:24  
 113:9  
**concerned** 60:10  
 70:6  
**concerning** 43:12  
**concerns** 68:7  
 111:11  
**concludes** 119:9  
**concrete** 90:18  
**concur** 114:25  
**condition** 107:1  
**condoned** 60:6  
**Conference** 9:5  
**confers** 3:2  
**confidence** 86:18  
**confident** 87:16  
**conflicting** 68:15  
**confusing** 39:8  
**conge** 42:10  
**Congratulations**  
 77:22 81:6  
**congressional**  
 42:10  
**connect** 104:3  
**consequences** 67:9  
**Consequently**  
 32:15  
**consider** 23:10  
 49:25 50:15 64:16  
**considered** 60:21  
**constant** 44:3  
**constitutes** 121:9  
**Constitution** 33:20,  
 23 37:9 39:20  
 43:8, 9 44:23  
 52:13 78:10, 12, 13,  
 15 79:19, 21  
**Constitutional**  
 31:17 32:2 38:16  
 43:10  
**construct** 5:23  
**consultants** 91:5  
**consumable** 22:25  
**contact** 85:4  
**contain** 105:16

**continue** 26:3  
 36:18 69:8 70:4  
 78:21, 23 108:6  
 115:14  
**continuing** 69:7  
**contractor** 6:17  
 73:18, 24 91:20  
 97:5  
**controlling** 66:9  
**conversation** 22:19  
 106:23  
**cooperative** 27:22  
**copies** 9:9  
**copy** 17:9 19:12  
 33:4  
**Cornell** 66:7  
**Corps** 84:10 85:2  
 86:15, 15 88:3  
 91:8, 10  
**correct** 30:6 38:19,  
 20 41:19 47:15  
 54:1 56:12 61:8,  
 14, 25 62:2, 4  
 72:23  
**cost** 83:14 84:24  
 90:10, 17, 24 91:5  
 96:23 107:7  
**costs** 19:7 99:12  
**cou** 18:24  
**Could've** 30:7  
**COUNCIL** 1:13 2:2,  
 7, 9, 13, 14, 16, 18,  
 21, 23 5:14, 21, 24  
 7:12, 16 8:6, 10, 14,  
 16, 19, 22 10:9, 12  
 11:20, 23 12:19, 23  
 13:1, 4, 15 14:4, 6,  
 9, 11, 14, 16, 19  
 15:1, 4, 6, 8, 10, 12,  
 14, 15, 17, 19, 21, 22,  
 24, 25 16:2, 3, 5, 6,  
 8, 12, 14, 18, 20, 25  
 17:3, 5 20:1, 23  
 21:8, 12, 13, 17  
 22:17, 22 23:15, 17  
 24:1, 8, 24 25:2, 4,

6, 7 28:16, 19, 23  
 29:3, 10, 17, 19, 23  
 30:1, 4, 9 31:1, 9  
 34:3, 9, 23 35:4, 7,  
 10, 13, 25 36:1, 2, 5,  
 7, 9 37:23 38:11,  
 20 39:4, 5, 7, 17, 18  
 40:1, 4, 5, 7, 8, 10,  
 11, 17 41:3, 6, 8, 10,  
 11, 13, 15, 22, 24, 25  
 42:1, 4, 5, 6 43:14,  
 17 46:9, 12, 19, 21  
 47:6, 8, 11, 13, 16,  
 21 49:20, 24 50:18,  
 22, 24 51:7, 10, 14,  
 17, 20, 22 52:1, 4, 9,  
 19, 23 53:2, 5, 8, 10,  
 13, 16, 19, 22, 25  
 54:3, 6, 7, 9, 13, 14,  
 19, 22, 25 55:3, 6,  
 12, 17, 20, 23 56:2,  
 6, 10 57:8, 13 58:1,  
 14, 16, 20 59:5  
 60:22, 24 61:1, 4, 6,  
 6, 11, 14, 18, 19, 23,  
 25 62:2, 7, 17, 20,  
 24 63:1, 4, 7, 9, 11,  
 14, 18 64:15, 20  
 67:22 69:7, 13  
 70:7, 10 71:20, 24  
 72:3, 4, 10, 12, 13,  
 16 73:1, 3, 6 74:20  
 75:1, 4, 12, 13, 16  
 76:5, 10, 17, 19, 21,  
 22 77:8, 9, 11, 13,  
 15, 16, 18, 20 81:14,  
 15, 18, 20 82:14, 16  
 85:17, 21 88:6, 11,  
 17, 19, 20, 22, 23  
 89:1, 3, 7, 11, 12, 14,  
 15, 17, 18, 20, 21, 23,  
 25 90:2, 4, 5, 7, 9,  
 11, 12 91:4, 6, 7, 9,  
 12, 14 92:3, 7, 13,  
 15, 16, 17, 18, 19, 20,  
 22, 24 93:1, 4, 6, 22,

23, 24 94:1, 3, 4, 7,  
9, 16, 17, 23 95:1, 2,  
4, 5, 6, 8, 10, 11, 13,  
14, 16, 19, 20 96:4,  
6 97:8, 11, 16, 21,  
22 98:1, 3, 5, 9, 16,  
18 99:1, 5, 6, 7, 8,  
10, 16, 25 100:1, 5,  
8, 11, 15, 18, 20, 22,  
23 101:4, 8, 10, 11,  
14, 18, 19, 24, 25  
102:2, 3, 7, 9, 10, 11,  
13, 14, 15, 17, 19, 21,  
25 103:3, 5, 8, 10,  
12, 14, 16, 18, 19, 21,  
23, 24, 25 104:2, 5,  
7, 9, 11, 14, 16, 18,  
19, 21, 22 105:3, 5,  
7, 9, 11, 23, 25  
106:2, 4, 6, 7, 9, 16,  
18, 20, 21 108:11,  
23, 24 109:2, 4, 7,  
10, 13, 14, 15, 17, 19,  
22, 24 110:3, 6  
111:3, 5, 15, 23  
112:21, 22, 23, 25  
113:1, 2, 4, 7, 8, 12,  
13, 25 114:1, 3, 9,  
11 115:3, 4, 12, 13,  
21, 22, 24, 25 116:2,  
3, 5, 6, 10, 11, 13, 15,  
17, 20, 24 117:1, 4,  
6, 7, 9, 13, 14, 18, 20,  
21, 25 118:2, 4, 5, 7,  
9, 17, 19, 24, 25  
119:2, 3, 5, 8  
**councilman** 6:25  
31:7 42:21 43:13,  
20 45:10  
**Councilwoman**  
58:25 62:4  
**counsel** 3:2 42:15  
**Counties** 32:13  
65:21  
**countries** 64:4

**County** 29:2, 13  
31:24 32:7 42:11  
44:10, 11, 12 47:4  
49:6 54:20 58:5,  
10 64:24  
**coup** 73:16 86:12  
91:3  
**couple** 17:11  
21:24 23:24 38:12  
76:3 93:20 110:7  
**course** 7:4 32:17,  
19 48:2 112:1, 1  
113:6 118:15  
**Court** 27:20 29:7,  
9 56:19 57:15  
67:23 71:5  
**cover** 18:14  
**create** 74:12 103:3  
**creating** 84:2  
**Creek** 10:15 11:17  
26:23 45:6 56:20  
58:3, 6 69:1 73:7,  
13 83:21 84:3, 14,  
15 87:12 90:16, 18  
107:24 108:3  
**crew** 23:19, 20, 21  
**criminal** 38:3  
**crosses** 60:12  
**crossing** 83:19  
84:8, 11, 13, 17  
87:4, 12  
**crossings** 84:23  
85:10 87:24 88:15  
**culvert** 84:6, 7  
87:16  
**Cundiff** 12:15  
**current** 42:12  
59:10 81:16 83:23  
**currently** 25:11  
56:14 73:7 82:3  
108:25  
**custom** 107:12  
**cut** 95:23  
**cutoff** 7:15  
**cutting** 86:10 95:2,

21  
< D >  
**dad** 19:2, 4, 19  
22:7  
**damage** 65:13  
74:13 93:14  
**damp** 12:6  
**dangerous** 49:4, 12  
**Daniel** 116:1  
**dare** 44:24  
**databases** 27:6  
**date** 7:13, 15, 17  
8:3, 3 120:2 121:7  
**daughter** 13:4  
**day** 10:13 11:7  
13:6, 11 23:7 27:8  
44:6 65:15 121:17  
**days** 29:1 35:2  
59:2 65:17 76:3  
101:15  
**de** 49:18  
**dead** 12:16  
**deadly** 80:2, 4, 14,  
16  
**deal** 40:2 68:16  
83:16 91:21  
**dealing** 40:12  
**deals** 33:1 37:10  
57:14  
**dear** 13:22 45:19  
**death** 26:17  
**deaths** 26:16  
**debris** 83:3  
**December** 25:14,  
22 87:10  
**decided** 74:7  
**decision** 47:9, 14  
68:4  
**deep** 108:4  
**deer** 44:5, 9, 12, 15  
45:18 49:2, 17  
50:7, 25 52:10  
53:1, 3 60:8 64:5,  
5, 6, 18, 25 65:2, 6,  
8, 10, 11, 20 66:1, 5,

9, 24 67:3, 7 68:1,  
9, 13  
**defend** 60:16  
**defended** 4:2  
**defense** 33:8, 17  
34:18 38:23  
**defined** 40:18  
**definition** 40:23  
**Department** 42:9,  
13, 16, 23 46:3  
69:22  
**depend** 7:9  
**description** 30:16,  
22  
**deservedly** 6:13  
**designed** 37:2  
**destroy** 115:17  
**detail** 97:13  
**detailed** 91:11  
111:16, 16  
**details** 19:18  
**deteriorate** 99:12  
**develop** 105:16  
**development** 69:3,  
3  
**differences** 97:23  
**different** 7:2, 23  
10:3, 3 36:4 69:25  
84:21 90:19  
**difficult** 3:18  
**digest** 9:17  
**digging** 6:8  
**direct** 96:12  
**dirt** 6:7, 8 102:10  
104:1  
**disallow** 98:21  
**discharge** 33:3, 7,  
16 34:17 36:19, 24  
37:1, 16, 18, 19, 22  
38:21, 22, 25 39:9  
43:11 49:8  
**discharged** 33:10  
**discharges** 60:14  
**discharging** 38:4  
40:3 71:12

**discuss** 22:7  
 75:19 114:5  
**discussed** 77:1  
**discussion** 35:12  
 71:7 97:24 98:6  
 108:18, 22 110:2  
 117:16 118:22  
**disease** 65:1  
**diseases** 65:12  
**disparaging** 45:5  
**Dispatch** 26:10  
**disrepair** 96:20  
 99:11  
**distributed** 114:22  
**District** 42:8, 9  
 63:25  
**districts** 42:10, 11  
**division** 49:19  
**doctrine** 60:5  
**document** 81:17  
**Doe** 64:16  
**doing** 4:14 18:22  
 19:23 21:16 26:5  
 29:6 41:4 50:16  
 66:11 69:10 73:7,  
 11, 20 74:2 82:1  
 83:9, 10 84:19  
 87:1 92:9 94:11,  
 18, 25 106:10  
 116:1, 8  
**dollar** 105:17  
 112:9  
**dollars** 65:14  
 74:12 83:14 90:24  
**Donations** 13:20  
**dots** 58:7  
**doubles** 96:9  
**Downard** 6:24  
**dozens** 15:11  
**draft** 112:17  
**dressed** 28:3  
**drew** 70:21  
**drill** 19:20  
**drilled** 17:17  
**Drive** 6:7 96:10

**driveway** 99:3  
 100:17  
**driving** 73:25  
**dropped** 74:1  
**drove** 19:21 74:13  
**due** 118:15  
**duel** 80:2, 3, 13, 15  
**DUI** 26:13  
**Duke** 66:7  
**duly** 33:13  
**duties** 33:14  
  
**< E >**  
**Eagle** 17:25 18:1,  
 16 20:14 23:11  
 86:5, 7, 10 107:4,  
 12  
**earlier** 29:1 97:25  
 105:21  
**earliest** 8:3  
**early** 25:13, 22  
**earn** 18:2  
**east** 29:15 66:22  
**eastern** 47:4  
**EBERLE** 3:6, 9, 13,  
 21, 23 4:4, 7, 10  
 5:6, 10, 12, 20  
**Ed** 48:12 63:24  
 70:10, 11  
**edge** 49:4  
**educated** 92:10  
 93:21  
**Edwin** 69:18  
**eight** 4:12 10:21  
 65:19  
**eighth** 45:14  
**either** 7:16 31:25  
 41:5 106:25  
**elbows** 59:24  
**election** 7:7 8:5, 24  
**elements** 84:21  
**else's** 21:20  
 117:12  
**email** 15:23 59:2  
 61:5 98:10

**EMBRY** 67:21, 22  
 69:14  
**employee** 26:24  
 121:12  
**enacted** 37:3, 9  
**enclosed** 33:4  
**encounter** 68:14  
**encourage** 19:24  
**endangerment**  
 49:12  
**Enforcement** 25:9,  
 11  
**Engineers** 84:10  
 85:2 91:8, 10  
**England** 4:23  
**enhance** 69:10  
**enjoy** 43:21 45:19  
 48:16 50:5  
**enjoyable** 4:18 9:7  
**enjoyed** 70:14  
**enter** 29:7  
**enters** 76:22  
**entertain** 2:12  
 59:6 118:23  
**entire** 7:20 74:11  
**entirely** 7:2  
**entitled** 61:12  
**entrance** 11:16  
 12:9 96:1  
**enumerate** 82:23  
**enumerates** 86:21  
**envelope** 6:1  
**ephemeral** 114:12  
**erosion** 11:2  
**es** 79:3  
**especially** 68:11  
 92:9  
**esteem** 3:14  
**estimate** 65:7  
**estimating** 107:8  
**estimation** 107:22  
**evaluate** 99:22  
**EVANS** 2:4, 19, 22,  
 24 3:3, 8, 11, 22, 24  
 4:5, 8 5:5, 9, 11  
 6:4 8:9, 12, 20 9:2

10:11 11:19, 21, 24  
 12:2, 20, 25 13:3,  
 13 14:3, 5, 7, 10, 13,  
 15, 18 16:9, 13, 19  
 21:7 24:17, 20, 21  
 31:3 34:7, 22, 24  
 35:6, 9, 12 36:14  
 39:22 42:2 46:6, 8,  
 11 47:24 50:20  
 56:12 58:21 60:25  
 61:3 63:19, 23  
 66:14, 17, 20 67:16,  
 21 69:14 70:9, 19,  
 23 71:19, 22 72:2,  
 8, 14, 24 73:2, 5  
 74:23 75:2, 10, 14,  
 24 76:8, 16, 18, 20,  
 24 77:12, 14, 17, 19,  
 21, 25 78:3, 5, 7, 9,  
 13, 17, 21, 25 79:4,  
 8, 12, 14, 18, 22  
 80:1, 5, 9, 13, 17, 21,  
 25 81:4, 6, 9, 12  
 82:13 85:14  
 108:17 109:12, 21,  
 25 110:5 114:4  
 117:15, 19, 22  
 118:1, 3, 6, 8, 10, 14,  
 21 119:1, 4, 6  
**evening** 27:15 48:5  
**evenings** 57:19  
**event** 8:7  
**Everson** 42:15  
 45:25  
**everybody** 64:13  
 67:14 105:1  
 110:14 117:12  
**everybody's** 112:10  
**exact** 64:9  
**exactly** 35:23 95:4  
**examines** 81:17  
**example** 56:14  
 64:16  
**exclusion** 33:16, 18  
**excuse** 76:1  
**execute** 79:1, 3

**executive** 71:23  
76:9, 14, 22, 25  
77:2  
**existing** 87:23  
108:1  
**expanded** 92:1  
**expect** 115:11  
**expectancy** 20:7  
**expenditure** 113:11  
**expenditures** 81:16  
**expense** 92:11  
104:13  
**expenses** 18:14  
115:10  
**expensive** 20:9  
104:10 115:7  
**experience** 22:14,  
15 92:4, 12 97:5  
**expertise** 23:25  
**Expires** 121:19  
**explain** 31:10  
111:17  
**expodentially** 96:24  
**expose** 14:23  
**extremes** 45:15  
**eye** 43:1

## &lt; F &gt;

**facility** 9:23  
**facing** 64:9  
**fact** 42:23 43:3  
49:3, 20 50:1, 16  
100:3  
**factors** 69:1  
**failure** 37:18  
**Fairway** 27:20  
**faithful** 78:17, 19  
**faithfully** 79:1, 2  
**falcon** 39:12  
**falconer** 39:10  
**falconers** 43:16  
**falconry** 39:19  
40:7, 9 43:19  
**fall** 91:22 93:17,  
19 107:9

**fallen** 96:11  
**falling** 24:2 101:25  
**falls** 82:11 94:25  
96:1  
**familiar** 64:18  
**family** 10:17, 18  
**Fantastic** 15:5  
**far** 4:4, 6 18:10, 12  
20:21 40:24 41:2  
46:24 52:5 70:5  
90:13  
**farm** 54:17  
**farms** 45:16 50:12  
57:24  
**fashion** 101:16  
**faster** 22:13 24:5  
96:5  
**fatal** 28:6  
**fatalities** 65:19  
**fathom** 45:20  
**fatigues** 28:3  
**favor** 2:20 76:20  
94:18 117:17  
119:4  
**federally** 33:19  
**feed** 50:7  
**feel** 21:15 44:20,  
22 68:1, 2 86:17  
**feet** 84:4, 4, 15, 18  
96:1  
**fell** 95:18  
**felt** 82:1 106:24  
**fence** 111:10  
116:18, 21, 22, 22  
**fever** 64:22  
**fi** 87:5 117:2  
**fight** 80:13, 15  
**file** 7:9, 11 8:5  
**filing** 7:13, 16 8:3  
**final** 13:18 83:1  
**finally** 49:20 59:22  
**financial** 3:18  
121:14  
**find** 27:19 29:8  
**Fine** 61:20 99:9

**finish** 51:23 52:2  
88:13 90:3 103:5  
104:2 108:7  
**finished** 24:14  
87:6, 7, 12 117:15  
**finishing** 11:15  
**fir** 23:4 38:12  
**fire** 12:11  
**firearm** 33:7 34:18  
36:19, 24 37:22  
38:22 39:15 40:3  
43:21  
**firearms** 33:16  
36:24 37:2, 15, 17,  
20 38:4 39:9  
**fires** 71:8  
**first** 2:11 5:24  
9:3 10:7 15:17  
35:19 38:6, 12  
50:22 56:9 58:24  
75:3, 14 92:9  
108:13 113:18  
115:8  
**fiscal** 108:14, 15  
**Fish** 32:13 41:16,  
22 42:9, 13, 17, 23  
46:3 48:25 55:10  
**fishing** 42:25  
**fit** 44:1 45:18  
**five** 10:3 26:13  
28:11 59:2 67:17  
111:19 112:22  
**five-eleven** 30:11  
**five-year** 105:16,  
20 106:10 112:18  
116:8  
**fix** 99:13  
**floor** 108:20  
**flying** 59:23, 25  
**following** 30:21  
76:25  
**food** 40:19  
**forbid** 32:1 46:20,  
25  
**force** 113:19

**foregoing** 121:5, 9  
**foreign** 64:4  
**Forest** 29:15  
**Forestation** 12:3  
**forget** 12:24  
**form** 59:1, 3 62:5  
91:13 120:7  
**format** 35:14, 23  
**forth** 43:25  
**fortunately** 87:5  
**forward** 12:17  
17:12 25:17 35:19  
77:23 93:11  
111:17  
**fought** 80:1, 3  
**found** 27:23 28:11  
59:10, 11 86:13  
110:7  
**four** 10:3, 6 17:16  
18:4 23:6 64:22  
87:15 93:13  
**four-hour** 94:10  
**Fox** 45:7 69:19  
71:5 114:13  
**Frank** 13:23 77:17  
98:19 99:2 118:6  
**frantic** 73:24  
**Friday** 57:19  
**friend** 39:10  
**friends** 4:13  
**front** 3:4, 6 30:15,  
15 35:21  
**Fulcher** 13:23  
22:17, 22 23:15  
25:4, 7, 17 77:18  
88:6, 17, 20, 23  
89:3, 7, 12, 15, 18,  
21, 25 90:4 97:8,  
16, 22 98:3 103:25  
110:3, 6 111:5  
117:20 118:7  
**fun** 4:24 102:4  
**function** 8:17  
**fund** 18:25 19:11  
**funding** 18:19

107:3, 7  
**fundraising** 19:6  
**funds** 100:19, 24  
 101:1, 6  
**further** 79:14, 16  
 110:2 118:22, 22  
 121:11  
**future** 107:7, 11, 15  
**FYI** 47:12

## &lt; G &gt;

**game** 40:20  
**gas** 19:22  
**gate** 103:15  
**gated** 64:16  
**General** 31:14  
 37:6 39:23 47:25  
 48:23 51:6 68:25  
 71:16  
**generalities** 40:12  
**generally** 29:9  
**General's** 42:18  
 68:5, 22  
**genie** 57:1, 7  
**gentleman** 57:4  
**getting** 12:15  
 14:23 18:7 22:12,  
 14, 15 24:5 74:9  
 84:20 87:20 96:21  
**girls** 10:21  
**give** 10:8, 10 12:2  
 15:23 16:21 19:12  
 41:1 48:9 67:14  
 73:4, 14 82:4  
 114:23  
**given** 59:18 91:21  
 121:16  
**gives** 67:6 69:25  
**giving** 11:9 107:5  
**GLAZER** 56:18, 18  
 57:12, 17 58:12, 15,  
 18  
**Glenview** 32:7, 15  
**go** 5:3 12:17, 25  
 17:6, 6 18:13  
 19:25 20:10 24:9

25:18 29:24 31:18  
 38:2, 8 47:25  
 49:16 50:7 56:17  
 67:2 73:20 76:12,  
 14 85:7, 12 88:1  
 90:23 91:23 92:2  
 93:10, 13 99:15, 19  
 102:20 103:6  
 104:3 107:25  
 111:9, 20 112:13  
 119:6  
**God** 27:16 81:4, 5  
 110:17 113:10  
**Goddin** 9:21  
**goes** 18:10 57:20  
 84:3 86:11  
**going** 5:5 6:22  
 11:12 12:10 13:9,  
 10 14:15, 21, 22  
 18:5 19:3 22:9, 16  
 25:21 26:18 38:6  
 39:24 40:5, 6, 24  
 42:3 49:5, 11, 15  
 57:2, 3 64:7 65:3  
 66:3 67:4, 5, 7, 8  
 71:10 73:15, 16  
 75:19, 22 83:19  
 85:24 86:2, 22  
 87:3, 9, 23 93:9, 10  
 94:5 96:11 101:17  
 105:14 108:25  
 109:11 110:9, 22,  
 23 111:17, 18  
 112:13 113:23  
**golf** 112:1, 1  
**Good** 3:7 12:6  
 14:2 20:19 21:15  
 22:18 24:7 39:10  
 49:20 57:18 69:9  
 70:16 87:8 97:2  
 105:19 108:12  
 114:6, 17 115:1  
**gosh** 105:21  
**Gotcha** 76:8  
**gotten** 17:17

90:13 107:1  
**governing** 42:24  
**grandmother** 22:1  
**grandson** 22:2  
**Granger** 11:12  
 16:16, 23 17:1, 4, 7  
 20:15 21:23 22:20  
 23:4, 23 24:2, 13,  
 19  
**grant** 110:12  
**grasp** 96:23  
**grass** 84:5 85:24,  
 25  
**gravel** 90:17 97:14  
**gray** 43:7  
**Grayson** 91:20  
**Great** 5:9, 17 9:23  
 10:23 11:7, 8  
 15:20 16:2 43:22  
 70:15 91:21 107:5  
 110:19  
**green** 12:8 47:3  
**grew** 45:6 66:23  
 91:20 94:19  
**ground** 39:14  
**Grounds** 81:18, 20,  
 22 109:3, 4  
**groundwork** 85:6  
**group** 10:25 11:3  
 110:17  
**groups** 86:25  
**Grover** 34:11  
 38:13  
**grown** 92:1  
**grows** 95:15 96:24  
**guarantee** 19:13  
**guard** 30:11  
**guess** 92:10 93:14,  
 21 101:14 104:8  
**guessed** 93:15  
**guessing** 93:12  
**guidelines** 40:15  
**gun** 40:14 60:13  
**Gunpowder** 71:5  
**guns** 33:12 37:11  
 57:6

**guys** 15:2 49:7  
 58:3 64:7  
 < H >  
**habitat** 64:5  
 115:17  
**hack** 115:22  
**Half** 13:19, 23  
 18:14, 25 19:7, 21  
 24:14 86:13 96:3  
 107:7  
**halfway** 24:14  
**hall** 6:15 114:14  
**hand** 50:8 78:3  
 121:16  
**handbook** 7:3  
**handed** 84:12  
**handful** 31:24  
**handwritten** 9:10  
**hanging** 101:23  
**happen** 42:12  
 43:15 44:9 49:13  
 64:14 65:3 85:15  
 94:15 98:6  
**happened** 31:23  
**happens** 42:17  
 65:16  
**happy** 19:16 22:12  
 23:21 43:25 46:4  
 67:10 98:19  
**Harbor** 45:7 69:19  
 71:5 114:13  
**hard** 3:12 4:14  
 97:12, 19 112:19  
 114:7  
**harmed** 71:14  
**Harrods** 10:15  
 11:17 56:20 58:3,  
 23 83:21 84:14, 15  
 107:24  
**hate** 112:12  
**hear** 49:5 57:20,  
 24 58:15 65:15  
 106:17  
**Hearing** 120:5  
**heart** 45:20

**heavy** 18:21 65:12  
 70:13  
**held** 2:13 121:7  
**he'll** 91:23  
**help** 6:24 14:2  
 19:1 22:16 46:4  
 81:4, 5 109:1  
**hereof** 120:4 121:8  
**Hey** 52:9, 12  
**High** 10:20 22:14  
 29:19 30:7 64:17  
 65:6 67:3 84:4  
**higher** 52:11  
**highest** 65:21, 22  
 86:18  
**highly** 60:4  
**high-powered** 56:23  
**hikes** 94:21  
**hiking** 69:4 83:23  
 95:17 107:23  
**hill** 11:5 102:23  
**Hills** 56:15  
**hire** 94:12  
**historically** 43:5  
 65:4, 6  
**hit** 27:7  
**hitting** 29:2  
**hold** 45:19  
**holding** 52:15  
**hole** 103:14 105:12  
**holes** 17:17  
**Holly** 9:9 77:5  
 78:6  
**home** 10:4 13:2  
 26:23 27:8 30:13,  
 14, 15 36:17 37:20  
 68:18 76:2 112:1,  
 3, 12 119:7  
**homes** 68:13  
**homicide** 26:18  
**honestly** 45:21  
**hope** 13:7 14:22  
 50:15 59:17, 19  
 70:4 111:15  
 117:11

**hopefully** 4:20  
 24:15  
**hopes** 6:18  
**horrible** 96:20  
**hosting** 9:20  
**hot** 23:6  
**hour** 54:23 91:22  
 94:14  
**hours** 23:6 27:1  
 30:18 93:13  
**house** 5:1 25:23  
 56:19, 24 57:9  
 113:23  
**hu** 46:20  
**huge** 108:3 113:16  
**hundreds** 86:8  
 112:7  
**hunt** 33:24 38:18  
 40:24 43:10 44:24  
 45:13, 18 50:11  
 52:22 53:1, 3, 21  
 54:11 62:12  
**hunter** 53:1 62:25  
**Hunting** 26:23  
 31:6, 15, 25 32:1,  
 12, 15, 16, 20, 25  
 34:1, 15, 19 37:1, 4  
 38:1, 10, 25 39:8,  
 16, 21 40:13, 23  
 42:24 43:21 44:20  
 45:6, 23, 23 46:14,  
 23, 25 47:5, 17  
 49:5 51:4 54:16  
 57:10, 11 58:5  
 59:16, 19, 21 60:3  
 66:9 69:1 73:7  
**Hurstbourne** 82:9  
**husband** 69:2  
  
**< I >**  
**ID** 121:23  
**idea** 49:4, 15 50:2,  
 11 54:5 56:21  
 90:13 101:20  
 108:12 111:1, 20

115:1  
**ignorant** 94:24  
**Il** 65:4  
**ill** 60:20  
**imagine** 38:7  
**immeasurably** 69:5  
**immediately** 74:1,  
 6 89:6  
**impertinent** 4:13  
**important** 68:6, 21  
 85:13 113:21  
**impression** 111:21  
**impressive** 21:6  
**improved** 6:1  
**improvement** 81:19,  
 21, 23 109:3, 5  
**improvements**  
 81:25  
**inaudibly** 3:2  
**include** 34:14  
 37:18 39:9 74:16  
 87:20  
**included** 35:17  
**Including** 22:24  
 33:8 43:2 65:19  
**increase** 26:8  
**increment** 113:9  
**Indian** 56:15  
**Indianapolis** 64:10  
**indifferent** 32:22  
**individuals** 29:18  
**indulge** 60:20  
**influence** 42:21  
**information** 18:12  
 65:5 75:18  
**informed** 74:4  
**initiated** 31:13  
**initiatives** 12:10  
**inject** 43:25  
**injuries** 26:8  
**inside** 30:19  
**insists** 111:15  
**installed** 20:21  
**installing** 22:1  
**instance** 23:10

**instances** 68:19  
**instruments** 70:13  
**insured** 94:13  
**intent** 18:16 40:21  
**intention** 59:6  
**interest** 22:14  
 121:14  
**interested** 8:1  
**intrinsically** 111:13  
**introduced** 59:5  
**invest** 65:14  
**invite** 55:16  
**invited** 42:2  
**involved** 26:14, 24  
 29:8 48:1 108:21  
**Ironically** 43:13  
**issue** 39:15 43:12  
 46:17 47:2 48:5, 8  
 49:14, 18, 25 50:1  
 68:1, 8 71:17  
 107:2  
**issued** 25:10  
**issues** 11:2 44:16,  
 19 46:7 64:9, 12  
 66:4, 25 67:1  
 68:15, 18 99:23  
**it,** 66:2  
**It'd** 9:16 109:12  
**item** 3:1 31:5  
 107:2 109:5, 6  
 111:14, 14  
**items** 25:19 27:2  
**it'll** 73:12  
**its** 32:13 36:17  
 82:8  
  
**< J >**  
**January** 7:19 9:19  
 17:25 18:6 105:19  
**Jeff** 25:15  
**Jefferson** 31:24  
 32:7 42:11 44:10,  
 11 47:4 57:22  
 58:4 64:24 65:22,  
 23

<p><b>Jeffersontown</b> 82:8  <b>jewelry</b> 26:23  <b>job</b> 6:17 10:23  22:18 96:2 107:5  110:19  <b>Joe</b> 14:14  <b>jogging</b> 22:8  <b>John</b> 58:22 82:12  <b>joy</b> 69:5  <b>judgments</b> 110:8  <b>July</b> 32:8  <b>jump</b> 6:2, 2 36:13  <b>June</b> 115:5  <b>jurisdiction</b> 61:10  <b>juvenile</b> 27:21 29:9  <b>juveniles</b> 27:23  28:10</p> <p>&lt; K &gt;  <b>keep</b> 22:16 23:6,  20 69:9 71:11  99:2  <b>Kehlbeck</b> 14:17  <b>Kelly</b> 6:24  <b>Kentuck</b> 41:20  <b>Kentuckians</b> 43:9  <b>KENTUCKY</b> 1:6  2:1 7:3 10:19  31:16, 20, 25 36:21  41:16 42:8, 16, 25  43:18 48:1 52:5  61:10 64:1 65:19  78:18, 20 79:9, 11  121:2, 4  <b>kept</b> 87:3  <b>key</b> 69:1  <b>kid</b> 94:20 101:22  <b>kids</b> 18:25 19:1,  24 22:14 23:8  28:24 65:20  101:16  <b>killed</b> 65:25  <b>kind</b> 5:25 12:6  19:22 23:8, 13  60:5 83:1 87:1  90:18 97:6 104:23</p>	<p><b>kinds</b> 38:3 65:12,  13  <b>KITHCART</b> 121:3  <b>knew</b> 27:8 58:8  68:1  <b>knock</b> 49:17 50:8  <b>know</b> 4:16 6:10  7:12 13:11 15:7,  18 18:5 19:21  21:3, 23 25:15  28:19, 20 29:6  31:11 34:3 38:12,  13, 24 39:2, 3, 3  40:22 41:18 44:2,  25 45:2, 3 49:2  50:10 57:2, 6, 10,  22, 23 58:10 65:15,  16 68:3, 9, 15, 18  69:23 70:23 73:6  75:19 86:7, 8, 11  90:17, 25 91:13  95:20, 25 100:14  101:16, 19, 21  105:1 111:10  114:23 115:19  <b>known</b> 33:11  83:23 113:14  <b>Kroger</b> 9:5, 20  <b>KRS</b> 37:10</p> <p>&lt; L &gt;  <b>labeled</b> 83:25  <b>labor</b> 21:5  <b>ladies</b> 42:6  <b>Lake</b> 29:15  <b>land</b> 33:2 38:7  47:20 87:9  <b>Lands</b> 10:7  <b>landscape</b> 65:13  <b>landscaping</b> 65:15,  17 74:11  <b>lane</b> 6:20  <b>language</b> 34:14  74:16 85:8</p>	<p><b>large</b> 54:17 83:2  110:14 115:11  121:2, 4  <b>largest</b> 10:13 44:9  <b>launch</b> 87:19, 21,  24 88:1, 4, 9, 12, 25  89:6, 22 90:8, 14,  20, 21, 23 105:13  <b>law</b> 51:12 61:10  68:17, 21 71:7  79:12, 13  <b>lawmakers</b> 60:19  <b>laws</b> 44:25  <b>layover</b> 35:2  <b>leading</b> 84:17  90:16 106:15  <b>League</b> 36:21  63:25  <b>learn</b> 44:6  <b>learned</b> 7:4  <b>learning</b> 60:18  <b>leave</b> 65:4 71:24  84:23 87:15  <b>leaving</b> 30:15  <b>lectern</b> 48:9  <b>Lee</b> 12:2, 21  <b>left</b> 84:7 85:11  <b>legal</b> 7:3 42:14  50:1  <b>legalities</b> 48:1  <b>legally</b> 46:1  <b>legislation</b> 60:21  <b>legislator</b> 41:17  <b>legislature</b> 32:12  <b>LEONARD</b> 2:16  8:6, 10, 14, 16, 22  13:15 14:4, 9, 11,  14, 16, 19 15:4, 8,  12, 15, 19, 22, 25  16:3, 6 35:4, 7, 10,  13 36:1, 5, 7 37:23  40:1, 5, 8, 11 41:3,  10, 13 58:25 61:18,  23 62:4 72:10, 12,  16 75:12, 16 76:5  77:20 90:7, 11</p>	<p>91:4, 7, 12 92:3, 13,  20, 24 93:4, 23  94:7, 16 99:1, 6, 8,  16 100:1, 8, 15, 20,  23 101:4, 8, 11  102:7, 10, 13, 15, 19  103:3, 8, 12, 16, 19,  23 104:5, 9, 14, 18,  21 105:3, 7, 11, 25  106:4, 7, 16, 20  111:3 112:21, 23  113:1, 4, 8, 13  114:3, 9 116:13, 17,  24 117:4, 7, 21  118:9  <b>letter</b> 9:21 68:17  <b>level</b> 5:22 24:11  86:18  <b>LeVold</b> 77:6, 22  78:2, 4, 6, 6, 8, 11,  15, 19, 23 79:2, 6,  10, 13, 16, 20, 24  80:3, 7, 11, 15, 19,  23 81:2, 5, 7  <b>Library</b> 13:13, 16  76:10  <b>licensed</b> 43:16  <b>lies</b> 95:12  <b>life</b> 20:6 21:11  69:11, 25 112:6  <b>light</b> 28:7  <b>limit</b> 98:11  <b>limits</b> 33:12 36:20  37:21  <b>Linda</b> 10:9 19:10  <b>line</b> 70:21 109:5, 6  111:14, 14  <b>lined</b> 19:18  <b>lines</b> 26:1, 4  <b>link</b> 27:5  <b>list</b> 17:11 18:8  112:2  <b>listed</b> 106:24  <b>literally</b> 117:3  <b>little</b> 2:5 12:8  29:2 31:10 32:9</p>
---	--	---	---

34:11 59:23 67:15,  
24 97:24 102:22  
**live** 48:15 49:4  
50:4 56:19 58:6  
66:22 67:22 69:19  
71:4  
**lived** 29:13, 14  
60:22  
**living** 5:1, 2 58:18  
59:23 60:2 69:5  
**LMPD** 26:18 27:5  
**lo** 27:7, 18 116:7  
**Loan** 64:21  
**loaning** 19:5  
**Lock** 28:21  
**log** 95:3  
**logical** 116:7  
**logically** 111:8  
**London** 4:23  
**lone** 64:18  
**long** 29:5 39:18  
60:3 72:21 78:21,  
23  
**longer** 2:5 32:14  
33:24 51:3 97:3  
115:2  
**look** 9:16 17:15  
21:11, 24 24:6  
25:18 26:3 30:19  
73:20 82:7 83:22  
98:19 99:20  
105:12, 13, 20  
111:18, 25 112:3,  
19 113:18, 23  
**looked** 22:2  
**looking** 7:3 16:4  
35:23 45:12 75:21  
87:18  
**looks** 20:7 24:6  
104:25, 25  
**loop** 101:21 102:5,  
16 103:4, 6 108:7,  
7 110:25 111:9  
**lost** 7:6  
**lot** 5:5 16:5 18:20  
21:17 23:25 26:20

31:12 45:23 65:14  
66:10 67:2 70:2  
74:10 86:24 88:2  
93:9 95:22 114:16  
115:6, 7 116:4  
**lots** 68:15 74:8, 9  
86:5  
**loud** 61:22  
**Louis** 19:22  
**Louisville** 82:9  
**love** 68:13, 24 73:5  
**lovely** 68:25 69:11  
73:12  
**lower** 96:8 108:5  
**lumber** 20:6 86:8  
**lunches** 23:7  
**Lyme's** 65:1  
**Lynn** 11:12 16:9,  
12 20:25 22:17  
24:17 107:4  
  
< M >  
**ma** 73:13  
**ma'am** 67:19  
**Madison** 13:5  
**Maid** 26:24  
**main** 24:16 28:4  
**maintenance** 93:11  
96:9, 16 116:9, 14,  
16, 25  
**major** 64:11 66:7  
69:23  
**majority** 96:20  
**making** 11:6 20:8  
86:7 92:10 110:8,  
20  
**man** 21:9  
**manage** 40:20  
45:18 67:11  
**management** 43:2,  
22 44:22  
**manner** 92:2  
**manners** 59:24  
**man's** 114:7, 8  
**manufacture** 37:12

**map** 83:20, 21, 22  
107:25 112:17, 17  
**Margaret** 42:15  
45:24 46:16  
**Mark** 56:18  
**marked** 84:6  
**markedly** 6:1  
**markers** 96:12  
107:21  
**MARY** 121:3  
**master** 112:16  
**match** 28:12  
**matched** 30:22  
**material** 18:14  
19:7 20:12  
**materials** 18:17  
21:2, 5 22:24  
**math** 109:11  
**matter** 6:16 7:2, 2  
39:24 48:2, 2 71:7  
114:2 117:16  
120:2 121:6, 15  
**matters** 6:6 77:1  
**Matthews** 82:9  
**MAYOR** 2:4, 19, 22,  
24 3:3, 8, 11, 13, 22,  
24 4:5, 8 5:5, 9, 11  
6:4 7:10, 16 8:8, 9,  
12, 20, 25 9:2  
10:11 11:19, 21, 24  
12:2, 20, 23, 25  
13:3, 13 14:3, 5, 7,  
10, 13, 15, 18 16:9,  
13, 19 21:7 24:17,  
20, 21 31:3 34:7,  
22, 24 35:6, 9, 12  
36:14 39:22 42:2  
46:6, 8, 11 47:24  
48:22 50:20 56:12  
58:21 60:25 61:3  
63:19, 23 66:14, 17,  
20 67:16, 21 69:6,  
14 70:9, 19, 23  
71:19, 22 72:2, 8,  
14, 24 73:2, 5  
74:23 75:2, 10, 14,

24 76:8, 16, 18, 20,  
24 77:12, 14, 17, 19,  
21, 25 78:3, 5, 7, 9,  
13, 17, 21, 25 79:4,  
8, 12, 14, 18, 22  
80:1, 5, 9, 13, 17, 21,  
25 81:4, 6, 9, 12  
82:13 85:14  
108:17 109:12, 21,  
25 110:5 114:4  
117:15, 19, 22  
118:1, 3, 6, 8, 10, 14,  
21 119:1, 4, 6  
**Mayor's** 6:6 9:3  
68:4  
**McAllister** 115:15  
**meadow** 86:2, 4  
**mean** 15:10 20:25  
21:3 22:13 24:11  
35:6 40:18 41:1  
45:5 58:2, 5, 5, 7  
62:10 71:9, 13  
83:6 84:9 90:19  
92:5, 6 93:19  
94:12, 17 117:2, 3  
**meanders** 73:13  
**means** 121:6  
**meat** 114:7  
**mechanical** 121:6  
**mechanism** 19:6  
**medium** 67:10  
**meet** 25:12 70:16  
76:10  
**MEETING** 1:13 2:2,  
4, 7, 13 9:3, 8, 18,  
21 13:8 22:7  
25:13, 15 32:5  
35:3 59:6 62:1  
81:15 82:5 106:11  
110:24 119:8  
120:2  
**meetings** 110:7  
**MEMBER** 2:16, 18  
5:14, 21 8:6, 10, 14,  
16, 19, 22 10:9, 12  
11:20 12:23 13:1,

4, 15 14:4, 9, 11, 14,  
16, 19 15:1, 4, 6, 8,  
10, 12, 14, 15, 17, 19,  
21, 22, 24, 25 16:2,  
3, 5, 6, 8, 12, 14, 18,  
20, 25 17:3, 5 20:1,  
23 21:8, 12, 13, 17  
22:17, 22 23:15, 17  
24:1, 8, 24 25:2, 4,  
6, 7 28:16, 19, 23  
29:3, 10, 17, 19, 23  
30:1, 4, 9 31:9  
34:9, 23 35:4, 7, 10,  
13, 25 36:1, 2, 5, 7,  
9 37:23 38:11, 20  
39:4, 5, 7, 17, 18  
40:1, 4, 5, 7, 8, 10,  
11, 17 41:3, 6, 10,  
11, 13, 15, 22, 25  
42:4 43:14, 17  
46:9, 12, 19, 21  
47:6, 8, 11, 13, 16,  
21 50:18, 22 51:7,  
10, 14, 17, 20, 22  
52:1, 4, 19, 23 53:2,  
5, 8, 10, 13, 16, 19,  
22, 25 54:3, 6, 9, 13,  
19, 22, 25 55:3, 6,  
12, 17, 20, 23 56:2,  
6, 10 57:8, 13 58:1,  
14, 16, 20 60:24  
61:1, 4, 11, 14, 18,  
19, 23, 25 62:2, 7,  
17, 20, 24 63:1, 4, 7,  
9, 11, 14, 18 69:13  
70:7, 10 72:3, 4, 10,  
12, 13, 16 73:1, 3, 6  
74:20 75:1, 4, 12,  
13, 16 76:5, 17, 19  
77:11, 13, 15, 16, 18,  
20 81:14, 18, 20  
82:14, 16 85:17, 21  
88:6, 11, 17, 19, 20,  
22, 23 89:1, 3, 7, 11,  
12, 14, 15, 17, 18, 20,  
21, 23, 25 90:2, 4, 5,

7, 9, 11, 12 91:4, 6,  
7, 9, 12, 14 92:3, 7,  
13, 15, 16, 17, 18, 19,  
20, 22, 24 93:1, 4, 6,  
22, 23, 24 94:1, 3, 4,  
7, 9, 16, 17, 23 95:1,  
2, 4, 5, 6, 8, 10, 11,  
13, 14, 16, 19, 20  
96:4, 6 97:8, 11, 16,  
21, 22 98:1, 3, 5, 9,  
16, 18 99:1, 5, 6, 7,  
8, 10, 16, 25 100:1,  
5, 8, 11, 15, 18, 20,  
22, 23 101:4, 8, 10,  
11, 14, 18, 19, 24, 25  
102:2, 3, 7, 9, 10, 11,  
13, 14, 15, 17, 19, 21,  
25 103:3, 5, 8, 10,  
12, 14, 16, 18, 19, 21,  
23, 24, 25 104:2, 5,  
7, 9, 11, 14, 16, 18,  
19, 21, 22 105:3, 5,  
7, 9, 11, 23, 25  
106:2, 4, 6, 7, 9, 16,  
18, 20, 21 108:23  
109:2, 4, 7, 10, 13,  
14, 15, 17, 19, 22, 24  
110:3, 6 111:3, 5,  
23 112:21, 22, 23,  
25 113:1, 2, 4, 7, 8,  
12, 13, 25 114:1, 3,  
9, 11 115:3, 4, 12,  
13, 21, 22, 24, 25  
116:2, 3, 5, 6, 10, 11,  
13, 15, 17, 20, 24  
117:1, 4, 6, 7, 9, 14,  
20, 21, 25 118:2, 4,  
5, 7, 9, 24, 25 119:2,  
3, 5  
**members** 2:9, 14,  
21, 23 11:23 12:19  
14:6 31:1 64:20  
67:21 69:7 76:21  
77:9 117:13, 18  
118:19

**men** 21:16 42:5  
**mention** 13:2  
**mentioned** 42:14  
110:25  
**merit** 18:2  
**met** 17:13 74:3  
**metal** 33:9, 9  
**method** 39:21  
**metro** 5:7, 7 6:25  
**M-hm** 8:19 16:8  
40:10 72:4 90:11  
94:16 95:19 98:8  
99:5 106:20  
**mic** 56:8  
**middle** 27:16  
100:10  
**Middletown** 66:22  
**Mike** 70:19 71:4,  
19  
**mile** 65:8, 10 96:2,  
11 108:2, 8  
**MILES** 5:14 10:9,  
12 11:20 12:23  
13:1, 4, 5 15:1, 6,  
10, 21, 24 16:2, 5, 8,  
12, 14, 18, 20, 25  
17:3, 5 20:1, 23  
21:12, 17, 19, 19  
24:1, 8 28:16, 19,  
23 29:3, 10, 17  
35:22 46:9, 12, 19,  
21 47:6, 8, 11, 13,  
16, 21 69:13 70:7,  
10 72:3 73:1, 3, 6  
74:20 75:1, 4  
77:12, 13 81:14, 20  
82:16 85:17, 21  
86:11 88:11, 19, 22  
89:1, 11, 14, 17, 20,  
23 90:2, 5, 9, 12  
91:6, 9, 14 92:7, 15,  
17, 19, 22 93:1, 6  
94:1, 4, 9, 17 95:1,  
4, 6, 10, 13, 16, 20  
96:6 97:11 98:1, 5,  
9, 16, 18 99:7, 10,

25 100:5, 11, 18, 22  
101:10, 18, 24  
102:2, 25 103:5, 10,  
14, 18, 21, 24 104:2,  
7, 11, 16, 19, 22  
105:5, 9, 23 106:2,  
6, 9, 18, 21 108:23  
109:4, 10, 13, 15, 19  
111:23 112:22, 25  
113:2, 7, 12, 25  
115:3, 12, 21, 24  
116:2, 5, 10, 20  
117:1, 6, 9, 14  
118:2 119:3, 5  
**milling** 27:14, 18  
**Milwaukee** 64:11  
**mind** 37:25  
**minimum** 94:11, 12  
**Minneso** 64:10  
**minor** 26:8  
**minutes** 2:12, 25  
32:6 55:4 76:11  
**missed** 72:15  
**mistake** 28:7  
**Modification** 75:7  
**Molly** 26:24  
**mom** 19:2, 4  
**money** 19:5, 17  
65:14 74:10 82:22  
88:2 92:6 107:6  
108:15, 24 110:9,  
22 111:20 114:15,  
17, 19, 21, 24  
116:25  
**moneys** 82:20  
**Montero** 6:7  
**month** 25:10, 12,  
23, 24 26:7, 13, 16  
**months** 4:12 26:2  
87:15 92:14 93:5,  
9, 12  
**MORRIS** 63:21, 24,  
24 64:21 66:16, 19,  
21  
**mother** 4:25 10:17

**motion** 2:12, 15  
49:21, 22 108:19,  
21, 24 118:11, 23  
**motions** 118:23  
**motivated** 18:3  
**motor** 97:3  
**motorized** 74:17  
**Mountain** 64:22  
**move** 2:16 10:5  
18:3 20:19, 24  
34:24 71:23 76:14  
82:19 95:23  
**Moved** 2:19 48:14  
58:8 76:17 109:25  
118:24, 25  
**Moving** 9:2 34:7,  
10 108:24 109:5  
**mow** 85:25 86:3  
**MSD** 73:7 83:9, 17  
84:1, 19, 22 86:14  
87:2 88:13  
**mud** 90:16  
**municipalities**  
32:14  
**municipality** 32:4  
68:20  
**mushrooms** 95:15

## &lt; N &gt;

**nailing** 20:16  
**name** 11:12 27:7  
42:7 48:9, 12  
56:18 63:24 67:19,  
22 69:18 70:20  
71:3 78:5  
**names** 27:6  
**nation** 67:12  
**national** 64:3  
**natural** 26:16  
68:25  
**nature** 25:21  
26:22 62:15  
**near** 45:19 60:14  
**nearing** 17:15  
**nearly** 39:11  
**necessarily** 39:9

**need** 12:12 15:6  
25:12 35:8 36:23  
40:14 45:25 46:2  
48:22 52:10 71:2,  
3, 15 74:7 76:13,  
14 82:18 87:4  
94:6 99:21 105:15,  
17, 18 106:25  
114:20 116:14, 15  
**needs** 18:9 35:14  
36:16 37:7 82:25  
83:3 104:24  
105:16  
**negotiated** 84:22  
**negotiating** 87:2  
**neighborhoods**  
45:7  
**neighbors** 38:8  
41:4 60:2  
**Nelson** 54:20  
**nest** 116:4  
**never** 4:16 13:25  
54:15 66:2 107:17  
114:13  
**new** 12:9, 10  
13:19 81:10 83:6  
116:22  
**newly** 96:18  
**news** 87:8 97:2  
**nice** 20:7, 11 21:9  
23:23 110:16, 21  
**nicer** 73:10  
**night** 27:17 73:19  
**nominate** 77:5  
**nomination** 77:4, 6  
**normally** 18:4  
**northern** 31:24  
**Notarial** 121:16  
**Notary** 121:3, 19, 23  
**notes** 9:10, 10  
**notice** 33:15 48:3  
62:16  
**noticed** 27:14  
**NOVEMBER** 1:23  
2:3, 8 27:12

**nuisance** 25:14  
**null** 32:2  
**Number** 34:21  
44:11 74:25 75:5  
107:9 110:14  
111:24 112:2, 2, 5  
**numbers** 61:7  
**numerous** 9:14  
  
< O >  
**obviously** 38:3  
58:9  
**occur** 64:14  
**occurs** 7:8  
**October** 2:13 12:5  
26:22  
**Odd** 28:2  
**Oddly** 6:10  
**offending** 81:1, 3  
**offer** 43:9  
**offered** 31:7  
106:11  
**offering** 72:24  
**offers** 44:23  
**office** 42:19 77:4  
79:4, 6  
**Officer-initiated**  
26:11  
**offices** 8:1  
**official** 33:14 68:5  
**officials** 7:4 33:13  
**Oh** 3:3 14:13  
62:17 72:8, 14  
100:20 106:16  
110:14 113:9  
119:5  
**Okay** 3:6 8:14  
14:18 15:24 17:4,  
7 23:9, 15 25:1, 8  
34:24 35:13 42:4  
46:19 47:21 48:17  
49:4 51:19 52:25  
53:7, 13, 14 61:20  
62:24 63:17 76:8  
90:4 101:4 109:10

117:14, 15 118:10,  
16  
**old** 42:10  
**Oldham** 29:2, 13  
49:6 57:23 58:4,  
10  
**once** 57:1, 6 85:9  
90:6 96:8 97:4  
**one-hour** 94:12  
**ones** 6:11 44:16,  
17  
**one-tenth** 82:5  
**online** 91:13  
**open** 66:11 76:12,  
24 108:7  
**opinion** 7:15 8:2  
34:4 36:20, 23  
37:7 39:23 46:2  
51:6 68:5, 22  
**opinions** 42:15  
**opportunity** 41:8  
59:18  
**opposed** 2:22  
111:14 117:19, 21  
**opt** 7:6  
**option** 88:5  
**oral** 61:12  
**orange** 58:7 83:25  
**order** 2:11 36:25  
37:8 76:9  
**ordinance** 5:7  
25:15 31:6 32:6,  
16 35:19 36:3, 4, 8,  
18, 25 37:2, 7  
40:18 52:6 56:13  
57:11 59:1, 10, 11,  
14, 15 61:7, 13  
72:1, 6, 8, 25 74:5,  
7, 16, 19, 21, 24  
75:5, 6 97:17, 18,  
25 98:11, 14  
**ordinances** 31:25  
34:1 35:1 43:6  
45:1 59:4 75:8  
**ordinary** 59:24

<p><b>organization</b> 64:2, 3  <b>organize</b> 23:19  <b>organized</b> 64:4  <b>ought</b> 49:9, 9, 9  65:7  <b>outcome</b> 121:14  <b>outside</b> 6:15  27:18 29:13  <b>overly</b> 42:20  <b>overworked</b> 91:25  <b>owner</b> 46:18  <b>owners</b> 59:16  <b>ownership</b> 21:21  37:13</p> <p>&lt; P &gt;  <b>p.m</b> 119:9  <b>pa</b> 28:6  <b>packet</b> 91:11  <b>packets</b> 2:15  <b>page</b> 84:7 120:3  <b>painted</b> 117:5  <b>paper</b> 27:3  <b>papers</b> 8:4  <b>paragraph</b> 22:23, 24  <b>Park</b> 3:22 10:15  11:17 12:9 20:10  21:4, 20 47:23  49:5 56:20 57:14  68:12 69:12 70:2,  6 73:8 81:25 82:3,  21 83:21 86:3  87:9 91:25 94:19,  19 107:21, 24  108:7 112:11, 16  <b>parks</b> 3:21 5:17  10:7 16:11 20:13  46:14, 25 47:1, 5,  18 57:9 66:13  68:25 69:3, 8, 21  74:6, 8 82:2, 8, 21  83:9 91:23 97:10  105:10, 15, 20  109:20 110:8, 10,  13, 15, 16, 17, 21, 21,</p>	<p>22 112:3, 8, 10, 12  113:15, 21  <b>part</b> 23:11, 17  28:2 37:11 73:21  83:1, 16 86:2  88:13, 24 93:6  95:17, 21 96:17  100:10 103:1  108:14, 15 111:12  <b>participate</b> 19:24  <b>particular</b> 48:5  <b>particularly</b> 19:1  <b>parties</b> 121:12, 13  <b>parts</b> 75:25 108:13  <b>pass</b> 43:8  <b>passed</b> 7:13 8:4  31:14 32:3, 5 37:3  72:21 118:11  <b>passing</b> 28:7  <b>pat</b> 85:24  <b>path</b> 90:16 97:23,  24 98:24 107:23  111:7  <b>path,</b> 84:1  <b>pave</b> 97:7 99:15  <b>paved</b> 96:18, 19  97:12, 13  <b>paving</b> 96:14  99:19, 20, 21  <b>pawn</b> 27:1, 11  <b>pawning</b> 27:2  <b>pay</b> 19:20 83:13  <b>paying</b> 93:7  <b>peace</b> 33:13  <b>pedestrians</b> 97:4  <b>pellet</b> 33:10  <b>penalties</b> 25:20, 20  <b>pending</b> 25:11  <b>penetrate</b> 71:10  <b>pennies</b> 117:2, 8  <b>people</b> 7:9, 10, 11  8:8, 25 9:5 10:4,  14 11:8 12:7 14:1  20:5 27:4 31:19,  20 33:21, 23 44:14  45:22, 22 46:14</p>	<p>47:16 50:13 57:2,  5, 20, 21 60:7, 9  64:3 65:14 67:5,  17 69:15 70:12, 16  75:18 81:25 97:14  98:11 108:11  110:8, 13, 17, 20  111:21, 25 112:3, 7  113:18, 22  <b>perception</b> 100:13  <b>performance</b> 33:13  <b>period</b> 25:25  <b>permanent</b> 85:1, 9,  10, 11  <b>permission</b> 41:1  47:18 88:3  <b>permit</b> 85:1, 3, 5, 9,  10 86:19, 22 87:13,  14, 17, 23 88:8, 19,  25 89:4 90:21  91:2  <b>permits</b> 84:20  87:20 88:10  <b>permitted</b> 84:9  <b>person</b> 13:22  30:20 33:6 34:17  80:25 81:2  <b>personal</b> 33:8, 17  34:18 38:23  <b>personally</b> 105:15  <b>personnel</b> 77:1  <b>phase</b> 87:8  <b>philosophically</b>  110:15  <b>phonetic</b> 13:17  <b>physical</b> 30:16, 22  <b>pick</b> 15:13  <b>pictures</b> 15:2  84:11  <b>piece</b> 60:21  <b>piggyback</b> 83:10  85:3  <b>piggybacking</b> 91:1  <b>pile</b> 83:4  <b>piles</b> 6:7, 8</p>	<p><b>pipeline</b> 73:9  <b>pistols</b> 33:12  <b>pizza</b> 23:12, 21  <b>place</b> 8:7 19:6  20:22 23:2 48:15,  16 50:3, 3, 4, 5  59:8 116:4, 7  120:3 121:7  <b>plan</b> 87:7 105:16,  20 106:10 110:25  111:2, 12, 16  112:16 115:1  116:8  <b>planning</b> 87:11  <b>planted</b> 12:8  <b>plaque</b> 107:13, 15  <b>plaques</b> 107:11, 18  <b>play</b> 68:19 70:1  <b>played</b> 94:20  <b>playing</b> 50:14  <b>please</b> 3:5 12:3  36:14 48:9, 10  56:17 63:20 67:19  69:8 77:23  <b>pleasure</b> 5:15  <b>Plus</b> 20:7 94:21  <b>poachers</b> 57:24  <b>poi</b> 45:21  <b>point</b> 14:24 30:11  41:7 56:19 57:15,  18 58:24 59:13  62:6, 14 65:24  67:6 70:10 71:15,  22 96:21 99:12  110:20  <b>points</b> 42:22 61:2,  5  <b>polic</b> 32:25  <b>Police</b> 24:21 27:18  37:20 74:2, 4  113:19  <b>policies</b> 32:1  <b>policy</b> 32:25  <b>Pond</b> 11:17 83:1  96:15 102:1 115:8  <b>pool</b> 6:14</p>
--	---	---	---

**population** 44:5  
 64:18 65:11 67:3  
 68:10  
**populations** 64:6  
 65:7  
**portion** 82:11  
**portraying** 52:16  
**pose** 68:10  
**position** 37:19  
**possession** 37:14  
**possibility** 102:5  
**post** 59:18  
**postage** 45:5  
**posted** 98:23  
**posts** 17:16  
**POTTS** 8:13, 15, 21,  
 23 36:6, 12, 15  
 38:19 71:25 72:5,  
 11, 18, 22 76:13  
 85:19 89:5, 9 98:8,  
 13, 17 99:4 100:25  
 101:3, 7  
**pounds** 86:8  
**powers** 36:17  
 37:20 70:21, 25  
 71:4, 4  
**practices** 43:23  
**preaching** 28:21  
**precise** 7:17  
**preclude** 46:14  
**preclusions** 38:4  
**premise** 48:25  
**premises** 71:12, 13  
**prepared** 17:8  
**present** 2:10  
 79:19, 21  
**presentation** 25:16  
**presented** 25:17  
 61:21  
**president** 63:25  
**pressure** 33:11  
**presuming** 94:24  
**presumption** 59:9  
**pretty** 6:1, 12  
 12:17 18:21 19:18

23:21 32:10 100:4  
 115:10  
**prevent** 39:12  
**Price** 13:19, 23  
**pride** 21:21  
**prided** 50:3  
**primarily** 23:24  
 60:10 65:18  
**primary** 7:7, 8, 14,  
 21, 21 8:7, 17  
 64:24 65:1  
**printed** 83:20  
**printer** 17:1  
**prior** 37:3  
**prioritize** 114:7  
**prioritized** 105:18  
**private** 38:18 62:8,  
 10 91:19  
**probably** 4:19  
 18:17, 22 29:6  
 66:3 72:18 76:11  
 86:9 108:18  
 114:10  
**problem** 28:20  
 52:10 66:1, 5  
 67:14 91:24 105:4  
 106:6, 10  
**problems** 68:10  
**proceed** 68:22  
**process** 12:14  
 73:11 84:2 87:14,  
 14  
**professional** 24:10  
 64:5 82:15, 17  
**professionalism**  
 5:22  
**professionally**  
 94:13  
**profitable** 9:8  
**programs** 66:11  
**progress** 115:6, 7,  
 10  
**prohibit** 32:14  
 37:21 38:24 51:4  
 59:16

**prohibits** 32:11  
 36:19 108:5  
**project** 11:14, 15,  
 16 19:13 20:10  
 23:12 73:7 84:19  
 87:8 90:5 91:16  
 107:11, 13 108:13  
**projectile** 33:9  
**projects** 10:15  
 16:10, 22 17:11  
 18:4, 8, 16 19:1, 4  
 20:3, 12, 14 24:10  
 58:19 70:5 82:22  
 86:6, 10 99:18  
 107:4, 7, 15, 16, 18  
 108:16 111:16  
**promised** 73:21  
**promises** 2:5  
**propelled** 33:10  
**proper** 12:12 59:1  
 85:8  
**properly** 73:16  
**property** 27:10  
 28:10, 11, 13, 14  
 30:20 33:8, 17  
 34:19 38:18, 23  
 41:2 46:16, 17, 18,  
 23 59:16, 17, 19, 21  
 60:13, 15 62:9, 10,  
 11  
**proposal** 18:12  
 19:10 34:13 36:11  
 93:25  
**propose** 49:1  
**proposed** 31:5, 7  
 34:20 39:23 48:19  
 54:15 59:1, 14  
 61:13 81:15 82:22  
**proposing** 35:22,  
 24 74:15 82:10  
 97:1 107:15  
**PROSPECT** 1:6  
 2:1, 8 3:13 6:22  
 7:15, 23 8:24 11:4  
 14:1 18:24 21:18  
 26:14 27:13 29:5,

11, 14 32:19 38:16,  
 17 43:5 44:7 45:3,  
 16 48:13 53:4  
 56:13 57:14 59:17,  
 20, 23 60:7 63:13  
 66:18 67:13, 24  
 69:11 74:2, 4 75:5,  
 8 77:5 79:9, 10  
 83:11 84:24 91:21  
 99:14 112:11  
 114:6, 20  
**Prospect's** 4:8  
 31:6  
**prote** 32:11  
**protect** 59:15  
**protected** 33:19  
**protects** 31:15  
**proud** 69:22 105:1,  
 6  
**provide** 18:11, 19  
 19:7  
**provided** 9:25  
**provides** 37:11  
 107:13  
**provisions** 37:10  
**proximity** 96:13  
**prudent** 113:15  
**Public** 10:7 33:2  
 48:3 71:17 82:12,  
 12, 15, 16 121:4, 19  
**publicly** 9:22  
**pull** 87:4, 11 88:14  
**pulling** 88:12  
**purchase** 37:13  
**purchased** 96:17  
 115:8  
**purporting** 60:8  
**pursue** 40:19, 20  
**push** 102:23  
**put** 11:16 17:16  
 21:25 24:10 29:8  
 35:14 45:12 59:2  
 65:16 75:18 82:22  
 83:13, 13, 15 84:21  
 85:4 87:20 88:3  
 89:6 90:17 96:15

104:17 108:6  
 112:9, 18 115:16  
 117:16  
**Putney** 3:22 11:17  
 12:9 83:1 96:15  
 115:8  
**putting** 21:25 22:5  
 52:15 73:9, 19  
 82:20 87:19 108:5

## &lt; Q &gt;

**QDMA** 64:2  
**quality** 24:5 69:11,  
 25 112:6 113:20  
**question** 22:18  
 28:17 46:10, 11  
 66:14 85:15 89:16  
 94:24 117:12  
**questioning** 37:25  
**questions** 11:21  
 12:18 14:5 30:25  
 31:12 37:24 45:25  
**quibbling** 39:20  
**quick** 46:10 50:19  
 61:1, 4 96:2  
**quicker** 19:8  
**quickly** 33:5 82:23  
**quite** 84:23 100:3  
 111:21

## &lt; R &gt;

**racks** 11:16 17:15  
 21:25  
**RADEMAKER**  
 48:12, 13 50:21  
 51:5, 9, 12, 16, 19,  
 21, 24 52:3, 18, 21,  
 25 53:3, 7, 9, 12, 15,  
 18, 20, 24 54:2, 5, 8,  
 11, 18, 21, 24 55:2,  
 5, 8, 10 56:4 57:18  
 64:12 67:6  
**rain** 13:11 20:20  
**Raise** 78:3  
**raised** 5:2 68:8  
**raises** 112:10

**ramifications** 50:15  
 67:2  
**ran** 8:8, 25 115:2  
**range** 18:17, 23  
**rapid** 115:10  
**rate** 94:8 115:14  
**ratify** 34:14 58:24  
**Rausch** 69:18, 18  
 70:18  
**ravine** 108:3  
**RAY** 41:21, 24  
 42:5, 7 43:15, 18  
 46:7, 15, 20, 23  
 47:7, 10, 12, 15, 19,  
 22 55:16, 19, 22, 25  
 56:3, 8 65:21  
**reach** 56:3 116:7  
**read** 9:15 32:9  
 33:4 34:16 41:18  
 48:18 51:9 61:21  
 74:18, 21, 23  
**reading** 7:22  
 35:20 61:13 75:3,  
 15 98:20  
**reads** 22:24 33:6  
 34:16 38:21 40:19  
**ready** 15:2 74:10  
**real** 5:22 28:13  
 33:5 50:19 73:16  
 86:12 91:2  
**reality** 45:11  
**really** 4:21 11:8  
 20:7, 8, 11 24:7, 7,  
 11, 20 42:20 48:14,  
 16 56:21 67:25  
 68:24 69:10 70:16  
 71:1, 15 85:13  
 87:22 94:18 99:9  
 100:2, 7 101:12  
 104:10 111:13, 14  
 115:14  
**reason** 20:4 33:18  
 101:5 104:12  
 106:13  
**reasons** 74:9

114:17  
**recalling** 101:15  
**receipts** 19:13  
**receivables** 86:23  
**received** 2:14  
**recognition** 107:13  
**recognize** 43:11, 22  
**recommending**  
 91:15, 15  
**reconcile** 97:20  
**record** 2:8 56:13  
 74:24  
**recovered** 27:10  
 28:10, 12  
**recurring** 28:20  
**recycling** 24:25  
**Red** 85:4 86:16,  
 20, 24 108:1, 5  
**redacted** 35:16  
**reduced** 120:6  
**reeds** 83:4  
**reflect** 2:9  
**refreshments**  
 22:25 23:2, 7, 11  
**refund** 114:23  
**regard** 25:8 38:4  
**regarding** 2:12  
 16:10  
**regardless** 66:5  
**regards** 25:23  
 26:21 54:15 62:8  
**regular** 2:7, 13  
 20:6 35:3 70:11  
 101:6  
**regulate** 32:14  
 38:24 45:11 51:4  
**regulated** 32:1  
**regulating** 37:11  
**regulation** 32:12  
 37:12  
**regulations** 39:11  
 42:25  
**reimburse** 18:13  
**reimbursed** 19:14  
**relate** 38:5 99:19

**related** 121:11, 12  
**relates** 25:19  
**Relating** 75:6  
**remain** 27:15  
 85:10  
**remediated** 6:9  
**remember** 7:17  
 8:24 58:2 115:15,  
 16  
**removal** 93:16  
**removed** 83:3, 4  
**renown** 86:25  
**rental** 23:1  
**repair** 96:25  
**repairing** 96:23  
**repave** 111:7  
**repaving** 111:9  
**repeal** 32:16 52:6  
**replace** 73:10  
**replant** 73:14  
**reply** 4:15  
**report** 9:3 10:8, 10  
 12:3 13:7 14:10  
 24:21 25:7 26:20  
 65:9 66:6  
**reported** 121:5  
**REPORTER** 55:9,  
 11, 14 71:2 120:6  
 121:1  
**reports** 10:6 26:21  
**represent** 64:2  
**representative**  
 42:18  
**representing**  
 121:13  
**represents** 11:3  
 82:5  
**request** 9:11  
 39:24 40:2  
**requested** 47:24  
 51:18, 18 120:5  
**require** 90:20  
**required** 7:14, 22  
 18:19 20:2 32:16  
**requirements** 17:25  
**rescinded** 32:8

**resident** 26:15  
 27:14 28:8 30:14,  
 23 38:17 44:8  
 48:13 56:16 66:17  
 67:23 70:15  
**residents** 11:4  
 21:18 29:11 44:14,  
 23 48:4 56:3  
 59:17 67:17  
 111:18 114:23  
**resources** 43:2, 3  
**respect** 77:4  
**respectfully** 45:4  
**response** 2:23  
 11:23 12:19 14:6  
 31:1, 2 64:20  
 71:21 117:13  
 118:19, 20  
**responsible** 28:24  
**rest** 21:10 53:9, 12  
 95:9, 12  
**restricted** 43:4, 4  
**restrictive** 43:6  
 68:20  
**retired** 4:18  
**review** 65:5 76:4  
**rewritten** 59:5  
**ride** 74:5, 8 97:14  
**riding** 98:12, 22, 23  
**rifles** 33:11 56:23  
**Right** 4:7 5:6  
 6:14 10:5, 11  
 11:24 12:1, 20  
 13:3 17:11, 14, 24  
 18:3, 5, 8 19:3  
 21:12 29:3 31:3  
 32:22 33:20 36:9,  
 10, 18 39:17, 24  
 43:10, 17 44:23  
 45:17 46:6, 13  
 48:7 49:4 51:3  
 59:15 60:15 61:11,  
 19 64:9 65:23  
 66:12 67:16 71:22  
 72:22 74:22 78:3  
 84:7 85:22 86:21

88:17, 22 89:1, 11,  
 14 91:6, 9 94:5  
 95:1, 10, 13, 16  
 96:6 98:16, 17, 18  
 99:4, 7, 10 100:22  
 101:8, 18, 24 102:2  
 103:8, 18 104:18,  
 21 105:25 111:9,  
 23 113:7, 12  
 115:21, 24 116:2, 5,  
 10 117:6, 9 118:16  
**rights** 46:17 62:11  
**road** 22:10 29:15,  
 15 49:16 69:19  
 96:9, 15, 16, 22  
 97:15 99:2, 13  
 100:16, 17, 19, 24  
 101:1 102:23  
 114:13  
**roads** 99:23 101:6  
**roadways** 12:12  
 28:4  
**Rob** 36:22 77:17  
 118:6  
**Rocky** 64:22  
**rode** 22:2  
**roll** 48:20 117:22  
**rolling** 95:6  
**Ron** 12:14 91:25  
 117:2, 10  
**Ron's** 92:1  
**ROSE** 121:3  
**rough** 112:17  
**roughhewn** 20:3  
**roughly** 107:16  
 108:4  
**RPR** 121:3  
**rule** 36:17 37:20  
 68:18  
**ruled** 26:18  
**rules** 107:21  
**ruling** 52:8  
**run** 7:10, 11, 16  
 17:18 27:6  
**running** 8:1 39:13

56:22 66:12  
**runs** 26:10, 11  
**rural** 50:12  
  
**< S >**  
**safe** 63:16  
**safety** 60:11 68:8,  
 11 71:17  
**sale** 13:16, 20, 25  
 37:12  
**Sam** 10:18, 25  
**Sandra** 15:1 75:25  
 77:19 103:1  
**Sandy** 110:25  
 117:24 118:8  
**sat** 114:15  
**saw** 27:17 30:14  
 65:9  
**Sawyers** 15:23  
**saying** 36:10, 11  
 38:25 40:12, 14  
 52:9 57:5 58:12  
 62:23 99:2 115:16  
**says** 22:24 32:9  
 37:16 38:21 74:5,  
 7 97:18 116:8  
**scare** 70:14  
**scene** 26:15  
**schedule** 87:7  
 115:2  
**scheduled** 10:6  
**School** 10:20  
 29:20 30:7  
**schools** 113:20  
**Scout** 11:11, 13, 14,  
 15 16:10 17:20, 25  
 18:16 20:14, 25  
 24:3 86:5 107:4,  
 11, 12, 14, 17  
**scouts** 17:12, 22  
 18:13 20:2, 8 21:3  
 86:7 107:19  
**screwing** 20:16  
**screws** 19:19  
**seal** 121:16  
**search** 40:20

**Second** 2:18 3:1  
 9:18 18:11 22:23  
 34:22, 23 38:2  
 44:12 59:8 62:8  
 69:20 75:11, 12, 13  
 76:18, 19 80:18, 20  
 108:15 109:21, 23,  
 24 113:19 119:1  
**seconded** 2:19  
 34:25 110:1  
**secondly** 112:9  
**section** 10:23 11:5  
 17:21 22:8 24:16  
 95:3  
**sections** 20:21  
 24:4  
**see** 2:11 11:8  
 30:12 34:13 35:15,  
 23 39:11 44:1  
 45:18 48:19 49:9  
 58:6 84:6 85:23  
 94:21 99:16  
 110:10, 24 111:16  
 116:24  
**seed** 73:15  
**seeded** 84:4  
**seeding** 74:10  
**seek** 68:4  
**seen** 17:16 28:5, 7  
 30:17  
**send** 15:2  
**sense** 49:21  
**sensi** 88:7  
**sensitive** 88:7, 13  
 89:10 90:1 91:17  
 106:25  
**sent** 80:9, 11  
**separate** 39:15  
**separately** 90:23  
**separates** 70:2  
**series** 74:25 75:5  
**serious** 59:6 66:3  
**seriousness** 96:8  
**served** 23:8  
**Service** 26:25

**services** 82:15, 17  
**serving** 5:15  
**session** 71:23  
 76:9, 12, 15, 23, 25,  
 25 77:2  
**set** 66:10 81:21  
 113:10 120:3  
 121:8  
**setting** 13:6  
**seven** 11:4 70:12  
**seven-tenths** 108:2,  
 8  
**shape** 100:3, 7  
 101:13  
**share** 48:10 68:7  
**shared** 36:21  
**sharpshooters**  
 49:16  
**she'd** 27:8  
**sheet** 16:24 48:3  
**Shelbyville** 29:14,  
 15  
**Sherrard** 24:22, 23  
 25:1, 8 28:18, 22,  
 25 29:4, 12, 21, 25  
 30:3, 6, 10  
**Shiprek** 91:20  
**shoo** 57:21  
**shoot** 38:8 45:1  
**shooting** 57:3, 5,  
 20, 22  
**shop** 10:2 27:2, 11  
**short** 20:6 104:10  
**shot** 20:19 33:9  
**show** 10:14 23:19  
 107:24  
**showed** 9:7 70:12  
**shown** 84:11  
**shows** 83:21  
**shrubs** 65:13  
**si** 28:13  
**sic** 34:18 83:4  
 96:24  
**sick** 76:2  
**side** 4:3 29:15  
 84:7 100:9

**sidewalk** 99:14  
 104:4 114:13  
**sidewalks** 97:19  
**sign** 63:21  
**signage** 107:20  
**signed** 69:16  
**significant** 26:20  
 27:3 28:14 68:9  
**sign-in** 48:3  
**signs** 107:20  
**similar** 30:19  
 64:12 82:7  
**SIMMS** 72:20  
 101:2, 9  
**simple** 90:15  
**simply** 49:24  
 52:17 60:5  
**Simpson** 58:21, 22,  
 22 61:3, 9, 12, 16,  
 20 62:1, 3, 15, 22,  
 25 63:3, 6, 8, 10, 13,  
 17  
**sir** 24:23 41:21  
 52:18 56:4, 17  
 63:19 66:14, 19, 21,  
 21 69:17 70:9  
 94:23  
**sit** 9:15  
**site** 21:24  
**sitting** 114:18  
**situation** 50:25  
**situations** 45:3  
**six** 2:9 93:5, 8  
 107:8  
**Six-five** 30:10  
**six-three** 30:10  
**sleep** 27:17 70:16  
**sloppy** 48:20  
**small** 3:14 38:6  
 45:8 67:13 82:24  
 96:17  
**smaller** 84:17  
**smoothly** 14:22  
**snow** 93:16  
**sole** 54:5

**solemnly** 78:7, 8  
 79:15, 17  
**somebody** 21:20  
 27:17 65:24 71:11  
 74:13 92:5 94:14  
 98:22 108:21  
**someplace** 71:14  
**somewhat** 43:6  
**son** 4:21 22:6  
**soon** 12:17 24:13  
 87:12  
**Sophie** 10:19, 21  
**sorry** 13:12 55:9,  
 14 56:4 71:2  
 82:13 101:13  
 119:5  
**sort** 9:17 29:7  
 101:16 114:12  
**south** 4:3  
**space** 47:3 71:10  
**spaces** 112:4  
**speak** 48:8 56:5, 9,  
 17 60:8, 9 67:18,  
 25 68:24 69:17  
 100:14  
**SPEAKER** 62:19  
 72:7 74:18 81:10  
 118:12  
**Speaking** 108:17  
**special** 10:1  
**specif** 40:18  
**specific** 19:11  
 37:17 40:15  
**Speeding** 26:5  
**spend** 74:10 84:19  
 88:2 93:13 94:5  
 110:22 111:20  
**spending** 114:17  
**spent** 4:22 60:17  
 107:6  
**spirit** 104:23  
**spoke** 34:11  
**sport** 40:19 45:23  
**sports** 45:19  
**Sportsmen** 64:1

**spot** 95:17  
**spotted** 64:22  
**Spring** 29:16 83:7  
 107:10  
**square** 65:8, 10  
**squared** 4:25  
**squirrels** 50:8  
**St** 19:22 82:9  
**sta** 5:1  
**stabilized** 5:1  
**stair** 101:16  
**stamp** 45:6  
**stand** 99:17  
**standing** 115:15  
**Star** 56:19 57:15  
 64:19, 21  
**start** 6:19 11:14  
 16:4 17:10 47:17  
 87:14  
**started** 2:6 17:20  
 30:7  
**starting** 57:19  
 92:25 93:2  
**starts** 90:6  
**State** 31:15 33:22  
 41:12, 16, 17 42:25  
 43:8, 9, 18 44:13,  
 22 52:5 65:18  
 67:19 68:21 71:8  
 78:5 79:23, 25  
 80:5, 7 121:2, 4  
**States** 60:4 64:4,  
 8 78:10, 12  
**State's** 42:18  
**stats** 25:23  
**status** 99:22, 22  
**statute** 60:16  
**stayed** 20:22  
**stays** 82:19  
**steam** 48:20  
**steep** 102:22  
**stenographic** 121:6  
**step** 13:18 17:12  
 77:23 101:16  
**Steve** 9:21

**stop** 57:5 84:13  
 111:9  
**stopped** 30:18  
**storage** 37:14  
**store** 27:5  
**storm** 93:14, 18  
**Stovall** 25:16  
**strawing** 74:11  
**stream** 83:19 84:8,  
 11, 13, 16, 17 87:23  
 88:15  
**streets** 50:14  
 63:10  
**strictly** 34:5  
**stroller** 101:17, 22  
 103:17  
**strollers** 102:11  
**strong** 6:12  
**strongly** 111:15  
**structure** 19:15  
**structures** 18:22, 22  
**Stu** 17:9 20:19  
**Stuart** 3:23 5:20  
 11:22 16:9 35:22,  
 24 42:7 74:25  
 77:12 81:12 97:8  
 110:19 111:19  
 118:1  
**student** 10:20 13:5  
**students** 10:18  
 11:1 13:7  
**study** 25:14  
**stuff** 57:7  
**stump** 83:3  
**subdivision** 50:13  
**subject** 77:7  
**subsequent** 25:20  
**subsidence** 100:9  
**substantive** 68:3  
**subsurface** 96:21  
 97:1 104:19  
**subtitle** 82:21  
**succeed** 94:21  
**successful** 4:19, 20  
 12:4 13:16 87:17

**sufficient** 75:9  
**suggest** 75:17  
**suggested** 36:22  
 37:5  
**suggesting** 82:20  
**suicide** 26:19  
**suitable** 59:3  
**summarized** 42:22  
**summarizes** 32:10  
**Sunday** 13:10, 11  
**supplies** 22:25  
 23:11  
**support** 50:6 69:7,  
 9 70:4 78:9, 11  
**supported** 113:17  
**supports** 37:19  
 110:15  
**supposed** 114:4  
**sure** 5:4 16:18  
 23:8 24:19 28:18  
 44:18 53:8 58:14,  
 20 59:20 73:20  
 101:7 110:5 114:1  
**surface** 97:12, 14,  
 19 98:22 99:14  
**surfaces** 97:12  
**surgery** 4:19  
**surrounding** 42:11  
 68:12  
**suspicious** 27:19  
**Sutherland** 30:13  
**swear** 78:7, 8  
 79:15, 17  
**system** 21:5 49:5  
 66:12 69:12 70:3,  
 6  
 < T >  
**table** 9:12 49:21,  
 21 59:24  
**take** 4:2 8:7 9:15  
 10:4 24:6 60:15  
 87:15 93:9 95:22  
 103:17  
**taken** 27:9 75:25  
 77:2 120:6

**talk** 55:15 70:24  
 75:22 110:21  
 113:18  
**talked** 22:20 38:13  
 66:1 91:18 107:3  
 108:9  
**talking** 6:10 19:18  
 45:9 47:22 60:19  
 86:16 100:16  
 108:11  
**tantamount** 68:11  
**taste** 10:4  
**tasting** 10:1  
**taxation** 37:13  
**team** 30:8  
**technically** 27:25  
**tell** 7:24 19:19  
 23:5 33:21, 23  
 38:17 47:1 49:7,  
 11 60:19 75:21  
 96:22  
**telling** 52:8 87:3  
**temporary** 84:8, 10  
 88:16  
**temporary,** 84:9  
**ten** 96:1  
**tens** 83:14 84:19  
**terminology** 39:8  
**terms** 29:5 59:8  
**terrific** 16:7  
**test** 14:22  
**Thank** 4:10 5:11,  
 12, 18, 20 6:4 9:20  
 10:16 12:20 13:24  
 16:7 21:7 22:9  
 24:17 27:16 31:3  
 42:5 43:19 46:8  
 50:17, 20 60:23, 25  
 67:16 69:6, 9, 12,  
 13, 14 70:9 71:19  
 81:7 109:10  
**thankful** 5:18  
**thanking** 9:22  
**thanks** 4:9 11:18  
 16:5 23:16 70:6

**theft** 26:21, 22  
 27:10  
**theirs** 32:8  
**thereof** 78:22, 24  
**thi** 101:12, 12  
**thin** 49:2  
**thing** 3:25 12:24  
 17:19 19:23 21:9  
 23:8, 13, 14 34:12  
 59:14 62:8 70:25  
 83:6, 18 103:1  
 111:24 112:2, 5  
 113:18, 19 114:25  
**things** 3:5, 15, 20  
 14:24 17:10, 24  
 25:20 26:21 35:5  
 38:12, 14 83:5, 12  
 86:21 91:1 104:24  
 105:17 106:24  
 114:6  
**think** 2:5 4:1 6:9  
 15:14 16:15 18:6  
 19:17, 23, 24 21:2  
 24:7, 9, 14 25:17,  
 19 28:23 31:21  
 32:10, 22 34:10, 12  
 35:5, 14 37:18  
 40:14, 22 41:18  
 44:24 45:12 50:6  
 53:20 57:1 60:9,  
 17 68:5, 11, 16, 21  
 69:24 71:15, 23  
 75:20 92:11 97:17  
 98:13, 20, 24 99:17,  
 19, 20 101:12  
 104:10 105:15  
 106:11 107:4  
 108:10, 18, 20  
 112:5 113:14, 15,  
 21, 22 117:11  
**thinking** 43:19  
 101:15  
**third** 7:19 22:23  
 59:14  
**third-class** 7:5  
**thoroughly** 49:25

<p><b>thought</b> 7:24 18:13 19:9 22:13 42:21 46:21 66:20 70:23 104:23, 24 106:22 108:12 110:23</p> <p><b>thoughts</b> 48:10</p> <p><b>thousands</b> 74:12 83:14 84:20 90:24</p> <p><b>threat</b> 62:21</p> <p><b>three</b> 8:12, 24 10:15 18:7 26:8 27:4 28:9 29:24 65:17 66:2 73:23 87:15 91:1 93:13 111:19</p> <p><b>threefer</b> 87:22</p> <p><b>throw</b> 110:10</p> <p><b>throwing</b> 96:25</p> <p><b>Thursday</b> 30:13</p> <p><b>tick</b> 64:19, 21 65:1</p> <p><b>time</b> 4:22 9:15 11:9 15:3 16:13, 15 17:12 18:11 22:6 24:4 48:6 55:15 60:22 65:24 69:17 88:7, 7, 13 89:10, 25 91:16 92:10 93:9, 15 95:22 104:6 106:22, 24 113:6 115:16, 20 120:3 121:7</p> <p><b>timely</b> 92:2</p> <p><b>times</b> 3:18 18:18, 20</p> <p><b>Tina</b> 10:17</p> <p><b>title</b> 74:24 120:3</p> <p><b>today</b> 5:17 17:8 34:12 35:21 36:22 38:13 115:9</p> <p><b>Todd</b> 3:3 4:4 5:11, 15, 16, 18 6:3, 5</p> <p><b>token</b> 3:14</p>	<p><b>told</b> 6:16 52:11 106:13 112:18</p> <p><b>tongue</b> 60:18</p> <p><b>tonight</b> 11:13 67:25 68:8, 24 74:22 75:23 118:18</p> <p><b>Tonight's</b> 2:4</p> <p><b>tool</b> 22:25</p> <p><b>top</b> 78:1</p> <p><b>topic</b> 106:23</p> <p><b>total</b> 73:14 108:16</p> <p><b>totally</b> 98:24</p> <p><b>totals</b> 26:7</p> <p><b>traditional</b> 66:9</p> <p><b>traditions</b> 60:3</p> <p><b>trail</b> 10:24 11:5 27:3 73:10, 10, 12, 15, 19, 25 83:12, 13, 22, 23, 24, 25 86:11 93:18, 19 94:25 96:2, 3, 8, 12 107:21 108:1, 1, 1, 5, 8 115:17</p> <p><b>trails</b> 11:2 69:4 91:22 94:22 97:6 98:12</p> <p><b>transcript</b> 121:10</p> <p><b>transfer</b> 37:13</p> <p><b>transportation</b> 37:14</p> <p><b>Trash</b> 24:24</p> <p><b>travel</b> 21:19</p> <p><b>traveling</b> 28:4, 5</p> <p><b>treated</b> 20:6</p> <p><b>Tree</b> 3:19 5:7 94:25 95:18, 22, 23, 23, 23 96:11</p> <p><b>trees</b> 4:3 12:7, 8, 11, 16 22:4 65:13 73:14 91:22 93:17, 19</p> <p><b>treestand</b> 45:12</p> <p><b>tremendous</b> 47:3 49:18</p>	<p><b>trespass</b> 63:2, 5, 15</p> <p><b>tributary</b> 84:14</p> <p><b>trimming</b> 12:12</p> <p><b>Trinity</b> 30:2</p> <p><b>trips</b> 5:3</p> <p><b>troops</b> 22:15 23:24</p> <p><b>trouble</b> 13:2 40:23</p> <p><b>trucks</b> 96:10</p> <p><b>true</b> 78:18, 19 114:2, 10 121:9</p> <p><b>truthfully</b> 105:8</p> <p><b>try</b> 71:16 86:15</p> <p><b>trying</b> 28:12 83:8, 9 97:20, 20</p> <p><b>TUCCI</b> 5:21 8:19 11:24 12:1, 4, 22 15:14, 17 21:8, 13 23:17 24:24 25:2, 6 39:4, 7, 18 40:7, 8, 10 43:14, 14, 15, 17 72:4, 13 75:13 76:19 77:10, 11 92:16, 18 94:23 95:2, 5, 8, 11, 14, 19 97:21 99:5 101:14, 19, 25 102:3, 9, 11, 14, 17, 21 109:24 114:1, 11 115:4, 13, 22, 25 116:3, 6, 11, 15 117:25 118:25</p> <p><b>Tuesday</b> 9:4, 19</p> <p><b>turn</b> 31:8</p> <p><b>turned</b> 26:17, 23 114:16</p> <p><b>turnout</b> 12:6</p> <p><b>two</b> 8:8, 15, 17, 18 12:8 17:10, 14, 21 18:6 22:2 24:3 26:15 27:23 37:24, 25 38:14 45:2, 2 49:14 60:24 61:4 65:19, 21, 21 66:1 83:5 87:23 89:24 90:3 92:14 93:12 108:13 111:19</p>	<p>114:15, 18</p> <p><b>two-thirds</b> 24:14</p> <p><b>typed</b> 9:11</p> <p><b>typewritten</b> 9:10 120:7</p> <p><b>typical</b> 23:13</p> <p><b>typically</b> 23:5 65:8 67:3</p> <p><b>typo</b> 72:17, 23</p> <p>&lt; U &gt;</p> <p><b>UK</b> 11:1</p> <p><b>ultimately</b> 47:20</p> <p><b>umbrella</b> 82:11</p> <p><b>un</b> 59:10</p> <p><b>unanimous</b> 32:18 77:21</p> <p><b>unanimously</b> 31:21 52:6</p> <p><b>Uncle</b> 19:21</p> <p><b>unconstitutional</b> 59:11</p> <p><b>undecided</b> 70:24</p> <p><b>understand</b> 3:17 4:1 46:24 88:21</p> <p><b>understatement</b> 69:24</p> <p><b>understood</b> 88:24</p> <p><b>undertaken</b> 6:24</p> <p><b>Unfortunately</b> 87:5, 6</p> <p><b>uniformity</b> 20:13</p> <p><b>unique</b> 50:3</p> <p><b>United</b> 60:3 78:10, 12</p> <p><b>universities</b> 66:8</p> <p><b>University</b> 10:19 66:7</p> <p><b>unlawful</b> 33:6 34:16</p> <p><b>unlocked</b> 27:25 28:2</p> <p><b>unmannerly</b> 4:13</p> <p><b>unnerved</b> 49:10</p> <p><b>untapped</b> 114:16</p>
--	---	---	--

**unusual** 17:24  
18:18 23:12 76:1  
106:14  
**update** 6:6 10:12  
11:13 85:7  
**updated** 18:9  
**upper** 83:24  
**upstairs** 76:10  
**urban** 56:25 60:4  
64:8 66:23  
**urge** 64:15  
**use** 3:11 20:2, 5, 8  
33:7 34:17 82:23  
99:22, 23 100:19,  
23, 25 101:6, 6  
110:13, 17 112:7,  
11  
**uses** 82:8  
**usually** 57:19  
94:10, 10

## &lt; V &gt;

**Valley** 64:16  
**value** 21:4, 10  
112:10, 12  
**values** 105:17  
**vehicle** 12:13  
**vehicles** 74:17, 17  
96:9 97:3  
**verbally** 35:18  
**version** 61:5  
**victims** 28:11, 13  
**View** 27:20 67:6  
**violation** 39:19  
**visit** 4:21 5:4  
**vocal** 32:20  
**voicing** 34:4  
**void** 32:2  
**volunteer** 10:13, 22  
23:20, 21 69:21  
**volunteers** 13:24  
70:11  
**vote** 9:1 31:19  
32:17 77:7 117:16  
**voted** 31:21

**votes** 117:23  
**voting** 35:16  
**< W >**  
**wait** 8:2  
**walk** 24:6 95:24  
103:7  
**walked** 56:8 99:3  
100:2 116:14, 18  
**walking** 63:8  
90:15 97:6, 23  
99:9 100:2 113:14  
**want** 9:20, 22 10:5,  
16 11:8 13:23  
15:11, 16 16:9, 16  
23:7, 7 41:4 48:5  
49:7 53:21, 21  
54:11, 12 55:2  
56:12 57:10 66:6  
67:15 68:13 69:6,  
17 70:7, 14, 19  
71:20 88:8 111:7  
119:6  
**wanted** 9:2 62:13  
70:24 106:19  
111:8  
**wanton** 49:12  
**wants** 7:18 9:13  
19:20, 22 94:20  
**warrant** 27:9  
**Washington** 60:18  
**watcher** 115:19  
**watchful** 43:1  
**Water** 6:6, 14, 15,  
18, 23 20:20  
**way** 5:22, 23  
19:25 29:8 35:1  
37:5 44:21, 22  
46:4 58:23 70:15  
75:25 87:6 95:24  
105:18 115:23, 23  
**ways** 67:11 90:19  
**weapon** 33:7, 9  
34:17 38:22 43:12  
49:9 60:14 71:8,  
12

**weapons** 33:3  
38:21 80:2, 4, 14,  
16  
**Website** 14:7, 21  
**Wednesday** 6:19  
**week** 7:19 27:12  
76:1, 1 86:13  
**weekend** 10:14  
13:7, 10 16:22  
57:21 70:13  
**weeks** 21:24  
31:12 73:23  
**weigh** 46:16  
**weighing** 50:25  
**welcome** 12:22  
**Well** 4:5 6:4 7:20  
15:12, 20 17:6  
19:18 21:8, 23  
22:12 23:4, 22  
24:17 32:10 38:11  
40:9, 17, 25 41:6,  
10 42:2, 13, 19, 22  
43:18, 19 44:18, 19  
45:3, 17 47:19  
50:18 51:21 55:6  
58:1, 12 63:1  
66:24 70:25 75:21,  
24 85:14 87:3, 19  
89:1, 3 92:7, 13  
96:7 97:16 100:5,  
8, 15 102:17 104:7,  
11 105:3 106:22  
113:13 116:13, 20  
117:1, 4  
**went** 17:2, 8 21:24  
22:3 74:2 76:4  
97:13 99:2  
**we're** 5:6 7:22  
12:10, 14 18:7, 7,  
21, 21, 22 19:9, 15,  
18, 23 20:8, 15, 15,  
16 21:25, 25 22:5,  
12 24:4 25:21  
28:12 30:21 33:2  
39:19, 20 40:11, 13,  
14 43:25 44:11, 16,

16, 17 46:12 52:7,  
14 63:15 64:3  
66:11, 12 75:19, 22  
76:24 86:2 87:3, 9,  
22 90:25 94:5  
96:11 105:5, 14  
107:7 112:15  
116:8, 11 117:15  
118:15  
**we've** 17:11, 14, 20  
18:20 20:4 21:9  
23:24 26:2 27:9  
64:23 69:23 75:14  
107:3, 16 108:22  
113:10  
**Weyanoke** 67:23  
**whatsoever** 54:16  
**wheelchairs** 102:12  
**wheeled** 70:13  
**wheth** 32:21  
**whitetail** 64:24  
65:2  
**wide** 84:1, 4 98:24  
**wife** 48:14  
**Wildlife** 32:13  
41:16, 23 42:9, 13,  
17, 24 44:21 46:3  
48:15, 16, 25 50:5  
55:10 115:18  
**willing** 14:2  
**willy-nilly** 47:17  
**wind** 19:15  
**Wing** 85:4 86:16,  
21, 24  
**winner** 8:25  
**winnow** 8:18  
**wishes** 27:15 48:8  
**won** 8:25  
**wonderful** 3:25  
48:15, 16 69:4  
**wood** 19:19 20:8,  
16  
**Woodlands** 11:18  
83:2 96:15 115:8  
**woods** 22:3, 4

56:22  
**word** 40:13  
**words** 35:15  
**work** 4:14 5:23  
 10:13 11:7 12:16  
 13:6, 8, 24 14:25  
 17:2, 8 21:1 23:18,  
 19, 20, 21 24:6, 12  
 35:1 69:22 73:19,  
 20 74:14 83:2, 8  
 85:5 86:24 87:1, 6,  
 13, 21 88:14 94:14  
 102:6 117:10  
**worked** 24:3 73:8  
**working** 5:7 6:19  
 10:14, 23 11:1, 4,  
 15 14:21 17:2  
 22:12 23:6 73:18  
 83:18 84:22 86:14  
 112:15, 16  
**works** 23:21 42:16  
 69:9 82:12, 15, 16  
**world** 14:23  
**worry** 63:12, 15  
**worth** 49:23, 23  
 93:5  
**would-be** 6:17  
**Wow** 62:19  
**wrestling** 39:14  
**write** 19:2  
**writing** 19:4 26:2  
**written** 9:21 26:6  
**wrong** 23:2 32:22  
 41:19  
**wrote** 19:10

< Y >

**yahoos** 56:22  
**yard** 30:15 45:6  
 71:9  
**yards** 58:3  
**Yeah** 3:24 4:6  
 15:19, 21 16:14  
 20:23 22:22 24:8  
 29:25 30:9 31:9  
 41:3 58:2 62:7

63:18 75:10 89:17  
 91:14 97:21 98:1  
 99:1, 25 103:5, 16  
 106:9, 16 109:2, 15  
 119:2

**year** 7:20 17:23  
 24:15, 15 25:25  
 26:3, 9 54:10, 14  
 64:23 65:18 87:4  
 89:24 92:19, 21, 23,  
 25 93:1, 2, 3 103:1  
 105:20 106:14  
 107:8 108:14, 15  
 115:5

**years** 4:23 20:5  
 44:8 48:13 49:14  
 50:24 60:18 66:2,  
 24 67:24 90:3  
 93:17, 20 97:6  
 111:19 112:25  
 114:15, 18 116:23

**year's** 81:22  
 106:11

**yelled** 22:9

**Yep** 28:22

**you,** 22:9

**you-all** 43:12, 24  
 44:1 46:4 55:11,  
 14 64:9 65:5 66:1  
 118:12

**young** 11:8 21:9,  
 16

**your-all's** 44:15

< Z >

**Zach** 10:18, 25

**zero** 96:16

**ZIP** 44:10 65:22