

COUNCIL MEETING MINUTES MARCH 21, 2011

The regular scheduled meeting of the City Council, City of Audubon Park, was held on Monday, March 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 and City Clerk Stephanie Lee. City Attorney Patrick McElhone was 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: Mayor Scalise asked if there were any corrections, additions, or deletions to the minutes from the previous month. Rose Mangino requested clarification regarding the sentence pertaining to a copy of the Police Report being made a part of the minutes. Mayor Scalise said a copy of the Police Report is put into the file with the minutes. Al Huber made motion to accept the minutes as presented. Cindy Habeeb seconded, and the motion passed unanimously.

Bill Skees – Frost, Brown, Todd: Bellarmine and Fund for the Arts Bonds: Bill Skees went into a brief explanation of the two bond requests he has. He mentioned the Bellarmine Bond is for \$6,000,000 and is for student housing, landscaping, a garden area, capital improvements, etc. He also commented about the Fund for the Arts Bond for \$3,000,000; and he said it is going to be used to acquire a ballet office and to do renovations at the Brown Theatre. A Public Hearing for each was held during this meeting with there being no objections.

Bill Skees read RESOLUTION NUMBER 001, SERIES 2011, A RESOLUTION/MUNICIPAL ORDER OF THE CITY COUNCIL OF THE CITY OF AUDUBON PARK, KENTUCKY, AUTHORIZING THE ISSUANCE OF ITS CULTURAL DEVELOPMENT REVENUE BONDS, SERIES 2011 (FUND FOR THE ARTS PROJECT) IN THE AMOUNT OF UP TO \$3,000,000; FOR FFTA PROPERTIES, INC., A KENTUCKY NON-PROFIT CORPORATION QUALIFIED UNDER INTERNAL REVENUE CODE SECTION 501(c)(3); PROVIDING FOR A PLEDGE AND ASSIGNMENT OF REVENUES TO THE PAYMENT OF SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AND LOAN AGREEMENT AND DESIGNATING THE BONDS TO BE “BANK QUALIFIED” UNDER SECTION 265 OF THE INTERNAL REVENUE CODE AND TAKING OTHER RELATED ACTIONS.

Gary Vogel made motion to accept the Resolution as presented. Al Huber seconded, and the motion passed unanimously.

Bill Skees read RESOLUTION NUMBER 002, SERIES 2011, A RESOLUTION/MUNICIPAL ORDER OF THE CITY COUNCIL OF THE CITY OF AUDUBON PARK, KENTUCKY AUTHORIZING THE ISSUANCE OF ITS COLLEGE IMPROVEMENT REVENUE BONDS, SERIES 2011 (BELLARMINE UNIVERSITY PROJECT) IN THE AMOUNT OF UP TO \$6,000,000; FOR THE PURPOSES OF FINANCING THE COSTS OF THE CONSTRUCTION, INSTALLATION AND RENOVATION OF STUDENT HOUSING FACILITIES (SIENA TERZO AND ARBORETA) A CAFE', LANDSCAPING AND MISCELLANEOUS CAPITAL IMPROVEMENTS LOCATED AT 2001 NEWBURG ROAD, LOUISVILLE, KENTUCKY FOR BELLARMINE UNIVERSITY INCORPORATED, A KENTUCKY NON-PROFIT CORPORATION ("BELLARMINE") QUALIFIED UNDER INTERNAL REVENUE CODE SECTION 501(c)(3); PROVIDING FOR A PLEDGE AND ASSIGNMENT OF REVENUES TO THE PAYMENT OF SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AND LOAN AGREEMENT AND DESIGNATING THE BONDS TO BE "BANK QUALIFIED" UNDER SECTION 265 OF THE INTERNAL REVENUE CODE AND TAKING OTHER RELATED ACTIONS.

Al Huber made motion to accept the Resolution as presented. Judy Schwenker seconded, and the motion passed unanimously.

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

1. Jeff Prewitt, 927 Audubon Parkway – spoke about attending the last meeting, and he said he thinks everyone should be like neighbors. He said he is looking to have “good dialogue” among neighbors. He said they trust the Council to be stewards, and he said some people have questioned that after the last meeting. He said the last time the dialogue broke down, and he later mentioned the tension the last time. He inquired about the proper method of protocol to follow if he has questions (later specifying about having a couple of questions about the Budget).

Mayor Scalise said the Budget for the upcoming fiscal year has not been written yet. He commented about Mr. Prewitt being welcome to come up to meet with him to discuss the questions he has, and he suggested Mr. Prewitt call him to set up a meeting.

Judy Schwenker said a lot of citizens came up to the last meeting with their “claws out”. She said she has talked to several people, and she said they have sent her copies of emails that were sent around containing information that is false as far as she is concerned. She said she thinks Chief Reesor and Mayor Scalise are the best avenues if you have any concerns or questions.

Patrick Kehoe inquired about moving the “Public Comment” period to the rear of the meeting instead of at the beginning. He mentioned the lady at the last meeting that had wanted to ask questions and was not able to do so.

Mayor Scalise said they can consider that, but he is not going to make a decision on it right now.

2. Mike Lally, 1127 Dove Rd – spoke about the last meeting. He said he wasn’t for sure about the emails Judy Schwenker had received, and he inquired as to what was false in those emails.

In response, Judy Schwenker mentioned the information in the emails was about taxes being raised, that the Chief of Police gets two salaries, etc. She said she will not give out copies of the emails because they contain names.

Mr. Lally continued by saying the last meeting was “stale”, and he said this is not Washington, D.C. He said he would like to preserve Audubon Park in conversation, open-mindedness, and possibly changing the meeting forum. He said the Council was elected and works for the residents. He said they should work together and listen. He mentioned a letter sent out by Patrick Kehoe prior to November of last year containing opportunities such as a Farmer’s Market. He questioned about how to go about presenting something to the Council.

Al Huber said he did not receive that letter at his house. He said he has not seen anything regarding a Farmer’s Market, and he said we work together in presenting things.

Rose Mangino said the letter was delivered to everyone’s house. She later tried to clarify to Mr. Lally that she can bring up something or issues under “New Business” as long as a motion can be made of the issue.

Mayor Scalise said Mr. Lally can contact any of the Council Member or himself to discuss the issues he has.

Mr. Lally said he loves Audubon, and he said it is a “special” place. He said his concern is about Audubon Park being stale and dying slowly. He said he spends a lot of time walking and running, and he commented about cars going too fast. He suggested a sidewalk on the Audubon Country Club side along Cardinal.

Mayor Scalise and Al Huber both stated that the Audubon Country Club side of Cardinal is in the City of Louisville.

Gary Vogel said the sidewalk has been talked about many times before.

Mayor Scalise mentioned the Census population change. He commented about his kids being at home at the time of the previous Census. He said a lot of the houses are being

sold with new families moving back in, and he said the numbers go up and down because of this.

Judy Schwenker thanked Mr. Lally, and she said Mr. Zinner and Mr. Becker are the only ones that attend the meetings regularly. She said the way to make changes would be to come to the meetings.

3. Peter Becker, 3105 Chickadee Rd. – said the City did a nice job on improving the website.

Mayor Scalise thanked Mr. Becker, and he said he is going to comment about the website a little later too.

Financial Report: The information submitted on the Financial Report showed the figures through the month of February.

Rose Mangino questioned the items listed as S765 in the General Journal entries accompanying the Financial Report, and a short discussion took place.

Mayor Scalise said he will find out what the entry is for, and he will get back with her.

Patrick Kehoe inquired about the credit card payment listed, and he asked about getting a copy of the receipts. He later questioned about transactions for tires being listed as well.

In regards to the credit card question, Mayor Scalise said most of the time it is for the Works Department or vehicle repairs.

Chief Reesor said Patrick Kehoe can come up to City Hall to ask for a copy of the receipts. He also added that the City gets tires as they need them, and he said he will be seeing several more tire purchases coming up before July.

Al Huber made motion to accept the Financial Report as presented. Judy Schwenker seconded, and the motion passed with Rose Mangino voting “no”.

Police Report: Chief Reesor read the Police Report for the month of February. 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 March 21, 2011 to the Council and Mayor for their review.

Unfinished Business: Rose Mangino inquired about the “computer”, and Mayor Scalise said he is going to talk about the website later under the “Mayor’s Report”.

Patrick Kehoe said he’s not sure how we left it off; but two meetings ago, he said it was discussed that the Code Enforcement Board and the Board of Ethics would report back to the Council on a monthly basis.

Al Huber said he doesn't remember that.

Mayor Scalise said both Boards have been sworn in, and he said neither one has met yet.

Chief Reesor said the Ethics Board does not report to the Council.

Mayor Scalise said the Code Enforcement Board is scheduled to meet in April at the request of the homeowner where an issue has come up.

Patrick Kehoe said he knows they don't speak to the Council, but he said he feels like he's "in the dark". He said he would maybe like to get a review from them.

Chief Reesor commented about a Municipal Order with the Council approving it to require that.

Mayor Scalise said it would have to be discussed to see if something can be worked out.

New Business: Mayor Scalise mentioned having a Municipal Order for the Dogwood Festival for traffic control.

Stephanie Lee read MUNICIPAL ORDER 0001, SERIES 2011, A MUNICIPAL ORDER AUTHORIZING THE CITY OF AUDUBON PARK WORKS DEPARTMENT TO ERECT TRAFFIC SIGNS FOR TRAFFIC CONTROL DURING THE AUDUBON PARK FESTIVAL OF THE DOGWOOD.

Al Huber made motion to accept the Municipal Order as presented. Rose Mangino seconded, and the motion passed unanimously.

Rose Mangino read and passed out copies to the Council and Mayor for their review of a few lines she wanted to state regarding the Census, balancing the Budget without raising taxes, reducing spending, and working together to come up with a solution to financial problems.

Mayor Scalise said the City has watched the Budget consistently each year, and he said the new fiscal year Budget will be worked on within the next few days.

Rose Mangino said she thinks it does need to be reduced and not left as it is.

Judy Schwenker inquired about losing 72 people in the Census and as to how many new people have come on board since.

Rose Mangino said there were 72 people lost in Audubon Park in the Census delivered today in the newspaper. She added that the City has not gotten anybody on board. She said the City has lost 72 people.

Cindy Habeeb questioned as to if Rose Mangino was saying the City lost 72 people due to taxes.

Rose Mangino said she is just saying we don't get the amount of money, and she said homes are vacant with their having to meet the expense some way. She mentioned a new resident telling her about a problem with his sidewalk, and she said someone came down and fixed it for him. She said she thinks we need to figure out what we are doing, and she stated he didn't pay to have the sidewalk fixed.

Chief Reesor inquired as to if the sidewalk work was done on Meadowlark, and Rose Mangino said "yes". Chief Reesor continued by saying the sidewalk was fixed due to a mistake by Louisville Metro at a cost of \$1,400 because they were on the wrong street.

Mayor Scalise said it was suppose to be a Meadowlark in St. Matthews. He later said the first reading of the upcoming Budget will be next month in April.

Mayor's Report: Mayor Scalise mentioned the Operation Brightside cleanup scheduled for Saturday, March 26th, as stated in the Newsletter. He said he would like for someone to be the head of the volunteers for the cleanup group. He also added that he was elected to the Board of the Jefferson County League of Cities. He later said the website has been updated, and he said the person that worked on the site also works for G.E. He said this person is his daughter, and he said he would like to obtain approval from the Council regarding her.

Cindy Habeeb inquired about her continuing to work on the site free of charge.

Mayor Scalise said as far as he can tell right now, she has not said she is going to charge the City.

Al Huber made motion for a Resolution to accept Laura Zoglman (Mayor Scalise's daughter) as the Webmaster. Cindy Habeeb seconded, and the motion passed unanimously.

Mayor Scalise thanked the Council for their support. He also went on to thank those who deliver the Newsletters such as Joanne Bader, Nancy Heine, Gene Stotz, and Betty Weise. He commented about two of the Newsletters being in paper form, and he said two will be done on the website only.

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

ATTESTED

APPROVED