

Council Meeting Minutes

December 16, 2013

The regularly scheduled meeting of the City Council, of Audubon Park was held on Monday, December 16, 2013, at 3340 Robin Road with the following present: Mayor Dorn Crawford, Council Members: Joanne Bader, Vince Osbourn, Mark Stevens, Nancy Zinner, William Klump and Cary Campbell. Also present were Acting Police Chief James Curtis and City Clerk, Janette Mercer.

Call to Order

Mayor Crawford called the meeting to order at 7:30PM, followed by the Pledge of Allegiance.

Approval of the Minutes

Joanne Bader made the motion to approve the Council Meeting Minutes for September 16, 2013. Mark Stevens seconded, and the motion passed unanimously.

Vince Osbourn made the motion to approve the Council Meeting Minutes for October 21, 2013. Joanne Bader seconded, and the motion passed unanimously.

Financial Report:

Mr. Veeneman covered General Funds. He noted the line item 4315-00 Insurance Premiums Tax with a balance of \$40,094.34 this number represents the second quarter with two more quarters to go this line looks good. The other line item that Mr. Veeneman noted was under Public Safety, line item 6110-20 Auto Fuel. This line item had expenses for repairs and equipment; the Council requested those expenses be moved to General Expenses number 6100-20.

Mr. Veeneman spoke to the Sanitation Fund and noted that the \$91,774 reflects six months of payments instead of five months because the month of June 2013 was paid in July 2013. The upcoming audit will correct this number and the City will be better an additional \$15,295.80.

Mr. Veeneman started the discussion of the balance sheet. He and Mr. Osbourn discussed previously the revenue currently in General Funds and Road Funds; wanting to forecast the expenditure to year end to determine if the city was going to make budget. Mr. Veeneman suggested that the city look at the expenditures of the previous December, January and February; these expense would be a good guideline to project year end. The Council continued the discussion on how to create the best forecast for year end, so that money can be managed.

Mark Stevens questioned line item 4369-20, Parking Fines / Towing. Joanne Bader and the mayor suggested that would be a question for the police department.

Cary Campbell asked about line item 4368-20, Contract Police Services – Parkway Village are we due the balance of the \$55,000.00. Mr. Veeneman noted there are two payments of 27,500.00 and the last payment is in January. Mr. Campbell asked about line item 4003-00 Penalty and Interest Income. Mr. Veeneman noted the revenue is reflected on line item 4319-00. Property Taxes-Current Year.

Joanne Bader made the motion to approve the Financial Statement as presented. Nancy Zinner seconded and the motion passed unanimously.

Mayor Crawford asked to interrupt the agenda with new business. Mayor presented Steve Emery as a candidate for the City Attorney. Mr. Emery's credentials include the City attorney by contract for the following cities: Hurstbourne Acres, 4th class city, since 2001, Kingsley 6th class city, since 2001, LaGrange and PeWee Valley in Oldham County. The mayor asked for a motion to confirm the appointment of Steve Emery as the City Attorney. Cary Campbell made the motion to confirm the appointment. Joanne Bader seconded and the motion passed unanimously.

Police Report:

The acting Chief of Police, Jim Curtis read from the police report. Chief Curtis noted he was moving the department in the direction of resident friendly, meaning the department was instructed to give warning tickets first, then ticket. Joanne Bader commended the police department for the capture of the Auto Zone suspects and for three officers attending the community Christmas party. This report is part of the minutes.

Forest Board:

Mr. Zinner noted there was not a Forest Board meeting in the month of December, however he did turn in the November's Forest Board Fundraising Proposal and the Garden Club Report for November. Those reports are included in the minutes.

Unfinished Business:

Mayor Crawford asked the Council for the second reading of An Ordinance Providing for the Regulation of Easements within the City of Audubon Park. The mayor assured the Council that there would be a condensed version for publication; keeping in mind the cost to print. Mayor Crawford asked of anyone was prepared to move this ordinance for adoption. Joanne Bader moved to adopt this ordinance providing for regulations of easements within the City of Audubon Park. Cary Campbell ask for a point of order, noting that if the council is going to vote on adopting this ordinance, then they will need to see the condensed version that will be published to enact to law. Mayor Crawford clarified that the ordinance included in the packets is the law, the condensed version is just for print. Mr. Emery added the condensed version is a publication summary and it does not change the substance of the ordinance.

Mayor Crawford then asked for a second, Vince Osbourn seconded, the Mayor then asked for discussion. Mark Stevens asked if the ordinance was enacted would it prevent the city from receiving future benefits; ie government grants for environmental improvements. Mayor noted the intention of the ordinance is to protect those future benefits, that would otherwise be lost if the residents allowed the air board to insulate their homes against the sound and permit the air easements.

Cary Campbell noted that he had two issues; the first being his concerns with the legal challenges that the city would be setting themselves up for. The second, he feels that the ordinance needs to be amended so that it is not only addressing the solicitation, but to include the acceptance of the easements. William Klump and Joanne Bader clarified the ordinance currently includes the acceptance, offer and solicitation of any easements.

Nancy Zinner asked for clarification of the word "easements", Joanne Bader noted the word "easements" is referring to air easements, meaning the area above your home.

Mark Stevens presented the following scenario and asked what would happen if the Council did not approve the ordinance tonight. The air board is scheduled to start soliciting the residents the first of February. The board senses the threat of this ordinance, so the solicitation is moved up to the first of January. The air board solicits fifty homes and fifteen of the residents accept the offered. At this point are the City's hands tied because the air board "beat us to the punch?" The mayor's simplified answer was yes. The mayor asked for the ordinance to be adopted and the Council passed the ordinance unanimously.

Vince Osbourn reported over the last two months, he and Joanne solicited four vendors to overhaul Audubon Park's web page. The vendor has been selected, his name is Mike Thompson. Mr. Thompson is a firefighter at the airport. He has built the prototype, Joanne Bader and Vince will assist with building the prototype out. Mr. Osbourn noted the site is about twenty-five percent completed and would like to present the first version at the next Council meeting.

Joanne Bader reported on the hiring of the new Chief of Police. She noted the first meeting is scheduled for December 17, 2013. The following are the members of the Police Chief Selection Team: Joanne Bader representing the Council, Mike Garner representing the residents; Three law enforcement professionals; Dr. Tad Hughes, Director of the Southern Police Institute at the University of Louisville, Greg Smith, Police Chief of Oldham County and Rick Sanders Police Chief of Jeffersontown. These professionals will help guide us in the selection. The goal is to have someone to vote on at the next Council meeting.

Mark Stevens spoke to the bidding process for the roads. He noted that he understands the physical work can't start until spring and road temperatures reach 40 degrees however, feels the city needs to start the bidding process now if the city wants to see blacktop laid by June. There was discussion about who would be accessing the road.

New Business:

Mayor Crawford asked to start a conversation about the Council and the mayor's salaries with the understanding that there are two different approaches to this issue. The mayor noted the City has reduced expenditures, personnel and salaries to financial better the city, however they (mayor and council members) have not made any sacrifices. The mayor made two suggestions; the council can pass an ordinance to repeal the current ordinance that awarded these salaries. One conflict with this solution, a statute based on the restriction in the constitution against changing salaries during the term. The other side of that the statute also provides that the salaries must be fixed in the year that each officer is elected. The salaries have not been fixed since 2004, so we can take the stand that the salaries are no longer valid. The mayor asked for discussion.

Cary Campbell noted he feels that it is branded wrong as a salary. This pay should be a reimbursement. He stated half of his cell usages, internet usage, lunch meetings and his list goes on; and he spends ten to fifteen hours a week on the City of Audubon Park business, that he donates his time, now he is being ask to donate his money, it just does not feel right.

Joanne Bader noted she does not take the pay and knows of one other council member that does not accept the pay. Ms. Bader questioned if the others wanted to forgo the salary, would that be allowable.

William Klump stated if the statute specifically states a salary, he is not sure if you can refuse the pay.

Public Comment:

Mike Garner, 926 Audubon Parkway: Mr. Garner questioned the Road Fund amount and if that fund will be fully funded to the budgeted \$90K. Joanne Bader answered the fund currently has \$57K. The city will received an additional \$36K over the course of the year from the Municipal Road Aid, which bring the Road Fund to the \$90K budgeted.

Tony Williams, 3220 Eagle Pass: Mr. Williams thanked the Council for the work done to take the city back. He noted there should be an easier way to update the new webpage. Joanne Bader clarified the new webpage is design to be more user friendly. He also noted the improvements in the police department and questioned if the new chief of police will be informed about the downsizing of the department. Joanne Bader stated the Council does not want to tell the Chief how to do his/her job. Mr. Williams also questioned if someone professional was going to assess the roads before the paving starts. The mayor clarified he wants to have an engineer assess the road to correct any drainage problems or other issues.

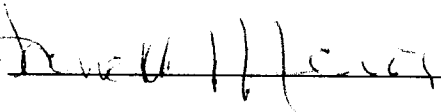
Laura Kelty, 3242 Cross Bill Rd: Ms. Kelty asked if there was money budgeted in the Road Fund, if we have a bad winter to cover the cost of salt or whatever the city uses to keep the roads clear. Joanne Bader said that the city has salt left from last year and the money for salt is budgeted in Public Works and yes money is budgeted.

The next Council meeting is set for Tuesday, January 21, 2014.

William Klump made the motion to adjourn, Joanne Bader seconded and the motion passed unanimously.

The meeting adjourned at 9:00 P.M.

ATTESTED



APPROVED

