

## **COUNCIL MEETING MINUTES**

### **APRIL 16, 2012**

The regular scheduled meeting of the City Council, City of Audubon Park, was held on Monday, April 16, 2012, 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 Cox and City Clerk Stephanie Lee along with 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. Al Huber made motion to accept the minutes as presented. Gary Vogel seconded, and the motion passed unanimously.

Patrick Kehoe commented about Al Huber needing to get him information pertaining to Robert's Rules and training sessions available to the Council from the previous meeting.

**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 – mentioned the Dogwood trees had been beautiful this year; however, he said they will not still be in bloom for the Dogwood Festival this year unfortunately. He said there will be a concert on April 22<sup>nd</sup> at Audubon Baptist Church at 3 P.M. featuring the River Cities Concert Band. He also said there will not be any festivities in Henderson Park this year on Friday night. He went on to mention the flowerbeds in the City along Audubon Parkway. He said in the past, they have been maintained by a landscaper with the cost being shared between the City and the Garden Club. He said this year, members from the Garden Club will take over the flowerbeds by default (younger members expressing interest and the landscaper no longer wanting to do). He said they will not all be done at one time, and he mentioned they are waiting for the flagpole to be put back in place as well.
2. Jack Conlin, 3318 Oriole Drive – commented about code violations in an issue he has had with a neighbor for over a year. He said the neighbor has constructed a dirt berm or dike after bringing in several truck loads of dirt. He said it pushes water over onto his yard, and he said it's an eyesore. He said the way he understands it, you cannot change the natural flow of how the land lays. He said they have been through MSD, and he said they have been looking at it for about a year. He said there have been various meetings regarding the issue. He presented pictures to the Council and Mayor for their review.

Mayor Scalise said he will have to look into it to see if anything can be done, but he said MSD has the final say on it. Patrick McElhone agreed about looking into the issue.

A short discussion took place regarding the pictures, water, possible solutions, how long this has been going on, MSD regulations and projects, MSD changes and contacts, mosquitoes, etc.

Chief Cox suggested Mr. Conlin get his information together and come into City Hall to meet regarding the situation; and a meeting was set up for the next day between Mr. Conlin, Mayor Scalise, and Code Enforcement Officer Otto Mock.

3. Dan Eberenez, 1147 Dove Rd – said he has been a resident of the City for approximately 35 years. He said he had asked for a copy of the Retirement Contract for Chief Reesor after last month's meeting. He inquired as to whether the contract was legal and ethical.

City Attorney Patrick McElhone said it is legal, and he said it was approved by the Council. He said it's in the minutes as to who approved it.

Mayor Scalise said Mr. Eberenez can see the City Clerk after the meeting to obtain the copy and to fill out the proper paperwork involved.

**Financial Report:** The information submitted on the Financial Report showed the figures through the month of March. Al Huber made motion to accept the Financial Report as presented. Judy Schwenker seconded, and the motion passed unanimously.

**Amend Current City Budget Ordinance for Fiscal Year July 1, 2011 to June 30, 2012:** ORDINANCE NUMBER 004, SERIES 2012, AN ORDINANCE ADOPTING AMENDING THE CITY OF AUDUBON PARK, KY ANNUAL BUDGET FOR THE FISCAL YEAR JULY 1, 2011 THROUGH JUNE 30, 2012.

Mayor Scalise briefly explained the necessary changes in various categories (revenues, expenses, appropriations, etc.) in his overview of the Budget. He said this Ordinance is being read as an emergency due to time restrictions; therefore, he said there will only be the one reading tonight.

Al Huber presented and made motion to accept the Ordinance, and Gary Vogel seconded. A discussion took place regarding income, expenses, and appropriations.

Rose Mangino said she does not agree with it, and she said she thinks they need to live within their Budget. She went on to add it's a lot, and she later said she doesn't think figures should be moved from one area to another.

Mayor Scalise they always try to, but he said things do come up. He later mentioned new categories that needed to be added as well (money received via grants and then paid back out).

Al Huber clarified it is within the Budget, but he said it is just moving figures from one area to another.

Patrick Kehoe inquired about Road Funds, and Mayor Scalise explained the entries pertaining to those funds. A short discussion took place regarding the Road Funds, appropriations, street maintenance, street signs, payroll, etc.

Rose Mangino said she thinks the Budget should be more true to life, and Mayor Scalise said this has to be done each year.

Gary Vogel said various things come up, and he said you have to pay for those things.

Patrick Kehoe inquired about the upcoming Budget, and he said he would like to make a suggestion that the entire Council participate in working on it.

Mayor Scalise said there may be an issue with open meetings requirements with that.

Patrick McElhone said the Budget is presented by the Executive, and he said it is approved or disapproved by the Council.

Mayor Scalise called for the vote; and the motion passed with Cindy Habeeb, Gary Vogel, Al Huber, and Judy Schwenker voting for the amendment. Rose Mangino and Patrick Kehoe opposed the motion.

**Police Report:** Chief Cox apologized for his absence last month, and he read the Police Report for the month of March. A copy of the said report is made a part of these minutes.

Chief Cox said he is working on building a new format for the Police Report to be more detailed and have more information.

**Forest Board Business:** Gilbert Zinner passed out copies of the Forest Board Report dated April 16, 2012 to the Council and Mayor for their review. He mentioned they will have a Community Arbor Day in Henderson Park on April 21<sup>st</sup> from 10 A.M. until Noon. He said if anyone is interested in planting a tree or becoming a volunteer, he said this is the time.

Rose Mangino inquired about the work day that was scheduled for April 14<sup>th</sup>, and Mr. Zinner said it was changed due to Mother Nature.

**Unfinished Business:** Mayor Scalise said he had obtained a copy of the Metro Ordinance from Taylor Coots (Councilman Jim Kings' Aide) pertaining to necessary repairs from utilities after doing work in the area. He mentioned the Ordinance is somewhat vague and doesn't say very much. He said Metro apparently has a lot of authority with their Code Enforcement people or whoever it is that enforces it. He said he has forwarded it to Patrick McElhone for his review. He also added that he has looked into training for Robert's Rules, and he mentioned upcoming training available through

the Kentucky League of Cities. He had information sheets to share with the Council for anyone that might be interested. He went on to add that he has contacted three paving companies in trying to obtain information regarding paving the streets within the City. He said he has gotten a response from one of them. He also said he has been in contact with Jim Wayne regarding the situation in trying to obtain a meeting with the Department of Transportation.

**New Business:** Patrick Kehoe inquired as to how long the Code Enforcement Officer had been working for the City.

Mayor Scalise said he has been working for the City for approximately two months. He mentioned it is Otto Mock, and he said he is retired from the Camp Taylor Fire Department where he was their Fire Marshal. He said he's very knowledgeable regarding building and fire codes, and he added that he has performed approximately 30 years of volunteer work at Jefferson Forest.

Patrick Kehoe questioned as to if the position was posted, and Mayor Scalise said it was not.

Patrick Kehoe asked who held the position prior to that, and Mayor Scalise said it was Officer Jim Harper with the Audubon Police.

Patrick Kehoe inquired as to if he is full-time, and Mayor Scalise said he works two days per week (Tuesdays and Thursdays).

**Mayor's Report:** There was not any additional information at this time for the Mayor to report due to the issues being covered earlier in the meeting.

Al Huber made motion to adjourn the meeting. Judy Schwenker seconded, and the meeting was adjourned.

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ATTESTED

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APPROVED