

## Special Meeting Minutes

March 29, 2021

The City Council of Audubon Park held a special meeting on Monday, March 29, 2021 pursuant to KRS 61.823 and OAG 20-05. This meeting was a video teleconference meeting. The public was allowed view and attend the meeting by visiting the website <http://us02web.zoom.us/j/88081564825> and entering password 803316.

Public can also go to [www.zoom.us](http://www.zoom.us) and enter meeting ID 88081564825 and enter password 803316.

The purpose of the meeting was to cover the agenda and because it is not currently "feasible" for the City to provide meeting room conditions during a state-wide public health emergency demanding social distancing.

### Call to Order

The Mayor call the meeting to order at 7:03 PM.

### Roll Call

### Opening Public Comments

Mayor Williams opened the floor for public comments, hearing none he moved on to Unfinished Business.

### Unfinished Business

Mayor Williams asked councilor Klump, for the second reading of the *Sidewalk Ordinance 1 Series 2021*. Andrew Klump executed the second reading of the ordinance. The Mayor asked for a motion to approve this ordinance. Andrew Klump made a motion. Daniel Stephen seconded, and the floor was opened for discussion. Mr. Klump discussed the suggested amendments and explained the scope of the ordinance. Most of the discussion was about prioritization and a grant program. Andrew Klump made a motion to amend the ordinance with the following:

In section "A" after the word "All" and between the word "owners" insert "real property". In the same sentence after "commercial property" delete the words starting with "including" through "variance," leave "within" delete starting with "other" and through "within. Then adding the words after "abutting" insert "and/or fronting". In the continuing in the same section, at the third to last line, after the word "keep" insert "such sidewalks". In the same sentence insert the word "in" before the word reasonably. In addition, delete all verbiage after the word "condition".

In section "B" delete the verbiage of "or a designee of the Mayor" after the word "Mayor". In the third line delete the word "but" capitalize the word "This". In the seventh line delete the word "and" and capitalize the word "Such". In the eight-line change from 10 day to 14 in both written and numerated. Then after the word "notification" and the verbiage of "from the Mayor, apply for a permit to make the necessary repairs." Then delete the verbiage starting with the word "under" through the word "notice". In the next line add the verbiage "within a reasonable time determined by the Mayor, not to exceed 90 days.

In section "D" sub-section 6, 7, and 8 delete the verbiage "or designee of the Mayor".

Michael Hartman seconded the motion. The motion to amend the ordinance with said amendments passed with 5 in favor (Andrew Klump, Daniel Stephen, Madeline Bozeman, Elyse Shackleton and Michael Hartman in favor) (Austin Schwenker abstained). The amended ordinance passed with 5 in favor (Andrew Klump, Daniel Stephen, Madeline Bozeman, Elyse Shackleton and Michael Hartman in favor) (Austin Schwenker abstained).

### **New Business**

Mayor Williams executed the reading of *Municipal Order 5 Sidewalk Safety Program*. The Mayor asked for a motion to approve the Municipal Order. Andrew Klump made a motion to approve. Michael Hartman seconded, and the floor was opened for discussion. Andrew Klump suggested the verbiage on number 2 should be changed from "will be used" to "may be used. He does not understand number 7 as it relates to the rest of the order. There were discussions about giving notice to the residents they sidewalks are out of compliance. There were discussions about changing some of the verbiage on the appeals process. There were discussions about adding verbiage to number 4 and 9 about tree roots. Andrew Klump wants to change number 7 to read "Any sidewalk to be repaired and/or replaced must meet any of the following conditions." Austin Schwenker suggested to correct number 9 the last line to read "In this case, the City Arborist shall be consulted prior to cutting any roots or commencing any sidewalk repair. He also suggested that number 2 read "The City Council of Audubon Park has approved a yearly budget that contains a line item for the maintenance and construction of sidewalk in the public right-of-way. Andrew Klump made a motion to amend the municipal order with the following:

Number 2 – delete the verbiage "to be ear marked" and to change the word "will" to "may".

Number 3 – add Civil to engineer.

Number 4 – After the word "budgetary constraints" add "and proximity to right of way trees".

Number 7 – Change the first sentence to read "Any sidewalk to be repaired and/or replaced must meet any of the following conditions: and add (e) "Any sidewalks listed in the index".

Number 9 – Change "commencing all sidewalk repairs" to "commencing any sidewalk repairs".

Number 14 – Everywhere Mayor is written change to Code Enforcement Board.

Madeline Bozeman seconded the motion to amend the Municipal order with the stated changes. The motion passed unanimously.

### **Closing Public Comments**

Pete Becker, 3105 Chickadee – Mr. Becker is glad he does not have a sidewalk.

Madeline Bozeman made a motion to adjourn. Daniel Stephen seconded, and the motion passed unanimously.

The meeting adjourned at 8:54 PM

The next scheduled meeting is on April 26, 2021.

Attested

Samuel Mercer

Approved

Tom Will