

COMMONWEALTH OF KENTUCKY
CITY OF PROSPECT
CITY COUNCIL REGULAR MEETING
Monday, September 16, 2024, 7:00 p.m.

AGENDA

CALL TO ORDER

- Chair: Mayor Doug Farnsley

APPROVAL OF MINUTES

- Approval of Minutes of the August 19, 2024 regular council meeting.

COMMENTS FROM CITIZENS

MAYOR'S REPORT

- Mayor's update on City matters.

FINANCIAL REPORTS

- Monthly financial update

COMMISSION & BOARD REPORTS

- Forestation Board

OTHER REPORTS

- Parks & Recreation Advisory Committee
- Jefferson County League of Cities

POLICE REPORT

UNFINISHED BUSINESS

- Second reading of **Ordinance 645-2024**: AN ORDINANCE CHAPTER 32 OF THE PROSPECT, KENTUCKY CODE OF ORDINANCES, REGARDING COMPENSATION FOR COUNCIL MEMBERS OF THE CITY OF PROSPECT. This ordinance amends Chapter 32 to increase council member pay from \$250 to \$500 a month.

NEW BUSINESS

- **Municipal Order 6, Series 2024**: AN ORDER CONSENTING TO PARTICIPATION IN THE "METRO PARTNERSHIP PROGRAM WITH SUBURBAN CITIES FOR A CAPITAL IMPROVEMENT PROGRAM" ESTABLISHED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT. This order is required for the city's application for \$40K in Louisville Metro Council Neighborhood Development Funds to be used for the development of the proposed Putney Pond Boardwalk.

- **Municipal Order 7, Series 2023, Municipal Order 1, Series 2024:** AN ORDER CONSENTING TO THE NOMINATION BY THE MAYOR OF DAVID THIMME AND STEPHEN HOUSTON TO SERVE ON THE CITY OF PROSPECT FORESTATION BOARD AND AFFIXING TERMS OF OFFICE THERETO.
- **Municipal Order 8, Series 2023,** AN ORDER CONSENTING TO THE NOMINATION BY THE MAYOR OF PEGGY PATTERSON, CITIZEN OF THE CITY, TO SERVE ON THE CITY OF PROSPECT CODE ENFORCEMENT BOARD AND AFFIXING A TERM OF OFFICE THERETO.

ADJOURNMENT

Supporting documents for this meeting's agenda are archived on the city's website calendar:

<https://www.prospectky.us/>

This meeting will be conducted in part via WebEx and live-streamed to YouTube here:

https://www.youtube.com/channel/UCDMvzIGZUk_tpL2HXSagU7w

Members of the public may attend in person and see and hear all participating members at Prospect City Hall, 9200 US Hwy 42, Prospect, Kentucky.

CITY COUNCIL REGULAR MEETING MINUTES

August 19, 2024

Attending In-Person: Mayor Doug Farnsley; Council Members John Evans, Frank Fulcher, Don Gibson, Sara Hines, and David Holmes; Police Chief Jeff Sherrard

Participating Remotely: Council Member John Clark, Director of Public Works Ron Cundiff, City Administrator/City Clerk John S. Carter

Call to Order

Mayor Farnsley called the meeting to order at 7:00 p.m.

Comments from Citizens

None

Mayor's Report

- Police Chief Jeff Sherrard will retire at the end of October 2024. The mayor thanked the chief for his extraordinary performance over the last 12 years.
- The mayor announced his support for Ordinance 645, Series 2024 under consideration by the city council this evening that would increase council pay beginning next January 1st.
- LDG's lawsuit against Prospect is currently set for trial this coming September 17th. The city and its attorneys continue to believe that the suit lacks merit.
- The mayor has met with the developer of the planned renovation of the Prospect Point shopping center and is impressed with the new owner's building plans that includes adding a sidewalk along River Road. The developer has pledged to work closely with the city's Architectural Review Committee during the shopping center's renovation.
- The city's finances remain strong with cash on hand exceeding last year's figures by over \$250K. The city recently contracted with Lib Paving to spend \$241K on repaving several roads around the city.
- Other capital projects in progress include the nearly complete Harrods Creek Stream Bridge in Harrods Creek Park, the repair of neighborhood sidewalks, and the planning and design of the proposed Putney Pond Boardwalk.
- Upcoming city events include the Don Krekel Orchestra concert scheduled for July 21st and The Sheryl Rouse Band concert planned on the evening of September 15, 2024 at the John Evans Pavilion.

Financial Reports

The City Administrator presented a synopsis of the city's finances for the past fiscal year ending June 30, 2024.

- Cash on hand totaled approximately \$3.2 million.

- Revenue for July totaled approximately \$243K and was primarily from insurance premium tax receipts. Expenditures for July were approximately \$511K. Expenditures were abnormally high due to renewing annual insurance premium, the purchase of two police vehicles, and tornado recovery expenses.

Commission and Board Reports

On behalf of the Ethics Commission, Commission Chair John Embry reminded candidates for city council and new members of the Code Enforcement Board to file their financial disclosure forms.

On behalf of the Forestation Board, Board Chair Linda Knox presented a written and oral report.

- The Board has ordered 75 trees for Arbor Fest this fall.
- Board members have been consulting with city code enforcement to clarify procedures and responsibilities for issuing tree-related code citations.
- The board is continuing to work with Chase Bank on an agreeable solution for replacing trees mistakenly cut down during the construction of the new bank.
- The board is supporting and encouraging residents to contribute funds for the planting of a memorial tree in memory of Mike Powers.

Other Reports

Council Member Gibson reported that the Jefferson County League of Cities has scheduled a virtual conference with suburban mayors and Louisville Metro Mayor Greenberg on August 26, 2024. At the next regularly scheduled member meeting on September 19th, Deputy Louisville Metro Mayor David James will discuss 'middle housing' initiatives.

Police Report:

Police Chief Sherrard reported:

- The details of the written report on arrests and call responses were presented.
- House watches remain down this year compared to last year.
- The department expects to hire two new police officers within the next month.

Old Business

- Council Member Holmes moved for a second reading and approval of **Ordinance No. 637, Series, 2024**, AN ORDINANCE RELATING TO THE AMENDMENT AND MODIFICATION OF CHAPTER 97: TREES AND FORESTATION OF THE CODE OF ORDINANCES OF THE CITY OF PROSPECT, VERSION A, seconded by Council Member Gibson.
 - Council Member Fulcher moved to amend **Ordinance 637, Series 2024** by amending section 97.13 to delete "constituting a hazard to life or property" and inserting therein "constituting an imminent danger to the general public" and delete "fungus" from throughout the ordinance and insert therein "fungi", seconded by Council Member Homes. A roll call vote was held: Yea: Clark, Evans, Fulcher, Gibson, Hines & Holmes. Nay: None. The motion passed 6 - 0

A roll call vote was held on the second reading of **Ordinance 637, Series 2024**, as amended: Yea: Clark, Evans, Fulcher, Gibson, Hines & Holmes. Nay: None. The motion passed 6 - 0

- Council Member Fulcher moved for a second reading and approval of **Ordinance 644, Series 2024**, AN ORDINANCE ENACTING AND ADOPTING THE 2023 SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF PROSPECT, seconded by Council Member Gibson. A roll call vote was held: Yea: Clark, Evans, Fulcher, Gibson, Hines & Holmes. Nay: None. The motion passed 6 - 0

New Business

- Council Member Hines moved for a first reading of **Ordinance 645-2024**: AN ORDINANCE AMENDING CHAPTER 32 OF THE PROSPECT, KENTUCKY CODE OF ORDINANCES, REGARDING COMPENSATION FOR COUNCIL MEMBERS OF THE CITY OF PROSPECT, seconded by Council Member Holmes. A roll call vote was held: Yea: Clark, Holmes & Hines. Nay: Evans, Fulcher & Gibson. Mayor Farnsley voted Aye to break the tie, and the motion passed 4 – 3.

Adjournment: Council Member Fulcher moved to adjourn, seconded by Council Member Evans, and the motion passed unanimously. Mayor Farnsley declared the council meeting adjourned at 8:12 p.m.

Prepared by:

Approved:

John S. Carter, City Clerk

Douglass Farnsley, Mayor

This meeting was live-streamed on YouTube.

FORESTATION BOARD SEPTEMBER 2024 REPORT

The minutes of the August meeting were approved.

The Mayor reviewed a variety of updates and activities going on in Prospect. He also noted that he plans to nominate Stephen Houston and David Thimme to the Forestation Board at the next Council meeting. Herb suggested that they be sent the final version of the update Trees and Forestation ordinance.

Andrea confirmed the Arborfest order and that the magnolia would be a Sweet Bay. She presented information on two remediation cases that were discussed and approved. Details will be submitted to the City to begin notifications.

Six or seven Canopy Tree orders have been received. An eblast will be sent early next week as a reminder.

An updated case list has been created, indicating trees approved for remediation and trees needing an updated review so the board can determine action needed and approve. Approved remediation cases will be sent to Code Enforcement. Owners will be reminded of the opportunity to acquire new trees.

A conversation with Chase Bank was promising, and we believe they are willing to work with us. An on-site meeting with appropriate Chase associates will be requested. Our current thought is that they replace the two large trees with three smaller trees that will grow to fill in the area.

There was also a recent meeting with Lynn Dowling from the Innsbrook HOA to get clarification on who does what with street trees. She also asked for suggestions on reliable sources for tree work.

Funds for a Mike Powers memorial tree have been collected. Lee suggested that another red bud for Little Hunting Creek Park would be appropriate as Mike was instrumental in the original Red Bud row planting.

There was a question concerning the Paul Davis memorial Jordan Street Oak tree that is in very poor condition. Andrea said it was not dead, and recommended that we wait until spring to evaluate and replace if needed.

Connie will work with Ron on changes to the Arborfest street sign. We will also work with Ron to be sure planting flags and tree guards are available for upcoming tree events. Arborfest is October 19.

The next meeting will be October 10 at 2 pm. We will again do the City Hall and Webex meeting.

Parks & Recreation Advisory Committee Report to City Council September 16, 2024

- Parks Updates
 - The Harrods Creek Stream Crossing Bridge is almost complete. We plan to have an official ribbon cutting in conjunction with the Harrods Creek Trail Bash on Sunday, November 24.
 - The city has applied to Metro Council Member Scott Reed to receive Neighborhood Development Funds for the Putney Pond Boardwalk Project.
 - Eagle Scout candidate Jacob Early is scheduled to install a new information kiosk in Little Harrods Creek Park near the Evans Pavilion and Charlotte's Playground in October.

- Parks & Recreation Programs and Events
 - The family nature hike led by Jacob Crider in July was very successful with more than 20 individuals participating. The attendees were treated with seeing a large salamander Jacob found in Little Hunting Creek.
 - The final performance of the John E. Evans Pavilion concert series is on Sunday, September 15 featuring the Sheryl Rouse Band at 6:30 pm. A food truck will be serving before and during the concert.
 - Registration is open for the Harrods Creek Trail Bash which will take place on November 24.



Prospect Police Department

Report Summary for AUGUST 2024

❖ *Arrests*

- ◆ 0

❖ *Call Response Reports*

- ◆ August 2: (147) Internet Fraud
- ◆ August 17: (150) Custody Dispute
- ◆ August 23: (152) Traffic accident

❖ *Code Enforcement Reports*

39 permits were issued in August. Other August issues included:

- ◆ Low branches blocking sidewalk
- ◆ Dumping of grass clippings on other person property
- ◆ Tall grass
- ◆ Unpermitted dumpsters

❖ *Felony Reports*

- ◆ 0

❖ *JC3 Reports*

- ◆ 0

❖ *KYIBRS Non-Criminal Reports*

- ◆ August 3: (146) Theft
- ◆ August 13: Field Interview
- ◆ August 28: (154) Crisis Intervention

❖ *Misdemeanor Reports*

- ◆ August 3: (146)

❖ *Total Assists Outside of Prospect – 0*

❖ *Total Citations / Warnings other than Arrests – 3 Citation, 10 Courtesy Notice*

❖ *Total Collisions – 5 non injury with 3 injuries*

❖ *Total People Fingerprinted – 0 non-resident = \$20*



Prospect Police Department

Monthly Report of Police Activities AUGUST 2024

ACTIVITY	2024	2023
House Checks:	1263	1437
Traffic Activity		
Citations/ Warnings Issued	13	8
Non- Injury Accidents	5	9
Injury Accidents	3	2
Citizen Assists	4	7
Reports		
Misdemeanor Reports	1	3
Felony Reports	0	2
Call Responses	3	4
Miscellaneous Reports	2	0
Arrests	0	3
Calls For Service		
Dispatched Runs	89	118
Officer Initiated Runs	82	112
Burglary/ Robbery, Fire Alarms Included False Alarms	11	19
Code Enforcement Citations	0	0

**CITY OF PROSPECT, KENTUCKY
ORDINANCE NO. 645, SERIES 2024**

AN ORDINANCE CHAPTER 32 OF THE PROSPECT, KENTUCKY CODE OF ORDINANCES,
REGARDING COMPENSATION FOR COUNCIL MEMBERS OF THE CITY OF PROSPECT

WHEREAS, the current compensation is dated and not in line with modern costs;

WHEREAS, other comparable and smaller Jefferson County cities are compensating council members at a higher rate;

WHEREAS, the current compensation of \$250 does not cover the cost of basic expenses to perform the duties of Council Member;

WHEREAS, we ought to work to attract talent in the future to serve the city as Council Members and that the compensation be attractive and competitive to achieve this desired objective;

NOW, THEREFORE, be it ordained by the Prospect City Council:

Section 1. Chapter 32 is hereby amended and modified as hereinafter set forth with old language struck through, changes, and new language being underlined and reading as follows:

§32.01 (C) Compensation

(1) Members of the City Council shall be compensated for the performance of their duties by a salary at the rate of [~~\$250~~] \$500 per month.

Section II: The new rate of compensation shall begin January 1, 2025 in compliance with KRS 84A.070 (1).

First Reading this _____ day of August 2024.

Second Reading this _____ day of _____ 2024.

By a vote of _____ aye and _____ nay of the City Council.

APPROVE/VETO:

ATTEST:

Douglass Farnsley
Mayor, City of Prospect

John S. Carter
City Clerk

**CITY OF PROSPECT, KENTUCKY
MUNICIPAL ORDER NO. 6, SERIES 2024**

**AN ORDER CONSENTING TO PARTICIPATION IN THE “METRO PARTNERSHIP PROGRAM
WITH SUBURBAN CITIES FOR A CAPITAL IMPROVEMENT PROGRAM” ESTABLISHED BY
LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT**

WHEREAS, THE Louisville/Jefferson County Metro Government Council has enacted its Ordinance No. 110, Series 2006, Section 97.100 of the Louisville/Jefferson County Metro Government Code of Ordinances [LMCO] establishing a Metro Partnership Program with Suburban Cities for a Capital Improvement Program [hereafter the “Program”], and;

WHEREAS, the City of Prospect, Kentucky wishes to participate in the Program pursuant to LMCO 97.100(F).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY AS FOLLOWS:

1. The City of Prospect hereby elects to participate in the Program for capital projects which are authorized by LMCO 97.100.
2. The City of Prospect agrees to construct projects funded in whole or in part by the Program in accordance with the standards established in compliance with LMCO 97.100.

PASSED AND APPROVED THIS _____ day of September 2024.

Attest:

Douglass Farnsley
Mayor, City of Prospect, Kentucky

John S. Carter
City Clerk

**CITY OF PROSPECT, KENTUCKY
MUNICIPAL ORDER NO. 7, SERIES 2024**

**AN ORDER CONSENTING TO THE NOMINATIONS BY THE MAYOR OF CITIZENS OF THE CITY TO SERVE
ON THE CITY OF PROSPECT FORESTATION BOARD AND AFFIXING TERM OF OFFICE THERETO**

WHEREAS, the City Council of the City of Prospect has established a Forestation Board to oversee the selection, planning, protection, care, maintenance, removal, and management of trees and forestation within the City of Prospect; and

WHEREAS, Chapter §97.02 and §97.03 of the City of Prospect Code of Ordinances establish the procedure for appointing citizens and residents of the city to the Forestation Board; and

WHEREAS, the adoption of Ordinance 637, Series 2023 on August 19, 2024, increased the number of Forestation Board members from 5 members to 7 members, leaving two vacancies; and

WHEREAS, Mayor Farnsley nominates the following to serve terms as set forth herein, beginning September 16, 2024:

- David Thimme is to serve a term of 3 years, ending on September 16, 2027, and
- Stephen A. Houston is to serve a term of 3 years, ending on September 16, 2027.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF PROSPECT, KENTUCKY:

The City Council of the City of Prospect, Kentucky consents to the mayor's nomination to fill the above-stated position on the City of Prospect Forestation Board for the term as stated.

PASSED AND APPROVED THIS 16th day of September 2024.

Attest:

Douglass Farnsley
Mayor, City of Prospect, Kentucky

John S. Carter
City Clerk

**CITY OF PROSPECT, KENTUCKY
MUNICIPAL ORDER NO. 8, SERIES 2024**

**AN ORDER CONSENTING TO THE NOMINATION BY THE MAYOR OF CITIZEN OF THE CITY TO SERVE ON
THE CITY OF PROSPECT CODE ENFORCEMENT BOARD AND AFFIXING TERM OF OFFICE THERETO**

WHEREAS, the City Council of the City of Prospect has established a Code Enforcement Board to hear and adjudicate allegations of violations of ordinances of the City of Prospect; and

WHEREAS, Ordinance 601 of the City of Prospect, adopted on October 19, 2020, provides for 6 citizens, each of whom must be at least 21 years of age and a resident of the city for at least one year prior to their appointment, to serve on the Code Enforcement Board, 5 of whom as regular members and 1 as an alternate; and

WHEREAS, Ordinance 601 establishes the procedure for appointing members to the Code Enforcement Board; and

WHEREAS, the Code Enforcement Board's alternate member is recently deceased leaving a vacancy;

WHEREAS, Mayor Farnsley nominates the following to serve a term as set forth herein, beginning September 16, 2024:

- Peggy Patterson is to serve a term of 3 years, ending on September 16, 2027.

NOW, THEREFORE, IT IS HEREBY ORDERED BY THE CITY COUNCIL OF THE CITY OF PROSPECT, KENTUCKY:

The City Council of the City of Prospect, Kentucky consents to the mayor's nomination to fill the above-stated position on the City of Prospect Code Enforcement Board for the term as stated.

PASSED AND APPROVED THIS 16th of September 2024

Attest:

Douglass Farnsley
Mayor, City of Prospect, Kentucky

John S. Carter
City Clerk