

## **COUNCIL MEETING MINUTES NOVEMBER 21, 2011**

The regular scheduled meeting of the City Council, City of Audubon Park, was held on Monday, November 21, 2011, at 3340 Robin Road with the following present: Mayor Michael Scalise along with Council Members Cindy Habeeb, Rose Mangino, Gary Vogel, Al Huber, Judy Schwenker, and Patrick Kehoe. Also present were Police Chief Reesor, City Clerk Stephanie Lee, and City Attorney Patrick McElhone.

**Call to Order:** Mayor Scalise called the meeting to order at 7:30 P.M. followed by the Pledge of Allegiance.

**Approval of the Minutes:** Mayor Scalise asked if there were any corrections, additions, or deletions to the minutes from the previous month. Judy Schwenker made motion to accept the minutes as presented. Al Huber seconded, and the motion passed unanimously.

Mayor Scalise called an Executive Session at this time pursuant to KRS 61.810 regarding the discussion of personnel issues.

Al Huber made motion to go into the Executive Session, and Gary Vogel seconded. Mayor Scalise invited Chief Reesor and Pat McElhone to join with the Council for the session.

Upon their return, Mayor Scalise said they had discussed personnel issues; and he went on to say he has accepted a letter of retirement from Chief Carl Reesor. He said Chief Reesor will be leaving mid-December after working for the Audubon Police for 30 years (24 years as Chief). Mayor Scalise said Chief Reesor will be missed, and he wanted to publicly say what a pleasure it had been working with him. Mayor Scalise said Major Jeff Cox has expressed interest in the position, and he asked for confirmation from the Council to accept the appointment of Mr. Cox as the new Chief of Police.

Judy Schwenker made motion to confirm and approve Jeff Cox as the new Chief of Police. Al Huber seconded, and the motion passed with Rose Mangino abstaining from the vote.

Mayor Scalise congratulated Mr. Cox on becoming the new Chief of Police.

**Public Comments:** The following is a list of people who spoke and a general summary of what they had to say:

1. Gene Stotz, 3330 Robin Road – spoke on behalf of the Garden Club inviting everyone to attend the Community Christmas Celebration at City Hall on December 11<sup>th</sup> from 6 to 8 P.M. He mentioned flyers will be delivered to residents the weekend following this meeting, and he said they are changing

to door prizes only this year eliminating the decorating contest. He also thanked the people on the committee for the celebration for their hard work.

2. Steve Miller, 1101 Cardinal Drive – congratulated Chief Reesor on his retirement and years of service. He went on to mention the Audubon Woods condos that were built about seven years ago, and he inquired about any traffic changes that have taken place since they were built.

Chief Reesor said he has not seen an increase in accidents, citations, or arrests since they were built.

3. Frank Mosser, 3119 Meadowlark Avenue – Congratulated Chief Reesor on his retirement. He went on to say he thinks the City should look at annexing the Audubon Country Club and Audubon Woods for the tax base. He commented about people parking for City Hall actually being parked in the City of Louisville, and he said the people coming and going from the club and condos have to come through Audubon Park. He also added that he thinks with all the walkers and joggers in Audubon Park, every street should have a sidewalk. He invited all of the Council Members to drive down to Meadowlark and try to pull out onto Hess (saying he cannot see with the vegetation to pull out). He also commented about his running for Council at the next election.

Mayor Scalise said the vegetation issue is on the list for the Works Department.

4. S. Taylor Coots, Legislative Aide to Councilman Jim King - introduced himself to the Council, and he passed out business cards with his contact information.
5. Jim Head, 1012 Audubon Parkway – said he thinks the tax bills should contain a return envelope for payment.

**Financial Report:** The information submitted on the Financial Report showed the figures through the month of October. Mayor Scalise commented about the Financial Report being for informational purposes only with the Audit being scheduled for December; therefore, a vote was not taken at this time.

Rose Mangino inquired about the City Clerk office salaries being so high for the month, and she later questioned some of the lease payments as well.

Mayor Scalise said there was a period last month where there were two paychecks due to vacations. He commented about looking back at Public Safety in August, and he said to look at the drop in that category in September with the way the calendar fell.

**Police Report:** Chief Reesor read the Police Report for the month of October. A copy of the said report is made a part of these minutes.

**Forest Board Business:** Gilbert Zinner passed out copies of the Forest Board Report dated November 21, 2011 to the Council and Mayor for their review. He commented about the survey of the parks that had been conducted by Anne Bobigian and Nancy Shelton. He mentioned they have made recommendations for each park and have estimates for getting each park in good condition for Spring. He said they have done all they can do in Henderson Park with having worked the past two Saturdays in a roll on it.

**Unfinished Business:** Rose Mangino mentioned a home around 3124 Meadowlark with a tree that has a branch hanging down every since the ice storm or wind storm.

Mayor Scalise said he will take a look at it.

Pat Kehoe said he had attended the N.O.I.S.E meeting at the Louisville Airport after their representatives had attended our Council Meeting. He said he has concerns about their breaking our Code of Ordinances. He said he would like to obtain clarification on the Ordinances. He said he would like to know who they spoke with or as to if they can go forward without any further investigation or opposition by the committee.

Mayor Scalise said he and Pat McElhone have both been doing research on this issue, and he said Pat has been in contact with the airport representatives.

Pat McElhone said he has spoken with Karen Scott (Louisville Regional Airport Authority), and he said he has obtained a copy of the Avigation Easement. He went on to say they will keep looking at this, but he said the Federal Government via the FAA has preempted this issue according to various court cases in the past. He also said the Louisville Airport is not located in Audubon, and he said that makes it harder as well.

Al Huber said he had attended an Airport Neighbors' Alliance meeting on Saturday along with Dorn Crawford, and he commented about the noise level factors changing from a 60 to a 41 inside of your home (according to the Federal Government). He said with this change, there will not be very many homes that will qualify for the program.

Dorn Crawford said the issue is as Al Huber said, but he said the number is 45 instead of 41. He said chances are even with the easement, no one will get anything anyway. He went on to add there are just too many variables involved, and he said it's very frustrating. He mentioned needing Federal funding, and he said this easement is the airport's own product they have come up with.

Pat Kehoe said he doesn't think it's true about what Karen Scott said in relation to not being able to have another noise study yet.

Judy Schwenker said she thinks there must be a "catch" somewhere in the program.

Mayor Scalise said he has been looking at various lawsuits and other Cities involved. He said most people have been suing over not being included in the programs from what he's seen.

Pat Kehoe asked if the airport continues will the City enforce the Ordinances.

Chief Reesor questioned as to if there is a specific Ordinance involved. He went into an explanation of jurisdictions and laws such as Federal law superseding our laws, etc. as well as zoning rights.

Pat Kehoe volunteered to work on the issue to pursue this further, and he suggested possibly having a special meeting to discuss it.

Al Huber said they need clarification on what the new codes are from the airport, and he said no one knows what they are yet.

Mayor Scalise said he will talk with a representative from the airport regarding the issue.

Judy Schwenker asked Councilman Jim King's Aide, S. Taylor Coots, about helping or being a resource for this issue.

S. Taylor Coots said whatever resources they can offer, they will.

Gary Vogel inquired about the effect on the neighborhood with it being "historic", and Mayor Scalise said they can look into that.

**New Business:** Rose Mangino commented about garbage collection bothering her. She said when the contract is up, she would like to have recycle bins with wheels looked at. She said with items being wheeled out, she thinks it makes it easier with more people participating in the program. She also added that she thinks one day per week versus two times per week collection should be looked into as well. She later said she has noticed there is not much garbage put out on Fridays.

Mayor Scalise said with contracts in the past, they have had approximately four different scenarios or variations bid out. He said they have not discussed the recycle bins on wheels in the past, and he mentioned there is another year and a half before the current contract is up.

Gary Vogel said they have looked at several scenarios over the years, and he said it costs way too much to give up backdoor pickup.

Rose Mangino said she did not say that about backdoor pickup.

Judy Schwenker commented about people recycling if they want to recycle.

Rose Mangino said she has noticed people with the bins with wheels do better.

Pat Kehoe inquired about the paving schedule for Audubon Parkway from Bobolink to Chickadee.

Chief Reesor said we are waiting to hear back from the State regarding the funding, and Mayor Scalise agreed.

**Mayor's Report:** With the various information covered earlier in the meeting, there was not a "Mayor's Report" at this time.

Al Huber made motion to adjourn the meeting. Gary Vogel seconded, and the meeting was adjourned.

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ATTESTED

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APPROVED