

CITY OF PEWEE VALLEY  
MINUTES OF CITY COUNCIL  
January 7, 2013

The regular meeting of the City Council of Pewee Valley, Kentucky was held on Monday, January 7, 2013. In attendance were Mayor Bob Rogers, Council Members Will Chambers, Bethany Major, Dick Filippini, and Norman Schippert. Also in attendance were John Singler, City Attorney and Laura Eichenberger, City Clerk. Council Members Rex Florence and Henry Walser were absent.

Mayor Rogers called the meeting to order at 7:00 p.m. and led in the Pledge of Allegiance to the Flag.

A motion was made by Norman Schippert to approve the December 3, 2012 Minutes of the City Council Meeting as written. Dick Filippini seconded the motion and all Council Members voted in favor.

### **Financial Report**

The Year-to-Date Actual and Comparison reports through December 2012 from the City Treasurer were distributed to Council Members.

The 2012 W2 forms were sent out today to City staff.

### **Open Comments**

Mike Logsdon, 112 Dogwood Lane, asked if the Council and Mayor would revisit holding an open comments segment at end of the meeting for questions. Mr. Logsdon stated that Industrial Disposal has been using his driveway to turnaround at the end of Dogwood. At first, they were using a small garbage truck. Now they are using a larger truck and it is causing damage to his driveway. Council Member Will Chambers will contact ID about using the smaller truck. City Attorney John Singler pointed out that the original contract with ID contains a provision for using the smaller truck on Dogwood, Shagbark, and Peace Lane.

James Allison, 103 Castlewood Drive, and Steve Thompson, 110 Rest Cottage Lane, asked what oversight or authority does the City Council have over the addition of driveways exiting to Rest Cottage Lane and Houston Lane? There have been changes in property and new houses with new driveways planned.

City Attorney John Singler stated that Rest Cottage is a private road with public access. The issue has developed over many years when the property area was initially several farms. An easement to that roadway was given for the benefit of those farm members. All subsequent deeds since (going back 75—100 years) left out the roadway. At some point, a decision needs to be made to leave it the way it is or bring it up to standard.

Mayor Rogers will arrange a meeting with the City Engineer, Mr. Allison and Mr. Thompson to discuss options.

## **Police Report**

### Deputy Michael L. Meece, Oldham County Sheriff's Office

Statistics show the prevalence of financial exploitation of the elderly has reached epidemic proportions in our country. Forms of these crimes include telemarketing and door-to-door scams, identity theft, fake check scams, and home repair scams. These crimes cost victims over three billion dollars annually, a twelve percent increase from 2008. About fifty five percent of the crimes are committed by a family member, usually a removed relative, who attempts to isolate the victim. Residents are encouraged to check on elderly family members often, observe for suspicious behavior such as another person attempting to isolate or control the finances or activities of the elderly relative or the relative becoming increasingly more secretive as to financial matters. As secure as our City may seem, residents are encouraged to report any suspicious activity to dispatch at 222-0111, and take advantage of the free house watch program offered by the City and County.

Residents are encouraged to practice safe driving habits and report erratic drivers to dispatch at 222-0111 or 911.

As a reminder, school is back in session, so be vigilant for children waiting for buses, crossing roadways, and school zones. Please obey the speed limits. Radar enforcement is underway throughout the city. Safety is everyone's responsibility!

### Chief Greg Larimore, Pewee Valley Police

Recent occurrences in and around Pewee Valley during December 2012 have provided prime examples of the importance of teamwork between citizens and the three local law enforcement agencies. Due to citizens alert to and reporting suspicious activity the Oldham County Police Department, Oldham County Sheriff's Office, and the Pewee Valley Police were able to apprehend the perpetrator and recover property stolen from unlocked vehicles. These thefts were taking place off Highway 22 just outside City limits.

Another recent arrest for a home burglary was made off Highway 22 just outside Pewee Valley. The resident was awakened by the perpetrator before anything was stolen. The resident had left the door unlocked.

A third burglary near Clore Lane was interrupted when the home owner walked in on the perpetrators while they were attempting to take TVs, jewelry, and other electronics. They were able to flee the scene in an "army green pick-up truck" and are still at large.

There have been two more air conditioner thefts from businesses in Crestwood and Pewee Valley during daylight hours. These perpetrators are still at large.

We will be reviewing the school's emergency plans for St. Aloysius, as well as the other school and preschools in the City.

I have noticed a large number of drivers texting and reading texts while driving in Pewee Valley. These are things that take your eyes off the road and make it dangerous for pedestrians and other drivers. KRS 189.292, Use of Personal Communication Device Prohibited While Operating Motor Vehicle in Motion on Traveled Portion of Roadway: “. . . no person shall, while operating a motor vehicle that is in motion on the traveled portion of the roadway, write, send, or read text-based communication using a personal communication device to manually communicate with any person using text-based communication, including but not limited to communications referred to as a text message, instant message, or electronic mail.”

The Kentucky State Police have agreed to provide periodic patrols in Pewee Valley during late night and early morning hours when their calls for service are slow. We will also continue extra patrols by the Oldham County Sheriff's Deputies. Their service is invaluable.

I have begun talking with the Council Members and Mayor to discuss concerns in the community. Residents may feel free to call me with their concerns, 640-9664. We need citizens to participate to be successful in keeping the community as safe as it is.

### **Announcements**

- Oldham County Electronic Recycle, January 12<sup>th</sup>, 9 a.m. to 2 p.m., at the Recycle Center in Buckner. They are also accepting live Christmas trees through January 31<sup>st</sup>.
- CSX completed the installation of crossing gates at Muirs Lane today.
- City Engineer, Mel Milburn will contact L. G. & E. about removing the pole in the center of Wooldridge (at Highway 146 intersection).
- Thank you to Bethany Major for putting together the Yule Log and all the other work she's done while staying under budget.

### **Council Member Reports**

#### Tree Board—Dick Filippini

All the dead and dying ash trees on Ash Avenue have been removed. There are a lot of stumps and debris still to be removed. The City will work with the Department of Forestry on what species to replace the trees with, when possible.

#### Water Quality/Insurance

The annual Stormwater Report is due April 15<sup>th</sup> to the Kentucky Department of Water.

### Festivities/Town Hall/Central Park—Bethany Major

Bethany thanked everyone who helped out with the Yule Log. We had a great turn out.

Bethany and Paula Kennedy are getting bids for a mural on the back wall of Town Hall (facing Central Park). The City has received the grant money from the Head Trust Fund (with the assistance of the South Oldham Rotary Club) for the pervious paver patio project. We are waiting on the septic tank system replacement at the Norton's office before the patio work can begin.

Mayor Rogers reported we were not chosen for the Land and Water Conservation Grant.

Bethany and Laura Eichenberger will begin putting together "Welcome to the City of Pewee Valley" packets for new residents.

### Waste Management/Mowing—Will Chambers

Will reported that Industrial Disposal has offered a one year contract extension, including a 50 cent per house reduction for garbage pick-up.

Will Chambers motioned to accept and approve a one year contract extension with Industrial Disposal. The motion was seconded by Bethany Major and all Council Members present voted in favor.

### Roads & Drainage—Bob Rogers

We are waiting until Spring to put the topcoat on Houston Lane.

We are still waiting for the State to put up the "no parking" signs at the curve in front of the Vet's Office on Central Avenue.

Mayor Rogers agreed to contact the State regarding a crosswalk on Central Avenue between the St. Aloysius parking lot entrance and Central Park.

### **New Business**

#### Study Review Committee (SRC) of the Planning & Development Commission—Harry Hoffer

Harry Hoffer has represented Pewee Valley on the SRC for five years. The SRC is a committee that makes suggestions of modifications to the Oldham County comprehensive plan, sub-division regulations, roadway regulations, etc. At the most recent meeting, reducing the number of commissioners on the Planning & Development Commission was discussed. The Commission currently has 15 members. Examples cited other counties having only seven or eight members. Eliminating the Pewee Valley and LaGrange Board

of Adjustments and Appeals and creating one county-wide Board of Adjustments of five to seven Judge-Executive appointed members was also presented.

Mayor Rogers stated that the head of Planning & Development mentioned this to him several months ago. Mayor Rogers had responded that the City of Pewee Valley is not interested in having less representation, nor are we in favor of a county-wide Board of Adjustments.

Council Member Norman Schippert motioned for City Attorney John Singler to write a letter to the Oldham County Planning & Development office stating the City of Pewee Valley is not in favor of less representation on the Study Review Committee and Planning & Development Commission. Also, the City has had a local Board of Adjustments & Appeals for many years and prefers to have the citizens of this community make the recommendations about changes in this community. The City is not in favor of a county-wide Board of Adjustments & Appeals. Will Chambers seconded the motion, all Council Members present voted in favor.

#### Ordinance Addressing Abandoned Properties—John Singler

The City of Louisville has an ordinance in committee right now addressing abandoned properties. The ordinance simply requires registration of the property with the metro government once the bank forecloses and allows the city to impose a fine if the property is not cleaned up. This is one tool Louisville Metro is using to address the problem. There is no magic wand to make the vacated houses go away. There are many instances of homes abandoned before going into foreclosure. Pewee Valley has one home that has been abandoned for two years.

The current nuisance ordinance could be updated to be more stringent. John Singler will bring examples to the February meeting for review and discussion. (A new state law was passed giving cities priority on getting liens paid.)

#### 1<sup>st</sup> Reading, Ordinance 1, Series 2013—FY 2012/2013 Budget Amendment—John Singler

This budget amendment ordinance transfers the \$219,000 received from the State for crossing gates from the General Fund into the Crossing Gate budget line.

A motion was made by Bethany Major for introduction for the first reading of Ordinance 1, Series 2013, FY 2012/2013 Budget Amendment. The motion was seconded by Norman Schippert with all Council Members present voting in favor.

#### Special Taxing Districts—Dick Filippini

In the past couple of months, the Courier-Journal and Oldham Era have run articles about “Special Taxing Districts.” Special Taxing Districts have come under the scrutiny of State Auditor Adam Edelen primarily because they are a \$2.7 billion “industry” and for

the most part totally unregulated. Kentucky citizens, including Oldham County, pay more in taxes to these special taxing districts than to elected local governments. Special taxing districts in Oldham County are roughly an \$18-20 million “business.”

Findings from Adam Edelen’s report show that most are non-compliant. They either fail to return the Auditor’s survey, don’t provide budgets or financial reports, or don’t undergo the required audits. There are 17 special taxing districts in Oldham County--- many are non-compliant in some regard. (Oldham County Schools are not part of this list of special taxing districts.)

Looking at your property tax and vehicle registration tax bills, you’ll see that Oldham County government is fourth behind schools, state, and the Pewee Valley Fire District in the amount of our dollars paid out.

My concern is that as taxpayers, we are not paying attention to how a significant amount of our tax dollars are being spent. For the most part there is no accountability for these special taxing districts. No one at the County level is paying attention to how our money is being spent. These boards are mostly autonomous. Other than the school board, these boards are either appointed or voluntary.

As an example, the Pewee Valley Fire District board is composed with three Judge Executive appointees, two elected by fire department members, and two elected by citizens of Pewee Valley within this fire district. In the 28 years living in Pewee Valley, I have never seen announcements regarding the election of those citizen members. The PVFD has an annual budget of roughly \$480,000 and at this time \$1.2 million in reserves---and, no one is paying much attention to how they are spending our money.

As taxpayers we need to get involved and start paying attention to where and how taxes are being spent. As citizens we need to get involved! I suggest citizens start attending these board meetings and ask tough questions about where the money is being spent. Call the Judge Executive’s office and volunteer to be on a board.

Dick asked for the Pewee Valley Fire District Board meetings to be published in the Call of the Pewee and on the City’s website calendar.

A motion was made by Norman Schippert to pay the bills, seconded by Will Chambers. All Council Members present voted in favor.

Norman Schippert motioned to adjourn the January 7, 2012 Meeting of the City Council, seconded by Dick Filippini, with all Council Members voting in favor. The meeting was adjourned at 8:06 p.m.

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Date

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Bob Rogers, Mayor

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Laura Eichenberger, City Clerk