

Council Meeting Minutes

June 19, 2017

The regularly scheduled meeting of the City Council of Audubon Park was held on Monday, June 19, 2017 at 3340 Robin Road, with the following present: Mayor Dorn Crawford and Councilors Darrell Shelton, Brittney Gorter, Amanda Thompson, Mike Gardner Sr., Lisa Weaver and Andrew Klump. Also present were Chief of Police Doug Sweeney, bookkeeper Susan Gordinier, and City Clerk Janette Mercer.

Call to Order

Mayor Crawford called the meeting to order at 7:00 PM. He opened the floor for public comments.

Opening Public Comments

Jeff Prewitt, 927 Audubon Parkway – Mr. Prewitt wanted to thank Darrell Shelton for his efforts, for listening and making suggestions for a win-win solution. He concluded that the circumstances surrounding the funds collected from City events and the use of those funds were about power and control.

Tony Williams, 3220 Eagle Pass – Mr. Williams had a handout about KLC training for the Council. He noted that issues with the City were caused by the Council needing training and a better understanding of the law. Tony made comments about the \$20K budgeted for public facilities which was for entrance lighting that has not been completed. He also noted that other money has not been spent for the completion of window replacements and heating and air conditioning at City Hall.

Attorney's Remarks

Ms. Reisz reported that the Court of Appeals has ruled on the pension case. The court ruled that the City does not owe the plaintiffs any further improper payments, but may not recover funds already paid. The plaintiffs have 30 days to file for discretionary review by the state Supreme Court.

Financial Report

The Mayor noted the written report and opened the floor for comments and questions. Darrell Shelton asked what the rollover revenue will look like on the new budget. The Mayor noted the money that was rolled from the previous year should be no problem. The amount of money that is left from the 2017 budget will need to be determined by the auditors. Susan Gordinier discussed the process of closing the books for the 2017 fiscal year. There were several comments about issues with the rollover monies and providing the authority to spend it in the 2018 budget. The Mayor noted that there should not be any problems. Mike Gardner made a motion to approve the financial report. Andrew Klump seconded, and the motion passed unanimously. The financial report is included as part of these minutes.

Public Safety

The Mayor noted the written report and opened the floor for comments and questions. Mike Gardner asked about the speed bumps. The Chief has spoken with patrolling officers, and their consensus so far is that most drivers are compliant, and it does appear that fewer are running the stop signs. Observation continues. He also spoke about collecting money on old parking tickets. The police report is included as part of these minutes.

Andrew Klump had some suggestions other than speed bumps to address the running of stop signs. Mr. Klump noted the definition of police power and had a small discussion about police power versus police enforcement. He stated that the speed bumps could not be placed without an ordinance or regulation by the legislative body and because of that the speed bumps cannot be enforced by the police department. Mr. Klump referenced two cases in the state of Kentucky and some KRS to support his claim that speed bumps are illegal, while speed humps would be acceptable; however, there need to be certain markings and signs for the humps to be police enforced. He also noted that there isn't any data to back up the need for the speed humps.

Brittney Gorter noted that the speed bumps were an inexpensive trial to deal with speeding and running stop signs.

Darrell Shelton noted that he has no strong personal position, however he knows that there is a problem. His question is what will be the decision-making process to determine if the speed bumps stay or go.

Mike Gardner asked the Chief how many years of experience members of the current police department have under their belt. The Chief answered together about 300 years.

Amanda Thompson noted that she called Louisville Metro Public Works and spoke to the neighborhood speed hump program administrator, Greg Dow. Mr. Dow welcomed anyone to call him with questions about speed humps, his telephone number is 502 574-3882. He stated that the City maintains its own roads, and based on that we can do whatever we want to them.

Mayor Crawford asked that Andrew Klump put together a packet with the alternatives to the speed bumps for the Council to review.

The City Attorney gave the opinion that she didn't think speed bumps were illegal.

Darrell Shelton asked again what will be the process for determining if speed bumps stay, if more are needed and where would the new ones be placed. The Mayor answered the City will use the limited data made available in the course of the trial.

Mr. Klump asked the Mayor if he spoke with the City Engineer and the insurance company before going ahead with the speed bumps. The Mayor answered yes to speaking with the engineer, however was unaware of any issues with the insurance company. There were further opinions expressed about the speed bumps.

Engineer's Report

Mayor Crawford noted the written report and opened the floor for comments and questions. Mike Gardner asked for clarification about paving on Cardinal, resurfacing of Sora and potholes throughout the City. There were several questions about approving the spending of funds to get the road work completed in this fiscal year or the next. The Engineer's report is included as part of these minutes.

Archivist's Report

Mayor Crawford noted the written report and opened the floor for comments and questions. Hearing none, he moved on the Forest Board report. The Archivist's report is included as part of these minutes.

Forest Board Report

The Mayor noted the written report and opened the floor for questions and comments. Darrell Shelton asked about the mulch in Robin Park and if there were any plans to spread the mulch. Amanda Thompson asked if she could go back to the Archivist and asked if any other City board's minutes are online. Laura Kelty answered no. The Forest Board report is included as part of these minutes.

Parks and Recreation Board Report

Mayor Crawford noted the written report and opened the floor for comments and questions. Brittney Gorter stated she was unhappy about the Block Party being cancelled. Darrell Shelton asked about the signage for the parks, and the process of getting the signs completed. It was explained that a trial sign was approved for Robin Park in February, and to bring the invoices to City all. The Parks and Recreation Board's report is included as part of these minutes.

Unfinished Business

The Mayor noted the meeting minutes for the May 11, 2017 Town Hall meeting and opened the floor for comments and questions. The Mayor asked for a motion to approve the minutes. Darrell Shelton made a motion to approve the minutes. Brittney Gorter seconded. Lisa Weaver asked if there was a sign-in sheet. The City Clerk answered yes. Ms. Weaver stated she was there, however was not listed as an attendee. Darrell Shelton noted that she does appear in the minutes. Ms. Weaver offered a correction to the minutes. The motion passed unanimously, with the correction.

The Mayor presented the minutes for the May 15, 2017 Variance Hearing. He asked for a motion to approve those minutes. Darrell Shelton made a motion to approve the minutes. Andrew Klump seconded. The motion passed unanimously.

The May 15, 2017 meeting minutes were presented for approval. Darrell Shelton offered a correction on the date of the meeting. He also made a motion to approve the minutes. Andrew Klump seconded. Lisa Weaver offered another editorial correction. Mike Gardner offered a correction of adding Senior to his name since his son lives in the City. The motion passed unanimously with these corrections.

Darrell Shelton executed a second reading of an "Ordinance Establishing the "Parks and Recreation Program Fund" to ensure funds availability for future park improvements and community events. Darrell Shelton made a motion to adopt this ordinance. Andrew Klump seconded. Andrew Klump made a motion to amend the ordinance. Darrell Shelton seconded the motion to amend. Andrew Klump explained his amendment to modify the handling of park funds, quoted some KRS and reiterated some of his concerns. There was lengthy discussion about donations and how the donations will be appropriated. Mike Gardner called the question to amend the "Ordinance Establishing the "Parks and Recreation Program Fund"; there was not a second, so the discussion continued. Amanda Thompson asked for the City Attorney's opinion.

Ms. Reisz noted that the Mayor and the Council have fiduciary duty to maintain the funds of the City appropriately, so any misappropriation of funds a suit can be brought against them with or without this ordinance. She also noted that she looked at several small cities in the state of Kentucky and could not find where any cities had ordinances that allocated separate funds from the general fund, particularly with respect to park programs.

Darrell Shelton called the question to amend the ordinance. Andrew Klump seconded. Darrell Shelton, Andrew Klump, Lisa Weaver, Amanda Thompson and Brittney Gorter were in favor. Only Mike Gardner opposed, so discussion was closed and the vote called. Mike Gardner and Amanda Thompson opposed the amendment. Lisa Weaver, Brittney Gorter, Darrell Shelton and Andrew Klump voted in favor; therefore, the amendment was adopted. There was further discussion about the amended ordinance and the wording of 'revenue,' whether it is gross revenue or net revenue. Comments also included the purpose for allocating funds. The Mayor noted that there are statutes assigning specific responsibilities for the executive branch and the legislative branch that the proposed ordinance would violate. Darrell Shelton and Andrew Klump voted in favor of the amended ordinance. Amanda Thompson, Mike Gardner and Brittney Gorter opposed. Lisa Weaver abstained. The ordinance was not adopted.

The next item of business was the ordinance setting the City budget for Fiscal Year 2018. Mike Gardner suggested amending the ordinance to include the rollover money already held in the Road Fund, to appropriate to upcoming repair work. Darrell Shelton made a motion to amend the City budget accordingly. Mike Gardner seconded, and the motion passed unanimously. The Mayor asked for a motion to approve the amended City budget for Fiscal Year 2018. Mike Gardner made the motion. Amanda Thompson seconded. Amanda Thompson asked what the line item, "Sales of Fixed Assets" represents. Mayor Crawford answered city cars, generators, flood lights, and other property declared surplus. Darrell Shelton asked about Public Gardens. The Mayor explained this is a grant periodically awarded the Garden Club to help care for gardens kept in public spaces such as traffic islands and park boundaries. Mike Gardner asked the Mayor what is his biggest concern with the budget. The Mayor answered not having enough money for the roads. Brittney Gorter asked about the KLEFPF. The Chief explained that the money is for training the police and it is paid from a state grant. Amanda Thompson asked if the Forest Board has any fund-raising plans. The Mayor answered not at present. The Mayor asked the City Clerk for a second reading of the ordinance. The City Clerk executed the second reading. Mike Gardner, Brittney Gorter, Darrell Shelton, Amanda Thompson and Lisa Weaver voted in favor. Andrew Klump opposed. The budget ordinance was therefore adopted.

New Business

The Mayor reminded everyone that the newsletter for this month is due and if anyone has something for the newsletter to submit it soon.

Closing Public Comments

Laura Kelty, 3242 Cross Bill Road – Ms. Kelty expressed her dismay with the handling of the budget ordinance. Councilor Gorter noted that the Council received the proposed budget a month prior to the meeting and did spend more time on the budget than the time in the meeting. Ms. Kelty noted that there isn't any record of time spent on the budget. There were a number of remarks about the residents receiving the proposed budget and message between the first and second reading.

Laura Jones, 3118 Eagle Pass - Ms. Jones felt there was far more time spent on speed bumps than the budget.

Chris Ashman, 1142 Audubon Parkway – Ms. Ashman thanked the city for the speed bumps. She also expressed that Andrew Klump had some good ideas. But she noted that the City doesn't have the money to repair the roads; how would we have the money to do what he suggested? She offered a

suggestion to allow people to park on the Parkway. She said that if the speed bumps do not work out, there needs to be another plan, because speeding and running stop signs are a problem.

Pete Becker, 3105 Chickadee Rd – Mr. Becker agreed with the need for more transparency in budgeting.

Amanda Thompson made a motion to adjourn. Brittney Gorter seconded, and the motion passed unanimously.

The meeting adjourned at 10.30 PM.

The next scheduled meeting is July 17, 2017 at 7:00 PM.



Attested



Approved