

COUNCIL MEETING MINUTES FEBRUARY 19, 2013

The regular scheduled meeting of the City Council, City of Audubon Park, was held on Tuesday, February 19, 2013, at 3340 Robin Road with the following present: Mayor Michael Scalise along with Council Members Joanne Bader, Nancy Zinner, Vince Osbourn, Mark Stevens, Al Huber, and Cary Campbell. Also present were Deputy Police Chief Ronald Jones and City Clerk Stephanie Lee along with Assistant City Attorney Jonathan Leachman. Police Chief Jeffrey Cox and City Attorney Patrick McElhone were absent from the meeting.

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 - Council Meeting 01/22/2013: Mayor Scalise asked if there were any corrections, additions, or deletions to the minutes from the previous month. Joanne Bader mentioned a “typo” she would like to have corrected regarding a comment she had made under “Public Comments”. She also mentioned adding Betty Weise’s name in helping with the delivery of the Newsletters under “Forest Board Business” as well. Al Huber made motion to accept the minutes with the corrections. Joanne Bader seconded, and the motion passed unanimously.

Approval of the Minutes – Tax Rate Hearing 02/06/2013: Mayor Scalise asked if there were any corrections, additions, or deletions to the minutes from the Tax Rate Hearing held earlier this month. After questioning a comment made by an audience member, Joanne Bader made motion to accept the minutes as presented. Vince Osbourn seconded, and the motion passed unanimously.

Ken Weber with Reach Alert – Short Presentation: Ken Weber spoke at great length regarding his community notification system called Reach Alert. He mentioned schools using the system to keep parents informed; and he said it would keep residents in the loop (within 60 seconds) regarding things such as ice on or limbs in the road, break-ins, festivals or special events in the parks, parades, train derailments, suspicious vehicles in the area, etc. He said they can receive text messages, voice messages, or emails (depending on how they want to receive them) of emergencies or general reminders. He said they own the server, and he said the City only needs a computer and an internet connection. He said they offer Reach Mobile as well for if the power goes out. He also confirmed that the price of \$2.00 per household per year (guaranteed for 3 years) includes all of the family members in that household, and he said they will offer a half price discount for the first year to allow for people to get signed up. He said whoever the City decides is the Administrator would be the one that has to initiate the information. He mentioned a person can get the information all three ways for that price, but he said sometimes that becomes “overkill”. He commented about each resident’s information being private between his company and them. He said they come up with the charge based on the total number of houses in the Park, and he commented about it not being

based on the number of people that actually sign up. He said you can set up private groups depending on the information it pertains to. He said he has been talking with other various Cities; but currently, they do not have any other Cities that participate. He later mentioned with the City of Louisville's system, he said he thinks less than ten percent of Audubon Park residents had actually signed up for their program. He said there is a run up on trying to promote the service; and he commented about their offering promotional literature (brochures, letters, etc.) to share with residents. He said he can look at various stats and report back to the Council.

Joanne Bader expressed her interest in obtaining this system as a way of getting information out to the residents in a cost effective way, and she gave some examples of where she thinks it would help. She said she thinks it would get more residents to get more involved in what is going on. She later added word of mouth would help build participation once it has been started. She also said she is donating her salary back to the City, and she said that would help pay for the program. She said she thinks it is worth testing to see, and she said the City can back out at any time (adding the first year must be paid for though). She also said she doesn't think you can compare our City to others because we do not know what they tried in marketing the idea, and she mentioned the information being distributed in the City's Newsletter. She also mentioned putting the information on the Facebook page.

Cary Campbell expressed his concern in understanding the City is charged for each household versus the number of people that actually sign up for the program. He said in a time in the future, it may be a good thing; but he said he thinks many things will have to happen prior to that. Later, he also questioned the participation stats involved with any other Cities that have signed up.

Vince Osbourn said he thinks the idea is appealing, and he said he thinks it should be looked at.

Mayor Scalise said he would like to do research and talk with other Cities that have the program versus schools given the diversities involved in Cities. He asked for Council members interested in the idea to do some research on it. He also inquired about the possibility of an information link for the website.

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 – said he thinks the notification idea is appealing to him (with having multiple ways of getting the information out) with the Garden Club having a lot of problems in the past with advertising the programs they offer. He said it is frustrating trying to find a way to communicate with everybody, and he said he thinks it would be more effective with having more options available.

Cary Campbell questioned using the system for non-Audubon Park organizations. He later commented about having an application process for non-City functions.

Mayor Scalise said all of the issues would have to be addressed, and he mentioned the Audubon Park Garden Club working closely with the City and being composed of Audubon residents. He also commented about currently not allowing advertising in the Newsletter.

Jonathan Leachman said he cannot give a definite answer right now; but, his gut instinct would be that it would have to be related strictly to City business or possibly stretched to City functions.

Joanne Bader gave an example of the Garden Club Garden Tour as something they would like for everyone to be informed about, and she said the money raised from that goes back into the City. She said she can see the Garden Club and Forest Board being able to utilize it.

2. Laura Kelty, 3242 Cross Bill – thanked Councilman Campbell and the City for putting the Audit Report on their websites for review. She said it has shed light on the financial stage of the City. She said for a couple of years, she has asked about the deficit; and she said she was told it was not that bad. She said per the Auditor's narrative in his report, she said he says differently. She said she was reading from page 5 of the report saying the liabilities of the City exceed its assets at the close of the fiscal year ending June 30, 2012 by \$761,300 in net assets. She went on to say the net assets were in a deficit position which negatively impacts its ability to meet the government's ongoing obligations to its citizens and its creditors. She said she finds it disheartening that our wonderful City would be in such a financial shape. She said after looking over the report, it appears the Auditor counts areas that are plainly not budgeted; and she said the City owes money for. She said at this point, her comments are not for any one person and should not be taken personally. She said they are solely based on financial numbers and nothing else in the areas that are of great concern. She said the first area that needs to be addressed is the post-employment retirement benefits. She said the City owes \$606,028.29 per the Auditor's Report. She said she respectfully asks the Council have an amendment to cease this benefit for any future employees. She said the City has not budgeted for what is owed to the employees that are to receive this benefit and cannot pay for any additional personnel to be added in the future. She said the second area that needs to be addressed is the administration expenditures. She said per the Auditor's Report, the City paid \$206,162.90 per page 14 of the report. She said with all due respect, the City of Audubon and the City's website state there are 555 single family homes, 8 apartment buildings, 7 duplexes, 6 businesses, 1 church, and 6 park areas within the City's boundaries. She said we are a fifth class City, and she said they have no reason to have administrative expenditures this high. She said she respectfully asks they look in this area

for cuts. She said in her opinion there are positions that are not needed because the City of Louisville oversees that area; or that we simply cannot afford the position at this time. She mentioned the City Manager positions specifically. She said she was unsure as to if this was still offered since the previous Police Chief had retired or as to if it was separate pay. She said the third area to be addressed is the Police Department expenditures. She said per the Auditor's Report page 14, the City paid \$567,236.61. She said she does not know much about Police Budgets, and she said she will not make a specific request. She said, however, she thinks a Budget over a half of a million dollars can have cuts somewhere without taking away the 24 hour, 7 days per week Police patrol that keeps the City safe. She said she hereby asks the Council to review any new Budget and make cuts before approval is made for the upcoming fiscal year.

Mayor Scalise thanked Ms. Kelty, and he said all of her comments are well taken. He said he thinks they will be addressing all of the issues as they move forward in the budgetary process.

Laura Kelty said in looking at the \$700,000 and last January's Budget with the shortfall there, she inquired as to where the money is coming from for the bills and checks being written. She asked if there is a line of credit or something.

Mayor Scalise commented about the \$700,000 being over the next 10 years.

Laura Kelty said it is; but she said if you look at the reports for the past several years, there has been an on-going deficit. She again asked about how the City is paying its bills. She went on to say she saw where we have interest on a loan, and she mentioned the rates being so low she has to wonder how much we are borrowing. She later said it is very very disturbing, and she inquired as to when the next Budget will be done.

Mayor Scalise said the maximum we can borrow on our line of credit is \$200,000. He said last year we did borrow on that, and he said we did pay it back at the end of the fiscal year. He said we do draw off of that from time to time, but he said we do pay it off each year. He reiterated again that her points are well taken, and he mentioned the Budget Committee working with a proposal to be presented in April or May. He also pointed out the Police Budget has went down the past two years, and he mentioned positions that have not been filled or time that has been cut back some.

Vince Osbourn thanked Mayor Scalise for having the Audit Reports posted. He said he is interested in where the City is headed, and he said he thinks they all share her concern in the spending getting away from them. He commented about the Budget Committee (himself, Mayor Scalise, Cary Campbell, and Al Huber) meeting to put together an initial brainstorming to bring back to the Council. He also agreed about bringing down the deficit.

3. Patrick Kehoe, 3305 Oriole Drive – commented about his recently submitting a Building Permit Application for a fence/gate permit. He said he had gotten a call from the zoning person saying he did not have all of the information listed. He said he thinks the application should be reviewed; and he said he would like a new, correct form to be made for fences versus just building structures. He also thanked Laura Kelty for putting together her presentation tonight, and he said she spent a lot of time on that. He mentioned sending an email to the Council with regards to the garbage contract, and he said he thought that idea should be revisited prior to any tax increases. He said he had spoken with the City Attorney when he was on the Council, and he said he was told it could be revisited at any time. He commented about it being \$96,000 (\$24,500 per year) that could be saved over 3 years.

Mayor Scalise said the Building Permit Application form can be looked at.

Joanne Bader said if she is not wrong, the money is for the sanitation fee which is totally separate. She said the amount doesn't just go back into the General Fund to be spent on streets, etc.

Laura Kelty commented about the money going back to the taxpayers.

Patrick Kehoe said he agrees, but he thinks they need to take a hard look at it. He commented about high bids versus low bids.

Cary Campbell thanked Mr. Kehoe for his comments, and he said he is doubtful that there is an "out" provision in the contract. He said they are probably stuck with what they have right now. He said he has to trust there is reasoning as to why they did accept the contract they went with, and he said he cannot say whether it was the right decision or not.

Patrick Kehoe asked that they speak with the City Attorney and review the tape and Minutes from that meeting.

Joanne Bader said this was done prior to the current Council being elected, and she asked that they get a copy of the request for proposals and the bid responses back from the three companies for review of the differences and similarities.

Mayor Scalise said he will send them out to the Council.

Property Tax Ordinance – 2nd Reading: Al Huber mentioned and Stephanie Lee read ORDINANCE NUMBER 0001, SERIES 2013, AN ORDINANCE ADOPTING JULY 1, 2013 TO AND INCLUDING JUNE 30, 2014 AS THE FISCAL YEAR, LEVYING TAXES FOR SAID FISCAL YEAR AND PROVIDING FOR THE TIME OF PAYMENT OF SAME AND THE SPENDING OF THE PROCEEDS OF SAID LEVY.

Stephanie Lee mentioned the proposed rate for this year is 0.283 per \$100 (versus 0.272 per \$100 last year).

Al Huber made motion the Ordinance be accepted as presented. Mark Stevens seconded, and there was a short discussion that took place.

Cary Campbell said he thinks they are bound by past decisions and previous Councils. He said they have been increasing the tax each year, and he said he doesn't expect to do that again next year. He said he is reluctantly voting for this with the understanding they need to fix the budgetary issues in order to keep other tax increases from going into effect.

Vince Osbourn said he feels the same way as Councilman Campbell. He said he thinks the City needs the revenue; but he said at the same time, we need to tighten our belts. He also said he agrees that some tough decisions need to be made. He said he knows they don't have the answers tonight, and he mentioned the Budget Committee that is going to meet to review various issues. He also commented about sharing some figures off-line or via email regarding the growing trend of the deficit. He said the pensions are not only an issue for Audubon; but, he said they are a widespread problem throughout the entire country in various facets of governments. He said he thinks our spend (sic) is getting away from us. He said they need to look at where the money is being spent and as to where some of it needs to go back into for paying off debts.

After the discussion, Mayor Scalise called for the vote with the Ordinance passing unanimously.

Motor Vehicle Tax Ordinance – 2nd Reading: Al Huber mentioned and Stephanie Lee read ORDINANCE NUMBER 0002, SERIES 2013, AN ORDINANCE ESTABLISHING THE CITY OF AUDUBON PARK TAX RATE ON ALL MOTOR VEHICLES FOR THE TAX YEAR 2013 – 2014.

Stephanie Lee noted the proposed rate is the same as the property tax rate at 0.283 per \$100.

Al Huber made motion to accept the Ordinance as presented. Mark Stevens seconded.

With there being very little discussion, Mayor Scalise called for the vote with the Ordinance passing unanimously.

Garbage Ordinance – 2nd Reading: Al Huber mentioned and Stephanie Lee read ORDINANCE NUMBER 0003, SERIES 2013, AN ORDINANCE ADOPTING THE SANITATION AND RECYCLING COLLECTION ASSESSMENT FOR THE CITY OF AUDUBON PARK, KENTUCKY FOR THE PERIOD FROM JULY 1, 2013 TO AND INCLUDING JUNE 30, 2014 AND PROVIDING FOR THE COLLECTION OF SAME.

Al Huber made motion to accept the Ordinance as presented. Joanne Bader seconded.

With there not being any discussion at this time, Mayor Scalise called for the vote with the Ordinance passing unanimously.

Financial Report: The information submitted on the Financial Report showed the figures through the month of January. Cary Campbell made motion to accept the Financial Report as presented. Joanne Bader seconded; and after a short discussion regarding possible changes to make to the report format in the future to more accurately reflect revenues when being carried over, the motion passed unanimously.

Mayor Scalise said he will talk to the City Treasurer and the Auditor regarding the reasoning as to why the report is prepared the way it is and the various category titles involved.

Police Report: In the absence of Chief Cox, Deputy Chief Jones read the Police Report for the month of January. A copy of the said report is made a part of these minutes.

Deputy Chief Jones briefly explained the new report, and he said he would like to get the glitches worked out on the new report prior to the next meeting.

Mayor Scalise complimented the Police on their work on a recent case.

Mark Stevens inquired about the graffiti along Preston Highway (saying he would like to get it nipped in the bud as soon as possible), and Deputy Chief Jones said they are working on it.

Forest Board Business: Gilbert Zinner passed out copies of the Forest Board Report dated February 19, 2013 to the Council and Mayor for their review. He said they will now be having work days the third Saturday of each month versus the second one of the month. He also mentioned a new website for work locations and information available at www.treecommitteeapky.org. He also said the Forest Board and Garden Club will be jointly sponsoring a community-wide planting day on Saturday, April 20th, in conjunction with the 2013 Dogwood Festival. He said they will include the information pertaining to this in the upcoming Newsletter.

Gene Stotz said they are currently working on the Dogwood Festival information, and Mayor Scalise said he is planning on having it put on the website as well.

Vince Osbourn asked about the Dogwood Festival being cancelled last year.

Mayor Scalise and Joanne Bader said it was not cancelled.

Gene Stotz said thanks to Mother Nature, the Dogwoods bloomed about three weeks early. He said the Festival was not cancelled, and he commented about the signs being up along with the concert that had taken place as well. He said they are emphasizing this

year for residents to light up their trees when they bloom versus waiting for the actual Festival dates. He mentioned plans needing to be made way ahead of time to allow for scheduling of the band, etc. He said they are still working out the details for this year, and he spoke briefly about daylight savings time and the weather.

Joanne Bader said the organization involved with the UK Horticulture program has said in the past, (typically) the peak blooming time is the third weekend in April. She mentioned global warming and getting the band lined out, etc. She went on to encourage people to visit Audubon when they notice the blooming starting to happen.

Mark Stevens inquired about the timeframe involved in getting a band, and Gene Stotz said the band is already booked. He continued by saying he thinks the residents enjoy community functions mentioning the July 4th Parade and the concert held in the park as well. He said they should try to line up something flexible for Friday night also.

Mayor Scalise mentioned the bands from local high schools not being able to perform at the Festival now, and Gene Stotz agreed. Later, he said anyone with any suggestions may contact Gene Stotz, Nancy Zinner, or Joanne Bader.

A short discussion took place regarding possibly getting a private school band, the rental fee involved in renting a sound system, inviting various politicians and their participation or not in the event, and trying to plan ahead in giving notice.

Unfinished Business: At this time, Mayor Scalise withdrew Municipal Order Number 001, Series 2013, A MUNICIPAL ORDER UPDATING AND REVISING THE PERSONNEL/CIVIL SERVICE POLICY MANUAL. There was not any other “Unfinished Business” to report at this time.

New Business: Joanne Bader inquired about the time period involved with having the three stumps located on Chickadee removed. She added that she is having a tree taken out, and she said it is a great time to have the stumps taken out at a cheaper price.

Mayor Scalise said there is not a time period involved, but he said he and the Code Enforcement Officer had looked at those earlier in the day to be taken care of.

Vince Osbourn said he had a resident contact him about possibly taking down the solar lights on top of the stone pillars located at the entrances to Audubon (saying they are dwarf in comparison to the pillars and are not working at times). He later added that he would not like to spend a lot of money, but he said they just don't seem functional.

Mayor Scalise gave a brief background on the lights involved, and he later said the Council can take a look at them at night to make a recommendation on what they think should be done about them.

Cary Campbell questioned as to the reason for the lights, and Mayor Scalise said there have been decorative lights on top of the pillars for years. He later said this seems to be a good place to cut.

Mark Stevens said he doesn't necessarily like them, but he said he does like a good light at the entrances on the pillars.

Mayor's Report: Mayor Scalise said he had gotten a call and a letter from a representative with Senior Care Experts regarding a Mayor's March scheduled for March 20th. He said they are requesting volunteers to help deliver baskets of food that day, and he commented about having the information for anyone that would like to get involved.

Joanne Bader inquired as to if this was taking place in Audubon or other areas as well.

Mayor Scalise said he thinks it is all across Louisville, and he said he thought people would be working in the areas in which they live.

Vince Osbourn questioned as to what they are going to do on the Reach Alert idea.

Mayor Scalise said the various Council Members interested can get together on it to discuss it with no more than three at a time on the Committee.

Mark Stevens said he likes the idea, and he said they can call him if they need someone to participate. He later inquired about literature available regarding the idea.

Joanne Bader said she is going to talk to Mr. Weber about putting a link on the Facebook page for feedback. She also mentioned doing a letter to send out along with the Newsletter as well.

Al Huber made motion to adjourn the meeting. Mark Stevens seconded, and the meeting was adjourned.


ATTESTED


APPROVED