

**CITY OF JEFFERSONTOWN, KENTUCKY  
MINUTES  
COUNCIL MEETING  
NOVEMBER 17, 2010  
9:00 A. M.**

Mayor Foreman called the Meeting to order at 9:00 A.M. The following Councilmembers were present: Kay Ackerson, Bill Dieruf, Anita Johnson, Ray Perkins, Daniel Ruckriegel, Carol Pike, David Olshansky and Pam Ware. Also present Fred E. Fischer, City Attorney, and Jim Leidgen, Clerk-Treasurer.

**CALL TO ORDER**

Reverend Tom Dillard gave the opening prayer which was followed by the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE**

Mayor Foreman recognized David Bohn who addressed the Mayor and City Council on behalf of the St. Nick Fund at St. Edward Parish to ask for consideration of the St. Nick Fund in the City Council's discussion and allocation of appropriations with respect to the 2010/2011 Funding Request Applications. There are no overhead expenses; all money collected goes to the purchase of Christmas for needy families in our community. Mr. Bohn is to notify the Council of the date selected for shopping for the families.

**DAVID BOHN: ST. NICK FUND**

Councilmember David Olshansky made a motion to approve the Minutes of the Council Meeting of November 1, 2010, as distributed. Councilmember Bill Dieruf seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**MINUTES: 11/01/2010**

Councilmember Daniel Ruckriegel made a motion to approve General Fund Warrant No.1290, as distributed. Councilmember David Olshansky seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**GENERAL FUND WARRANT NO. 1290**

Councilmember Daniel Ruckriegel made a motion to approve Road Maintenance Warrant No. 678, as distributed. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ROAD MAINTENANCE WARRANT NO. 678**

Mayor Foreman called for the First Reading, by title only, of Resolution No. 204, Series 2010: A Resolution Relating to the Approval of a Detailed Development Plan as Transmitted from the Louisville Metro Planning Commission for the Shoppes of Plainview, Located at 801 South Hurstbourne Parkway, Jeffersontown, Kentucky. On behalf of the applicant, Phil Bills, BTM Engineering, gave a brief summary of the project which allows for a right turn exit onto Hurstbourne Parkway. A discussion followed. Councilmember Bill

**FIRST READING OF RESOLUTION NO. 204, SERIES 2010: SHOPPES OF PLAINVIEW**

Dieruf made a motion for the First Reading, by title only, of Resolution No. 204, Series 2010. Councilmember Kay Ackerson seconded the motion. MOTION WAS CARRIED, with Mayor Foreman asking the record to reflect a no vote from Councilmember Anita Johnson. Fred E. Fischer, City Attorney, read the Resolution, by title only, and adopted the summary provided by Mr. Bills.

Councilmember Bill Dieruf made a motion to adopt Resolution No. 204, Series 2010. Councilmember David Olshansky seconded the motion. Mayor Foreman requested Jim Leidgen, City Clerk, call the roll. The roll was called as follows:

**ADOPT RESOLUTION  
NO. 204, SERIES 2010**

Kay Ackerson	Yes
Bill Dieruf	Yes
Anita Johnson	No
Ray Perkins	Yes
Daniel Ruckriegel	Yes
Carol Pike	Yes
David Olshansky	Yes
Pam Ware	Yes

Jim Leidgen, City-Clerk, announced the eight votes as seven votes in favor of the motion and one vote in opposition to the motion, whereupon the MOTION CARRIED.

**COMMITTEE REPORTS:**

Councilmember Kay Ackerson, Public Works Committee, congratulated the candidates who were successful in the November 2<sup>nd</sup> election.

**CONGRATULATIONS  
TO CANDIDATES**

Councilmember Bill Dieruf – Planning & Zoning Committee – No Report.

Councilmember Anita Johnson, Economic Development Committee, announced the following events: Holiday on Gaslight Square, Saturday, December 4<sup>th</sup>, beginning at 6:00 P.M.; and, the Community Thanksgiving Service, Sunday, November 21<sup>st</sup>, 7:00 P.M. at St. Edward Church. Councilmember Johnson reported that the Jeffersontown High School students participating in the School to Community Program have received a new District Directive which requires one parent for every ten students leaving the school on field trips. The school was unable to secure enough parents to allow the students to attend today’s meeting but hope to meet the requirements to attend December’s Council Meeting.

**MONTHLY  
ACTIVITIES**

Councilmember Ray Perkins, Legislative Committee, made a motion to distribute funding to the Saint Nick Fund. Mayor Foreman suggested he

**SAINT NICK FUNDING**

withhold the motion until after his power point presentation of the first quarter revenue stream and allow the Council to address all of the Funding Request distributions at that time. Councilmember Perkins agreed.

Councilmember Daniel Ruckriegel, Finance Committee, made a motion to authorize Mayor Foreman to execute a professional services contract with QK<sup>4</sup> for the design phase of the Taylorsville Road (KY 155) Streetscape Project. Councilmember Bill Dieruf requested action on the Agreement be postponed until January 1, 2011. Matt Meunier, Mayor's Assistance, gave a brief summary of this commitment for funding from KIPDA and the importance of the execution of this Agreement is to this phase of the project, which will facilitate the project plans and move the project forward. A discussion followed. The Agreement is not to exceed \$60,000.00 for which the City will be reimbursed by KIPDA. With so many in competition for this grant money, Mayor Foreman asked the Council to consider that delaying action on this Agreement could place the award of this grant funding in jeopardy. Securing grant funding for projects is a slow process. Does the Council want to risk sending the wrong message by delaying execution of the Agreement, that our City is just not that interested, and possibly jeopardize future such grant awards from KIPDA as well? Kay Ackerson commented that the Council needs to continue to move forward with City business and seconded the motion made by Councilmember Daniel Ruckriegel to execute the Agreement. Mayor Foreman requested Jim Leidgen, City Clerk, call the roll. The roll was called as follows:

**TAYLORSVILL ROAD  
STREETSCAPE  
PROJECT**

Kay Ackerson	Yes
Bill Dieruf	No
Anita Johnson	No
Ray Perkins	No
Daniel Ruckriegel	Yes
Carol Pike	No
David Olshansky	No
Pam Ware	No

Jim Leidgen, City-Clerk, announced the eight votes as two votes in favor of the motion and six votes in opposition to the motion, whereupon the MOTION FAILED.

Mayor Foreman introduced the Olmstead Bridge Observation Deck and Walkway Project. Matt Meunier, Mayor's Assistant, give a brief summary of the project. The City received two bids on the project with the low bid of \$79,182.05 submitted by United Construction. A discussion followed. Councilmember David Olshansky made a motion to authorize Mayor Foreman to execute an Agreement with United Construction for the construction of the Olmstead Bridge Observation Deck Project. Councilmember Anita Johnson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**OLMSTEAD BRIDGE  
OBSERVATION DECK  
PROJECT**

Councilmember Daniel Ruckriegel asked for a motion to authorize Mayor Foreman to execute an Agreement with the American Society of Composers, Authors and Publishers (ASCAP) to bring the City into license compliance for performances of copyright compositions, including recorded music. A discussion followed. Councilmember Bill Dieruf so moved. Councilmember Anita Johnson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ASCAP LICENSE**

Councilmember Carol Pike, Parks & Recreation Committee, requested the Council move to Executive Session at the end of this Meeting to discuss pending litigation. Councilmember Pike requested clarification on the construction status of the City's sidewalks and handicapped ramps. Matt Meunier, Mayor's Assistant, reported that the Transportation Cabinet has granted an extension for the completion of this project to April 15, 2011. A discussion followed. Councilmember Pike would like a copy of the extension information from the Transportation Cabinet.

**SIDEWALK /  
HANDICAP RAMPS**

Councilmember David Olshansky, Safety Committee, made a motion to recess the current Council Meeting at its completion to resume after the December 6<sup>th</sup> Council Meeting to discuss the utilization of the walking trails for the requested fundraiser walk/run activity permits in order to avoid street closures and the time and expense associated with these closures for our Police Department. A discussion followed. Rather than recess the current Meeting, Councilmember Bill Dieruf suggested any Councilmembers wishing to participate in this discussion should remain after the December 6<sup>th</sup> City Council Meeting. Councilmember Olshansky agreed.

**WALK/RUN PERMITS:  
WALKING TRAILS**

Councilmember David Olshansky reported he has received an activity permit from the Leukemia & Lymphoma Society for collection at Hurstbourne Parkway and Taylorsville Road for Feb. 19<sup>th</sup>, April 9<sup>th</sup>, July 9<sup>th</sup> and Sept. 10<sup>th</sup> of 2011. A discussion followed. Councilmember Anita Johnson recommended the City Council adopt the City Attorney's alternate proposal to approve the dates but to defer the final approval for the activity to the new City Council. Councilmember David Olshansky so moved. Councilmember Bill Dieruf seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ACTIVITY PERMIT**

Councilmember Pam Ware – Administrative Committee -- No Report.

Mayor Foreman provided the City Council with a power point presentation update on the City's first quarter revenue stream which ended September 30th (Presentation attached).

**POWER POINT  
PRESENTATION: 4<sup>TH</sup>  
QUARTER REVENUE**

**Occupational Taxes:**

Projected for FY 2010-2011	\$ 9,639,000
Budgeted to Collect	\$ 2,409,000 per quarter
Actually Collected to Date	\$ 2,431,000

Insurance Premium Taxes:

Projected for FY 2010-2011 \$ 1,875,000  
Budgeted to Collect \$ 468,000 per quarter  
Actually Collected to Date \$ 461,000

Property Taxes:

Projected from Prior Years \$ 150,000  
Budgeted to Collect \$ 37,500 per quarter  
Actually Collected to Date \$ 216,000

Property Taxes: (due at face amount by Dec. 31<sup>st</sup>)

Projected for FY 2010-2011 \$ 3,859,000  
Actually Collected to Date \$ 3,296,000 (85% collected)

Mayor Foreman concluded that, despite tough economic times, the City is on very firm financial ground; revenue collections are proceeding according to the Budget, the occupational taxes are ahead of Budget and the Chart of Accounts shows in excess of \$5,000,000 in the bank as of today. Mayor Foreman acknowledged that John Carter, the City's Revenue Director, and his staff are doing a great job.

Mayor Foreman distributed to the City Council a Chart of the City's Bank and Bond Accounts and Balances provided by Jim Leidgen, City Clerk.

**CHART OF BANK  
ACCOUNTS**

Mayor Foreman introduced discussion regarding the distribution of funding to those organizations requesting monetary assistance from the City of Jeffersontown's Community Outreach pool of money. Mayor Foreman noted the Council allocated funding at the last Council Meeting for Jeffersontown Area Ministries, St. Edward School Operation Support Peace and Cochrane Elementary School Helping Hands Family Resource Center. A discussion followed regarding the distribution of funds. Councilmember Bill Dieruf made a motion to approve the total appropriation of \$74,850 for the Community Outreach applications, as discussed. Councilmember Anita Johnson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. (Spreadsheet Attached).

**FUNDING REQUESTS**

Mayor Foreman congratulated and recognized Mark Blum, Vince Grisanti and Tim Hall, three of the newly-elected Councilmembers present at tonight's Meeting.

Councilmember Bill Dieruf made a motion to recess into Executive Session to discuss pending litigation. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. Fred E. Fischer, City Attorney, asked the record to reflect that this recess is called pursuant to KRS 61.810(1)(c) for the purpose of discussion of proposed or pending litigation.

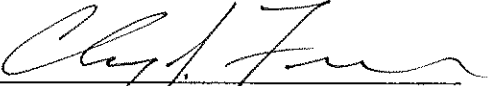
**RECESS: EXECUTIVE  
SESSION**

Councilmember Bill Dieruf made a motion to Reconvene the Council Meeting. Councilmember Anita Johnson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. Fred E. Fischer, City Attorney, asked the record to reflect that the City Council recessed to Executive Session to discuss proposed or pending litigation and that no final action was taken in Executive Session.

**RECONVENE**

There being no further business to come before the Council, Councilmember Bill Dieruf made a motion to adjourn. Councilmember David Olshansky seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ADJOURN**

  
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Clay S. Foreman  
Mayor

  
\_\_\_\_\_  
Jim Leidgen  
Clerk-Treasurer