

## Council Meeting Minutes

December 21, 2016

The regularly scheduled meeting of the City Council of Audubon Park was held on Monday, December 21, 2015 at 3340 Robin Road, with the following present: Mayor Dorn Crawford and Councilors Darrell Shelton, Nancy Zinner, Laura Stevens, Tony Williams, Drew Perkins and Mike Gardner. Also present were Assistant Chief of Police Mike Minniear, bookkeeper Susan Gordinier, and City Clerk Janette Mercer. The City Engineer arrived late.

### Call to Order

Mayor Crawford called the meeting to order at 7:00 PM. He opened the floor for public comments, and hearing none, he moved on to the Board reports.

### Public Safety

Assistant Chief of Police Mike Minniear presented the police report. The Assistant Chief gave a brief synopsis on candidate John Locke, and the Mayor asked the Council to confirm his appointment as a police officer for the City of Audubon Park. Darrell Shelton made a motion to confirm the appointment. Mike Gardner seconded, and the motion passed unanimously. Mayor Crawford administered the oath of office and welcomed Mr. Locke to the City police force.

### Financial Report

The Mayor noted the written financial report and opened the floor for discussion. Tony Williams asked about the \$3,636.00 balance on the Sanitation Fund. Susan explained that the bookkeeper last year ran an audit on the Sanitation Fund and miscalculated the amount of combined tax payments to split between the General Fund and the Sanitation Fund. The error was discovered and corrected in the course of this year's annual audit. Mike Gardner asked how the two accounts are administered. The City Clerk explained the process of collecting property taxes. The sanitation fee is included on the property tax bill, usually paid with a single check, which is deposited to the General Fund account; the sanitation fee is then transferred to the Sanitation Fund account on every deposit, so audits can be run on the two funds regularly during the collection process to insure proper distribution.

Darrell Shelton asked how the general fund balance of \$42,723 found on page 6 of the audit, compares to fund balances of \$55,089 found on the budget to actual report. Mr. Shelton felt that the two numbers should be the same. Susan Gordinier explained that the audit is on an accrual basis. The \$55,089 is on a cash basis and the \$42,723 is an accrued figure.

Mayor Crawford noted that the audit is on the agenda as part of New Business, and asked if the Council wanted to move it up on the agenda as part of the financial reporting and the Council agreed. The Mayor turned the floor over to Roy Hoagland, the auditor. Mr. Hoagland covered the audit and stated that it was the cleanest audit of the three years that his firm has completed; he then invited discussion and/or questions.

Tony Williams asked what is considered good practice when a city has a surplus at year end. Mr. Hoagland did not have a specific answer, he said it is up to the Council decide to spend or set aside.

Darrell Shelton asked, "What is the appropriate accounting to save money for future use?" Mr. Shelton was referring to the City's Contingency Reserve. The auditor replied the Contingency Reserve is set up appropriately, it is set up for anything that may come up unexpectedly. Mr. Shelton asked how the City would set up a fund for a project that would require setting money aside for more than one budget cycle. Mr. Hoagland replied that could be considered a capital project fund, and the city attorney could aid in establishing that account. There was lengthy discussion about the contingency fund, and whether this fund should be considered restricted, committed, and/or assigned. The discussion also included who is authorized to spend the funds, move the funds and amend the funds within the budget.

Darrell Shelton made a motion to approve the financial report, and accept the audit report. Drew Perkins seconded, and the motion passed unanimously.

The Mayor moved the meeting to the city's board reports.

### **Forest Board**

He noted that there was not a Forest Board report submitted, however Gil Zinner was present to take any questions on the Board's activities; hearing none, the Mayor moved to the next board report.

### **Parks and Recreation Report**

The Mayor noted the written report and a proposal for limestone signs for Triangle Park and Henderson Park. He asked if the Council was prepared to endorse the recommended signage. Mr. Gardner asked about the size and scope of the sign that is proposed for Triangle Park. Daniel Stephen stated that the sign should be about four tall and about 10 to 15 feet wide at the base. There was discussion about the sign's shape, the artwork, and the parks where the signs be placed. Nancy Zinner indicated she was not in favor of the proposed design. Laura Jones noted that the Board wanted the sign for Henderson Park to be revealed at the next *Light up Audubon* event. There was a question on the correct or commonly used name for Triangle Park. The Mayor noted that the park commonly called Triangle Park is actually ordained as Cross Bill Park. Tony Williams suggested that the Henderson Park sign be placed first, since it will be revealed at the festival and that will allow plenty time to change Cross Bill Park to Triangle Park. The Mayor asked for the sense of the Council as to whether the park's name should be changed from Cross Bill to Triangle. The Council affirmed that intent, to be addressed in recodification of the ordinances.

### **Engineer**

Mayor Crawford noted that there was not an Engineer's Report submitted, but that Mr. Derrick was available for questions, and the Mayor opened the floor. Drew Perkins asked if there were any updates on paving the streets. Mr. Derrick noted that he feels that we are past the time that is feasible for paving. Laura Stevens asked if he has found anyone to complete the work on the entrance columns. Mr. Derrick has found a person to work on the gas line installation, but is still seeking an electrician.

### **Unfinished Business**

The Mayor noted the meeting minutes for November 21, and opened the floor for corrections and discussion. Darrell Shelton had a correction in the opening comments in the last paragraph. The Mayor asked if there were any other corrections; hearing none, he asked for a motion to approve the minutes with the one correction. Darrell Shelton made a motion to approve the minutes with the one correction. Nancy Zinner seconded, and the motion passed unanimously.

The Mayor offered the floor to Laura Stevens to cover the action item list. Ms. Stevens noted that the list in the beginning to her 2 year term was relatively long and now it's down to a few items that have not moved. She questioned if the list should be handed to the next Council if it is of no continuing value. Tony Williams noted that he thought it is good list and just have the next Council take a look and let them decide. Darrell Shelton and the rest of the Council agreed. Laura Stevens asked about the update on the recodification process. The Mayor noted that recodification is a very detailed and long process. Tony Williams suggested that the City use Metro's Building Code because he feels that the City does not have the resources to enforce a separate building code. After discussion of the need to consider elements of Audubon Park's Code that are not covered by Metro's, there were further comments on the complexity of the recodification project and where the process stands.

### **New Business**

Mayor Crawford noted that a variance hearing was conducted before the regular Council meeting. He asked if the Council wanted to take action on the variance request. Tony Williams made a motion to approve the variance request. Darrell Shelton seconded, and the motion passed unanimously.

Laura Stevens asked about the Parks and Recreation budget proposal and if the City's budget will be amended. The Mayor stated there is a statutory process that will need to be followed to produce an amended budget. Tony Williams made a motion to amend the budget. There were several remarks about steps involved in amending the budget. Darrell Shelton seconded the motion. The Mayor ruled the motion out of order, because no budget proposal has been presented to detail expenditures and explain changes in programs and appropriations, as the statute requires. He noted that the annual audit, fixing the resources available to supplement the budget, was just completed, and supplemental spending requests are still arriving.

Mayor Crawford noted that the December newsletter is due, and reminded anyone if they have an article to submit.

The Mayor asked if there was a need for a closed session and if there is a need, could he open the floor for closing public comments. The Council agreed there is a need for a closed session and agreed to take closing public comments first.

### **Closing Public Comments**

Laura Kelty, 3242 Cross Bill – Ms. Kelty asked the Mayor what KRS ruling gives him the authority to overrule a motion that a Councilor made. The Mayor replied this is a basic rule of order. There were a couple more comments made, then Ms. Kelty asked the Mayor to please send her a copy of the ruling that gives him that authority. He agreed to do so.

Pete Becker, 3105 Chickadee – Mr. Becker suggested that Nancy Zinner be in charge of the design of the signs for the parks.

Laura Jones, 3118 Eagle Pass – Ms. Jones stated that the Parks and Recreation Board submitted its budget request in July, and asked what specifically they need to do to get the budget approved by next month. The Mayor stated he received a revised budget request last week, and will incorporate it in a consolidated City budget proposal as soon as it can be compiled. Ms. Jones pressed for a specific timeline. The Mayor replied he was not able to commit to a certain date on the spot, but did not see any pressing needs that could not be addressed in the meantime. There were several comments about

when the Board's original request was made, and the content of the revision just submitted. The three Board members present then left the meeting.

Laura Stevens, 1021 Oriole Court – Ms. Stevens stated that she is skeptical of the amended budget happening in a timely manner. She noted that 4 or 5 meetings ago the time line for the budget came up. The Council talked about there being two readings and it should not take a long time. She also stated that in order to be an effective body of government, the Council needs to move faster on issues.

Laura Kelty, 3242 Cross Bill – Ms. Kelty wants to know why Parks and Recreation's budget is being handled differently than the other departments. She asked if Parks and Recreation was given an example of what they should submit in order to get an approval. The Mayor answered yes - specifically so they could be handled the same as other departments. Darrell Shelton commented that the Board states they have not received clear communication from City Hall. There was discussion about guidelines for the Board.

Darrell Shelton, 919 Audubon Parkway – Mr. Shelton wanted to commend the current Council for all the efforts and hard work over the last two years. The Mayor associated himself with these remarks.

The Mayor informed the gallery that the Council is going into closed session, requiring the room to be cleared. There will not be any more regular business to conduct after the closed session, so those wishing to leave the meeting will miss only its adjournment.

Laura Stevens made a motion to go into closed session provided by KRS 61.810 (1) (c) to discuss pending litigation against the city. Drew Perkins seconded, and the motion unanimously.

At the end of the executive session, the Mayor called the regular meeting back to order. Darrell Shelton made a motion to adjourn. Mike Gardner seconded, the motion passed unanimously.

The meeting adjourned at 10:46 PM.

The next scheduled meeting is January 17 at 7:00 PM.

  
Attested

  
Approved