

CITY OF PEWEE VALLEY
MINUTES OF CITY COUNCIL
November 4, 2013

The regular meeting of the City Council of Pewee Valley, Kentucky was held on Monday, November 4, 2013. In attendance were Mayor Bob Rogers, Council Members Henry Walser, Rex Florence, Will Chambers, Bethany Major, Dick Filippini, and Norman Schippert. Also in attendance were John Singler, City Attorney and Laura Eichenberger, City Clerk.

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 Henry Walser to approve the October 7, 2013 Minutes of the City Council Meeting as written. Dick Filippini seconded the motion and all Council Members present voted in favor.

Financial Report

The Profit Loss Year-to-Date Budget vs. Actual and Balance Sheet reports through October 2013 from the City Treasurer were distributed to Council Members. Many residents took advantage of the 5% early payment discount on the 2013 Property Taxes.

Police Report

The police vehicle is experiencing computer/mechanical problems. Chief Larimore has been on patrol in other unmarked vehicles.

We are aware of a new criminal activity of someone going through the mailboxes and making rub impressions of credit cards, then replacing the mail. If you see any suspicious activity around your or your neighbor's mailboxes, please call Oldham County Dispatch—222-0111—to have the closest officer respond.

Announcements

Mayor Rogers welcomed State House Representative Ron Crimm. Representative Crimm currently works with the 33rd district. Every 10 years redistricting takes place. Effective January 2014, Ron Crimm's district will include part of eastern Jefferson County and part of Oldham and he will be Pewee Valley's representative. Until then, David Osborne will continue to represent Pewee Valley. Representative Crimm serves on four committees: Appropriations & Revenue; Vice-Chair, Banking & Insurance; Local Government, and; Veterans, Military Affairs & Public Safety.

- The Pewee Valley Board of Adjustments will meet in November (date to be scheduled). Two properties are on the agenda: Herdt property on Highway 146 and property on Houston Lane.

- Thank you to Brad and Pat Palmer for doing such a great job all summer on the flower pit in Town Square.

Cell Tower/Open Comments

Oldham County Planning and Development sent notice to the City of a cell tower proposal at 209 Highway 146. The proposal skirts under the City ordinance regarding structures of 100 feet or more by setting the structure height at 90 feet. Mayor Rogers stated he is very concerned about this and is not in favor of it.

Pat Payne, 410 Rebel Drive, and 107 Tulip Avenue, stated she was on the City Council at the time of the last cell tower proposal at the same location and was opposed. At the time, the cell tower company could not prove there was a need for the tower. It was strictly for financial gain. There are homes on Ash Avenue that are valuable historic properties. If the tower goes in, it will back-up to those properties. If a tower is put behind the church (209 Highway 146) it is going to decrease property value and make it difficult to sell those properties. Also, it was not proved that the cell tower in Crestwood (at the time, the closest cell tower) was not adequately taking care of the needs of Pewee Valley. There was a possibility of a need just west of Pewee Valley in Jefferson County.

Kevin Arave, 105 Ash Avenue, served on the City Council twelve years ago when this issue was brought to the Council at the last minute. Six families along historic Ash Avenue put up their own money and hired an attorney to oppose a cell tower. Several issues were discovered: the area involved was once a pond and now is a swampy area. The area would have to be built up for a tower, causing water to flow back into the yards of homeowners. Another issue is that a cell tower would only improve the service of those who use that service carrier. Also, if your property is under the umbrella of the cell tower signal, it will interfere with other service carrier signals.

Michele Pisano, 115 Ash Avenue, stated her property abuts the proposed site and was among the families who invested a lot of time, money, and effort to fight this issue in the past. There are safety and aesthetic issues regarding preserving the historic value of the homes. There are other ways around improving service. Carriers have boosters available for users.

Matt Weaver, 113 Ash Avenue, asked if there a site plan showing the set-backs on that property. City Attorney, John Singler responded that as of a couple of weeks ago, nothing had been filed yet. Mr. Weaver stated his profession requires constant cell phone usage. When he purchased his home on Ash Avenue, he made the decision to work around the weak cell phone signal after seeing beauty of the preserved natural state of his property.

Mike Beyerle, 106 Ash Avenue, stated he is against a cell tower.

Council Member Dick Filippini asked who solicited the request for the cell tower. John Singler stated all we know is the engineering firm submitting the proposal. Once a formal application is filed, we will know.

Mayor Rogers thanked Magistrate Mike Logsdon for letting the City know as soon as he heard about the proposal in Planning & Development.

Mayor Rogers thanked Bethany Major for her work with the Historical Society.

A motion was made by Henry Walser that the City Council of the City of Pewee Valley is in opposition to the installation of a cell tower at 209 LaGrange Road and authorizes the Mayor to proceed with legal measures to oppose it. The motion was seconded by Council Members Rex Florence. All Council Members voted in favor.

Pewee Valley Fire District Board of Directors

Mayor Rogers reported the Board is working on the Fire Station construction on Ash Avenue. A construction manager is overseeing the project. The cost of the new construction is \$1.6 million, and that does not include fees for the oversight or if they hit rock during excavation.

Council Member Reports

Public Safety/Communication/Website—Henry Walser

L. G. & E has been contacted about a installing a hood on a light near the corner of Rollington and Central Avenue.

Once the mock-up of the City's website is approved, it will take about a week to get the site up on the internet.

With help from the Kentucky Public Service Commission, all of the abandoned utility poles along Highway 146 have finally been removed.

Roads and Drainage—Bob Rogers

The last storm that came through resulted in lost power on Ash and Wooldridge for a while. No damage in the City was reported.

Glenn Rowland is doing well. He should be back in December.

Railroad Crossings

Dick Filippini asked for the budget and refund amounts of the installed crossing gates. Mayor Rogers reported the following:

Muir's Crossing: \$91,501.98 refund, 45.81% under budget

Central Crossing: \$126,753.47 refund, 42.41% under budget

Wooldridge: to date 41.29% under budget. The final invoicing has not been completed.

Festivities/Town Hall/Historical Society/Central Park—Bethany Major

Bethany Major thanked everyone who attended the Historical Society fund raiser, historical home tour of “The Beeches.” The Kramers did a wonderful job restoring the home.

Thank you to those residents who braved the cold for Movie Night in the Park.

The Annual Yule Log is scheduled for Sunday, December 8th, 5:30 to 7:30 p.m. Mayor Rogers thanked Mr. Henderson who is working on the Town Square Christmas lights.

Old Business

2nd Reading: Ordinance 7, Series 2013: Cable Franchise Agreement Extension

John Singler presented the second reading of Ordinance 7-2013, Cable Franchise Agreement Extension. The Jefferson County Cable Commission, which the City belongs to, has negotiated the extension of the current agreement with Insight Communications (now owned by Time Warner Communications) to December 2016. The Franchise Agreement brings in approximately \$500 per month to the City.

A motion to adopt Ordinance 7, Series 2013: An Ordinance Approving the Extension of the Franchise Agreement for Community Antenna Television (CATV) Services for Insurance Reports, and Records, Consumer Practices, Consumer Protection Measures, Construction, and Construction-Related Practices, Franchise Fees, and Operation Procedures, and Health, Safety, and Welfare Measures, was made by Dick Filippini and seconded by Henry Walser. A roll call vote was taken:

Henry Walser, aye
Rex Florence, aye
Will Chambers, aye
Dick Filippini, aye
Bethany Major, aye
Norman Schippert, aye

New Business

Pewee Valley Representative to the Oldham County Planning Commission Appointment

John Falvey’s current term as representative to the Planning Commission expires January 7, 2014. This is a four year term.

Will Chambers motioned to re-appointment John Falvey as Pewee Valley Representative to the Oldham County Planning Commission. The motion was seconded by Henry Walser. All Council Members voted in favor.

Open Comments— There was no response to the call for Open Comments.

A motion was made by Henry Walser to pay the bills, seconded by Rex Florence. All Council Members voted in favor.

Henry Walser motioned to adjourn the November 4, 2013 Meeting of the City Council, seconded by Rex Florence, with all Council Members voting in favor. The meeting was adjourned at 8:00 p.m.

Date

Bob Rogers, Mayor

Laura Eichenberger, City Clerk