

**CITY OF JEFFERSONTOWN, KENTUCKY
MINUTES
COUNCIL MEETING
NOVEMBER 7, 2011
6:00 P.M.**

Mayor Bill Dieruf called the Meeting to order at 6:00 P.M. The following Councilmembers were present: Tim Hall, Mark Blum, Ray Perkins, Brian Abrams, Pam Ware and Vince Grisanti. Councilmembers Daniel Ruckriegel and Carol Pike were absent. Also present Fred E. Fischer, City Attorney, and Bill Fox, City Clerk/Treasurer. **CALL TO ORDER**

Reverend Tom Dillard gave the opening prayer which was followed by the Pledge of Allegiance. **PLEDGE OF ALLEGIANCE**

Councilmember Ray Perkins made a motion to approve the Minutes of the Council Meeting of October 19, 2011, as distributed. Councilmember Mark Blum seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. **MINUTES: 10/19/2011**

Councilmember Tim Hall made a motion to approve General Fund Warrant No.1312, as distributed. Councilmember Mark Blum seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. **GENERAL FUND WARRANT NO. 1312**

Councilmember Mark Blum made a motion to approve Road Maintenance Warrant No. 699, as distributed. Councilmember Brian Abrams seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. **ROAD MAINTENANCE WARRANT NO. 699**

Mayor Dieruf introduced Chris Francke, with the Accounting Firm of Steudle, Spears & Francke, who presented the Mayor and City Council with a summary of the City's Audit Report of financial statements for fiscal year ending June 30, 2011. The audit report provided an unqualified, or clean, opinion noting no material misstatements in the financial statements provided to them. The report shows revenues exceeded expenses by \$1,367,696, indicating the City is in good financial standing with no deficiencies in accounting systems or internal controls. Current assets exceed current liabilities by a ratio of 3.4 to 1. Mayor Dieruf distributed a Press Release announcing that the City has a \$1.3 million surplus over Budget for the fiscal year ending June 2011; and, the Mayor suggested that the surplus may be appropriated to pay off debt, to pay off leases, to provide for infrastructure improvements and to be set aside for weather related emergencies and any other future crisis. **AUDIT PRESENTATION**

Mayor Dieruf called for the First Reading, by title only, of Resolution No. 233, Series 2011: A Resolution Relating to the Approval of a Revised Detailed Development Plan as Transmitted from the Louisville Metro Planning Commission for Lindsey Office Building, Located at 11911 Carrier Court, and Being in the City of Jeffersontown, Kentucky. Alex Rosenberg, representing the developer, presented a brief summary of the proposal to bring the site and plan into compliance and to request the removal of binding element no. 13 in order to omit the construction of an 8 foot solid wood fence and replace the fencing with additional landscaping. Fred E. Fischer, City Attorney, asked that the City Council be aware that the wooden fence was required by binding element and agreed to by the developer 4 or 5 years ago, along with erosion prevention measures. To date, binding element no. 13 has not been honored nor have erosion measures been taken and now a waiver is being requested. The developer, Matt Miller, presented his reasons for not complying with the binding element. Chris Raque, Director of Permitting and Enforcement, noted the development was originally denied by Louisville Planning & Zoning because the development could not meet the required 50 foot landscape buffer. The City of Jeffersontown approved the development with a waiver of the 50 foot required landscape buffer only if the developer agreed to a 25 foot buffer with the addition of the 8 foot wooden fence to screen the use from adjoining residential property, which was agreed upon. A discussion followed. Mrs. Ida Cox, 2006 Blankenbaker Parkway, the adjoining property owner affected by Mr. Miller's development, distributed information to the Council and requested relief from Mr. Miller's disregard for her and her property by requiring him to adhere to the agreement reached when his development was approved in 2007, noting he has removed a portion of her fencing, vegetation and trees without her knowledge. Fred E. Fischer, City Attorney, pointed out that this development has been operating without a Certificate of Occupancy as well and asked that this be investigated by Mr. Raque's office with appropriate action taken. Discussion continued. Mr. Fischer recommended the Council table the resolution for 30 days to give Mr. Raque an opportunity to investigate the Certificate of Occupancy and allow the developer time to comply with the agreed upon binding elements of the original agreement. Councilmember Brian Abrams made a motion to table Resolution No. 233, Series 2011, for 30 days, to December 5th, to allow the developer to comply with the original agreement or to reach a written agreement with the adjoining property owners and to secure a Certificate of Occupancy. Councilmember Vince Grisanti seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**FIRST READING OF
RESOLUTION NO. 233,
SERIES 2011: REVISED
DETAILED DEVEL.
PLAN FOR LINDSEY
OFFICE BUILDING-
11911 CARRIER CT. –
TABLED TO 12/5/2011**

Mayor Dieruf called for the First Reading, by title only, of Resolution No. 234, Series 2011: A Resolution Relating to the Approval of a 2B Review of a Revision to an Existing Development, Derby City Truck Repair, Located at 11197 Ampere Court, and Being in the City of Jeffersontown. Paul Long, Permitting and Enforcement Inspector, gave a brief summary of the proposed addition to an existing structure. Councilmember Brian Abrams made a motion

**FIRST READING OF
RESOLUTION NO. 234,
SERIES 2011: DERBY
CITY TRUCK REPAIR,
11197 AMPERE COURT**

for the First Reading, by title only, of Resolution No. 234, Series 2011. Councilmember Mark Blum seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. Fred E. Fischer, City Attorney, read the Resolution, by title only, adopting Mr. Long's summary as his own.

Councilmember Mark Blum made a motion to adopt Resolution No. 234, Series 2011. Councilmember Brian Abrams seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. **ADOPT RESOLUTION NO. 234, SERIES 2011**

Mayor Dieruf introduced discussion on the bids for the repair and update of the elevator at City Hall. Oracle submitted the low bid of \$19,500.00 with a 12 month service charge of \$33.33 a month, \$400 yearly. Councilmember Ray Perkins made a motion to authorize Mayor Dieruf to execute a contract with Oracle for the repair and update of the City's elevator at a total cost of \$19,900. Councilmember Mark Blum seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. **ORACLE ELEVATOR CONTRACT**

COMMITTEE REPORTS:

Councilmember Tim Hall, Planning & Zoning Committee, thanked Debbie Hendrick, Parks & Recreation Director, for the tremendous job she did on Pumpkinfest and suggested that the City close Watterson Trail during this event next year as an extra safety measure. Councilmember Hall congratulated the St. Edward 5th and 6th grade football team for winning the Toy Bowl and the 7th & 8th grade team for coming in 2nd this year. Councilmember Hall also recognized the St. Edward Coaches, one of those being our Public Works Director Jimmy Franconia, for teaching the kids so much more than just winning a game and thanked them for their hard work. **PUMPKINFEST; ST. EDWARD TOY BOWL**

Councilmember Mark Blum, Economic Development Committee, joined with Councilmember Hall in congratulating the St. Edward football teams and commented that this year was the best Pumpkinfest ever. Councilmember Blum questioned whether the City could partner with a development group to reinvigorate our downtown area as a destination, giving the proposal for the Colgate Plant in Indiana as an example. Mike Kmetz, Director of the Economic Development Authority, responded in the affirmative; however, the City doesn't control enough property in the downtown area to be able to proceed in the manner of the Colgate Plant, making it difficult to assemble the property. A discussion followed. Councilmember Blum also inquired about any progress in the request to have a YMCA locate on Galene Drive and provided an application for Mr. Kmetz to start the process. In response to a question regarding a traffic light at Blankenbaker and Blankenbaker Access, Mayor Dieruf commented that, even though this is outside the City, he has been in discussion with Department of Highways District 5 and the Governor and a traffic light is in the process of being installed at that location. **DOWNTOWN DEVELOPMENT**

Councilmember Ray Perkins, Finance Committee, reported his findings on the cost to provide year-round lighting of the trees on Watterson Trail from the Fire Department to Billtown Road. There are approximately 35 trees of various sizes and Councilmember Perkins suggested that the City light every other tree with LED lights at an approximate cost of \$500 to \$600 per tree, a total of \$10,000 for lighting and building seating around the trees. A discussion followed. Mayor Dieruf suggested the project be divided into two parts with the lighting of the trees taking priority due to the proximity of the holidays, with further discussion of the seating around the trees to follow. Debbie Hendrick, Parks & Recreation Director, was tasked with investigating the types of lighting available and the purchase price further and Councilmember Perkins, having requested \$10,000.00 be appropriated toward this project, was asked to provide detailed drawings and examples of bench seating for consideration.

**WATTERSON TRAIL
STREETSCAPE:
LIGHTING TREES**

Councilmember Brian Abrams, Administrative Committee, reported his Committee has recessed their meeting to Monday, November 28th at 11:00 A.M. to resume discussion of the Employee Handbook. Councilmember Abrams also congratulated St. Edward on all of their winning teams.

**EMPLOYEE
HANDBOOK**

Councilmember Pam Ware – Parks & Recreation Committee -- No Report. Councilmember Ware congratulated Mayor Dieruf on the Audit Report.

Councilmember Vince Grisanti – Legislative Committee – No Report. Councilmember Grisanti also congratulated St. Edward.

Mayor Dieruf distributed pictures of the finished product of the work on the hard courts at the Plainview Tennis Center, at a total cost of \$22,995 for the overlay. The Parks and Recreation Committee will continue discussion on the clay courts at a later date.

**PLAINVIEW TENNIS
COURTS**

Mayor Dieruf noted that the request in the Council packets from McDonald's is a Category 1 Review for a 2nd driveway and doesn't actually need further approval from the City Council.

**MC'DONALD'S
REVIEW**

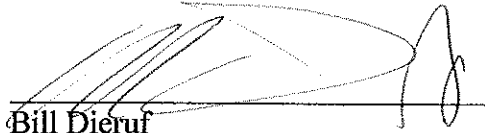
Mayor Dieruf also noted that the request for use of the Community Center from DuPont Manual for their Annual Football Banquet has been withdrawn.

COMMUNITY CENTER

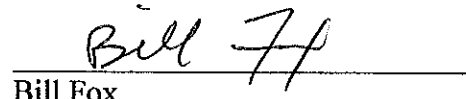
Mayor Dieruf introduced discussion of the new Funding Request Application, noting that items suggested by Councilmember Mark Blum have been incorporated into the original Funding Application. Councilmember Brian Abrams made a motion to accept the new Funding Application, with the additional changes introduced by the City Council. Councilmember Pam Ware seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**FUNDING REQUEST
APPLICATION**

There being no further business to come before the Council, Councilmember Mark **ADJOURN**
Blum made a motion to adjourn. Councilmember Tim Hall seconded the motion.
MOTION WAS UNANIMOUSLY CARRIED.



Bill Dieruf
Mayor



Bill Fox
City Clerk/Treasurer