

CITY OF JEFFERSONTOWN, KENTUCKY  
JEFFERSON COUNTY, KENTUCKY

ORDINANCE NO. 1261, SERIES 2010

AN ORDINANCE RELATING TO THE AMENDMENT OF ORDINANCE  
NO. 1188, SERIES 2004, AS AMENDED, THE JEFFERSONTOWN CLASSIFICATION  
AND COMPENSATION ORDINANCE

**WHEREAS**, the Chief of Police has recommended to the Mayor a re-structuring of the police department command staff by abolishing the one (1) remaining Lt. Colonel position, and creating a third Major position; and,

**WHEREAS**, the Mayor has endorsed this command re-structuring; and,

**WHEREAS**, the City Council recognizes the benefits to the overall efficiencies of the police department occasioned by said re-structuring.

**NOW, THEREFORE, BE IT ORDAINED, BY THE JEFFERSONTOWN CITY COUNCIL** as follows:

SECTION I. Section II of Ordinance No. 1188, Series 2004 is hereby amended as follows:

Staff Position			Status	
Job Classification/ Title	Job Description	Pay Grade	E / N	Current Staffing
<b>Jeffersontown Police Department (Command Staff)</b>				
Assistant Chief of Police	Acting under administrative direction, performs administrative and managerial police work of considerable difficulty at the upper management level. Responsible for assisting the Chief of Police in all phases of the administration of the Jeffersontown Police Department and develops policies and procedures affecting personnel and equipment. Assigned to head the Support Services Division or the Uniformed Services Division of the police department and may implement methods, systems and procedures to accomplish goals and objectives. Performs other related duties as required.	<b>G14</b>	E	1 fulltime
Major(rank)	Acting under administrative direction, performs administrative and managerial police work of considerable difficulty at the upper management level. Responsible for assisting the Chief of Police in all phases of the administration of the Jeffersontown Police Department and develops policies and procedures affecting personnel and equipment. Promotes the interests of the department through contact with community organizations. Performs other related duties as required.	<b>G14</b>	E	2 fulltime 3 fulltime
E= Exempt Position (salary) N= Non-Exempt Position (hourly)				

SECTION II. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION III. This Ordinance shall become effective upon its passage and publication.

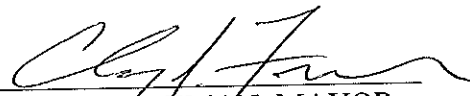
INTRODUCED AND READ AT A MEETING OF THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY AT A MEETING HELD ON THE 7<sup>th</sup> DAY OF SEPTEMBER, 2010.

READ, PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JEFFERSONTOWN, KENTUCKY AT A MEETING HELD ON THE 15<sup>th</sup> DAY OF September, 2010.

VETOED:

APPROVED:

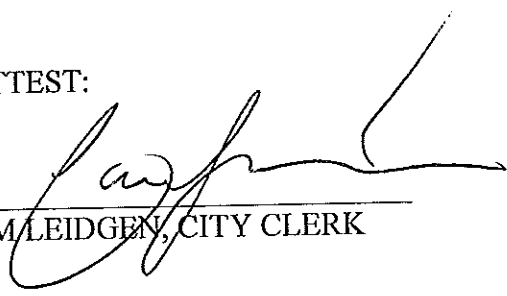
\_\_\_\_\_  
CLAY S. FOREMAN, MAYOR

  
\_\_\_\_\_  
CLAY S. FOREMAN, MAYOR

DATE: \_\_\_\_\_

DATE: September 15, 2010

ATTEST:

  
\_\_\_\_\_  
JIM LEIDGEN, CITY CLERK

**CITY OF JEFFERSONTOWN, KENTUCKY  
MINUTES  
COUNCIL MEETING  
SEPTEMBER 15, 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 and Pam Ware. Councilmember David Quinlan was absent. 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 Rhonda Javorka, resident of Sprowl Meadows Apartments, who requested the Mayor and City Council consider area residents and require the privately owned businesses providing any type of amplified outdoor music during the Gaslight Festival to stop the music by 11:00 P.M. on Friday and Saturday nights and by 10:00 P.M. on Thursday night. A discussion followed. Fred E. Fischer, City Attorney, commented that the Council doesn't have enough time to entertain an ordinance with respect to this request; however, there are two possible options for remedy: 1. the Police Department can enforce the County Noise Ordinance; and/or, 2. these are commercial sites which have binding elements with restrictions on usage and fines may be issued for violation of these restrictions. Mr. Fischer suggested a letter of request for voluntary compliance might be the City's first step to control the hours for amplified outdoor music during the Festival. Councilmember Daniel Ruckriegel made a motion to notice all businesses providing amplified outdoor music during Gaslight Festival that this music is not permitted after 11:00 P.M. Councilmember Anita Johnson seconded the motion. Discussion continued. Mayor Foreman requested Jim Leidgen, City Clerk, call the roll. The roll was called as follows:

**RHONDA JAVORKA:  
AMPLIFIED  
OUTDOOR MUSIC -  
GASLIGHT FESTIVAL**

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

Jim Leidgen, City-Clerk, announced the seven votes as five (5) votes in favor of the motion and two (2) votes in opposition to the motion, whereupon the MOTION PASSED.

Fred E Fischer, City Attorney, noted that all City Councilmembers have received a letter from Councilmember David Quinlan; and, pursuant to KRS 83A.040 (7), Councilmember Quinlan's resignation became effective upon the opening of today's Council Meeting. There is now a vacancy on the Council which needs to be filled within a thirty (30) day period, starting now.

**COUNCILMEMBER  
DAVID QUINLAN;  
RESIGNATION**

Councilmember Carol Pike made a motion to approve the Minutes of the Council Meeting of September 7, 2010, as distributed. Councilmember Kay Ackerson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**MINUTES: 9/07/2010**

Councilmember Daniel Ruckriegel made a motion to approve General Fund Warrant No.1286, as distributed. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**GENERAL FUND  
WARRANT NO. 1286**

Councilmember Daniel Ruckriegel made a motion to approve Road Maintenance Warrant No. 674, as distributed. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ROAD MAINTENANCE  
WARRANT NO. 674**

Mayor Foreman called for the Second Reading, by title only, of Ordinance No. 1261, Series 2010: An Ordinance Relating to the Amendment of Ordinance No. 1188, Series 2004, as Amended, the Jeffersontown Classification and Compensation Ordinance. (Pertaining to the Police Department Command Staff) Councilmember Bill Dieruf so moved. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. Fred E. Fischer, City Attorney, read the Ordinance, by title only, and gave a summary of same.

**SECOND READING OF  
ORDINANCE NO. 1261,  
SERIES 2010: AMEND  
ORD. 1188, SERIES 2004,  
CLASSIFICATION &  
COMPENSATION -- PD  
COMMAND STAFF**

Councilmember Carol Pike made a motion to adopt Ordinance No. 1261, Series 2010. Councilmember Anita Johnson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ADOPT ORDINANCE  
NO. 1261, SERIES 2010**

Mayor Foreman called for the First Reading, by title only, of Resolution No. 201, Series 2010: A Resolution Relating to the Approval of a Detailed Development Plan with a Landscape Waiver from Louisville Metro Planning Commission for Brookstone Apartments, Located at 2821 Biggin Hill Court, Jeffersontown, Kentucky. Deborah Balitsky, representing the applicant, gave a brief summary of the proposal for 56 senior citizen apartment units on the subject property. A discussion followed. Scott Bryan and Kim Dunaway, also representing the applicant, responded to Council questions. Fred E. Fischer, City Attorney, commented that trash collection with respect to apartments and condominiums has been a major concern for the City; therefore, without objection from Ms. Balitsky, he is including an additional Binding Element No. 10 to the proposal stating that the owner shall provide sufficient dumpster servicing for the units. Councilmember Bill Dieruf made a motion for the First Reading, by title only, of Resolution No. 201, Series 2010. Councilmember

**FIRST READING OF  
RESOLUTION NO. 201,  
SERIES 2010:  
BROOKSTONE  
APARTMENTS, 2821  
BIGGIN HILL COURT  
(SENIOR CITIZENS  
APTS.)**

Ray Perkins seconded the motion. **MOTION WAS UNANIMOUSLY CARRIED.** Fred E. Fischer, City Attorney, read the Resolution, by title only, and gave a summary of same, with the inclusion of an additional Binding Element No. 10 pertaining to sufficient dumpster service for the development.

Councilmember Bill Dieruf made a motion to adopt Resolution No. 201, Series 2010. Councilmember Ray Perkins seconded the motion. **MOTION WAS UNANIMOUSLY CARRIED.**

**ADOPT RESOLUTION  
NO. 201, SERIES 2010**

**COMMITTEE REPORTS:**

Councilmember Kay Ackerson – Public Works Committee – No Report.

Councilmember Bill Dieruf, Planning & Zoning Committee, requested clarification on the enforcement of Councilmember Ruckriegel's previously passed Resolution to stop any amplified outdoor music during Gaslight Festival. Fred E. Fischer, City Attorney responded that the motion can be enforced through Louisville Metro's Noise Ordinance or through the zoning restrictions and/or binding elements on commercial properties. Having second thoughts regarding this issue, Councilmember Dieruf made a motion to amend the previous Resolution made by Councilmember Daniel Ruckriegel to permit amplified outdoor music to continue until 12:00 A.M., instead of 11:00 P.M., during the Gaslight Festival, with discussion and consideration of this issue to be placed in Committee before next year. Councilmember Ray Perkins seconded the motion. A discussion followed. Councilmember Daniel Ruckriegel objected to the motion to amend his previous motion, which was passed by the Council, commenting that loud outdoor amplified music after 11:00 P.M. only contributes to an atmosphere of drinking, partying and disturbing the local residents. Councilmember Kay Ackerson commented that the Gaslight Festival should be a family event and is promoted as a family event; and, after 11:00 P.M., she agrees with Councilmember Ruckriegel that it's no longer a family event but just a bunch of people drinking and listening to loud outdoor music. Councilmember Pam Ware commented that businesses should have been noticed about the restriction in time for the allowance of outdoor amplified music several months prior to the event. Councilmember Anita Johnson stressed that the Council should consider that a resident appeared before them earlier to voice her concerns with a request that the outdoor amplified music not be permitted after 11:00 P.M. in consideration of area residents; the Council voted in favor of this resident's request and now, after she left the meeting with this understanding, the Council, is reversing its decision. Mayor Foreman requested Jim Leidgen, City Clerk, call the roll. The roll was called as follows:

**GASLIGHT FESTIVAL  
AMPLIFIED  
OUTDOOR MUSIC –  
12:00 A.M.**

Bill Dieruf	Yes
Anita Johnson	No
Ray Perkins	Yes
Daniel Ruckriegel	No
Carol Pike	Yes

Pam Ware                      Yes  
Kay Ackerson                No

Jim Leidgen, City-Clerk, announced the seven votes as four (4) votes in favor of the motion and three (3) votes in opposition to the motion, whereupon the MOTION PASSED. Councilmember Dieruf will inform Ms. Javorka of the amended time permitted for amplified outdoor music during the Festival.

Councilmember Anita Johnson, Economic Development Committee, distributed a letter she has received from Tom and E. M. Higginbotham regarding garbage collection in the City of Jeffersonton. Councilmember Johnson read the letter complimenting RUMPKE's collection service into the record, Councilmember Johnson also announced the City's Clean n' Green event is scheduled for Saturday, September 25<sup>th</sup> at the Farmers' Market Pavillion from 9:30 A.M. to 12:00 Noon. In response to questions regarding the year-end figures for the Parks and Recreation Department maintenance, Mayor Foreman noted that these figures were the result of the reconstruction of the diving well at the Plainview Swim & Tennis Center to bring it into compliance with the requirements of the Health Department. Councilmember Johnson also verified through the City Attorney that the Governor's Office is to be notified by the City Clerk of the current vacant seat on the City Council.

**CLEAN N' GREEN;  
CLARIFICATION OF  
PARKS MAINTENANCE  
BUDGET**

Councilmember Ray Perkins, Legislative Committee, requested clarification on the disposition of the Community Outreach funds which were not distributed from last year's budget. A discussion followed. Councilmember Perkins made a motion to place in the Parks and Recreation Committee a proposal to use the City's surplus to move forward with a Children's Spray Ground at Veterans Park. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**CHILDREN'S SPRAY  
GROUND –  
VETERANS PARK**

Councilmember Daniel Ruckriegel, Finance Committee, made a motion to approve an activity permit for St. Edward School for a 100<sup>th</sup> Project, Operation Support Peace Walk on October 23<sup>rd</sup> from 9:00 – 11:00 A.M. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ACTIVITY PERMIT:  
ST. EDWARD WALK**

Councilmember Carol Pike – Parks & Recreation Committee – No Report.

Councilmember Pam Ware – Administrative Committee – No Report.

Mayor Foreman invited everyone to attend today's Business Appreciation at Skyview Park beginning at 11:00 A.M.

**BUSINESS  
APPRECIATION**

Councilmember Daniel Ruckriegel made a motion to appoint Councilmember Carol Pike to fill Councilmember David Quinlan's vacated seat on the City Council effective October 12, 2010, move the Regular City Council Meeting from Monday, November 1<sup>st</sup> to Wednesday, November 3<sup>rd</sup> and, at that time, appoint the non-incumbent candidate receiving the highest vote in Tuesday's November 2<sup>nd</sup> Election to fill the remainder of the term of Councilmember

**APPOINTMENT TO  
COUNCILMEMBER  
DAVID QUINLAN'S  
VACATED SEAT**

**CITY OF JEFFERSONTOWN, KENTUCKY  
MINUTES  
COUNCIL MEETING  
SEPTEMBER 7, 2010  
6:00 P. M.**

Mayor Foreman called the Meeting to order at 6:00 P.M. The following Councilmembers were present: Kay Ackerson, Bill Dieruf, Anita Johnson, Ray Perkins, Daniel Ruckriegel, Carol Pike, David Quinlan 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 Marlon Cummings, Executive Director of the Jeffersontown Area Ministries, who distributed a handout to the Mayor and City Council which provided a brief overview of how JAM's funding is utilized. Mr. Cummings thanked the City for its support. Councilmember Anita Johnson complimented Mr. Cummings for his dedication to JAM and the assistance he provides to this organization over and above his normal responsibilities.

**MARLON  
CUMMINGS: JAM  
OVERVIEW**

Mayor Foreman recognized Jane Meuler, 1305 Bentwood Way, thanked Mayor Foreman for the information he had provided regarding issues previously brought to the City's attention and brought the following two requests to the Council from neighborhood residents: (1) removal of storm debris; (2) the possibility of a crosswalk at Bentwood Way and Linn Station Road where children cross the street to catch school buses; and, (3) more prominent markings for the turn lanes on Linn Station Road as it merges from Linn Station to Linn Station at Timberwood Circle to keep vehicles from crossing multiple lanes of traffic. A discussion followed. Mayor Foreman responded that Chief Sanders will have officers monitor both of the above mentioned areas for violations and the City will remove the storm debris.

**JANE MEULER:  
WOODCROFT ISSUES**

Councilmember David Quinlan made a motion to approve the Minutes of the Council Meeting of August 18, 2010, as distributed. Councilmember Bill Dieruf seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**MINUTES: 8/18/2010**

Councilmember Daniel Ruckriegel made a motion to approve General Fund Warrant No.1285, as distributed. Councilmember Kay Ackerson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**GENERAL FUND  
WARRANT NO. 1285**

Councilmember Daniel Ruckriegel made a motion to approve Road Maintenance Warrant No. 673, as distributed. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ROAD MAINTENANCE  
WARRANT NO. 673**

Mayor Foreman called for the Second Reading, by title only, of Ordinance No. 1260, Series 2010: An Ordinance Relating to the Establishment of Hours of Operation for Auburn Park and Veterans Memorial Park, Penalties for Violation. Councilmember Carol Pike so moved. Councilmember Bill Dieruf seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. Fred E. Fischer, City Attorney, read the Ordinance, by title only, and gave a summary of same.

**SECOND READING OF  
ORDINANCE NO. 1260,  
SERIES 2010: HOURS  
OF OPERATION FOR  
AUBURN & VETERANS  
MEMORIAL PARK**

Councilmember Carol Pike made a motion to adopt Ordinance No. 1260, Series 2010. Councilmember David Quinlan seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ADOPT ORD. NO. 1260,  
SERIES 2010**

Mayor Foreman called for the First Reading, by title only, of Ordinance No. 1261, Series 2010: An Ordinance Relating to the Amendment of Ordinance No. 1188, Series 2004, as Amended, the Jeffersontown Classification and Compensation Ordinance. Councilmember Bill Dieruf so moved. Councilmember Carol Pike seconded the motion. MOTION WAS UNANIMOUSLY CARRIED. Fred E. Fischer, City Attorney, read the Ordinance, by title only, and gave a summary of same.

**FIRST READING OF  
ORDINANCE NO. 1261,  
SERIES 2010: AMEND  
ORD. 1188, SERIES 2004,  
CLASSIFICATION &  
COMPENSATION**

#### COMMITTEE REPORTS:

Councilmember Kay Ackerson – Public Works Committee – No Report.

Councilmember Bill Dieruf, Planning & Zoning Committee, asked for clarification on remediated sidewalks where there are no STOP signs. Matt Meunier, Mayor's Assistant, responded that, after review, the Federal Government determined that the sidewalks and ramps must be replaced under ADA guidelines if they already exist. A discussion followed.

**SIDEWALK  
COMPLIANCE**

Councilmember Anita Johnson, Economic Development Committee, requested that a copy of Ordinance No. 1260, Series 2010, be distributed to the City Council. Councilmember Johnson reported that issues she brought to the City's attention at the last Council Meeting, with respect to the maintenance of Veterans Memorial Park, have been corrected. The Hopewell Annual Fish Fry will be held Saturday, September 11<sup>th</sup> from Noon to 7:00 P.M.

**VETERANS  
MEMORIAL PARK  
MAINTENANCE**

Councilmember Ray Perkins, Legislative Committee, reported on an economic development business expansion which he and Councilmember Bill Dieruf have been collaborating and they plan to meet with Mike Kmetz, Director of the Economic Development Authority, to examine any State and local funding which might be available as an incentive for the business.

**ECONOMIC DEVEL. –  
BUSINESS  
EXPANSION**



Councilmember Daniel Ruckriegel, Finance Committee, made a motion to give Mayor Foreman the authority to execute a Contract Agreement with Time Warner Telecom, Inc. (TWTC), the City's current phone service provider for City Hall and the Chamber building, for a three-year extension at a rate of \$373.00 per month. A discussion followed. Councilmember Kay Ackerson seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**TIME WARNER  
TELECOM, INC. :  
PHONE SERVICE  
AGREEMENT**

Councilmember Daniel Ruckriegel made a motion to give Mayor Foreman the authority to reappointment Mr. Jeff Brockman and Mr. Kenny Fields to an additional three-year term on the Civil Service Commission. Councilmember David Quinlan seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**CIVIL SERVICE  
COMMISSION: JEFF  
BROCKMAN &  
KENNY FIELDS**

Councilmember Carol Pike, Parks & Recreation Committee, asked that we check to see if the City has received any requests from St. Edward.

**ST. EDWARD  
REQUEST**

Councilmember David Quinlan, Safety Committee, asked for an update on the request to have a DJ for a birthday party at Veterans Park. Mayor Foreman commented that the parent requesting the use of City property in this manner was notified to fill out an Activity Permit and we have received no response.

**PARK ACTIVITY  
POLICY: ACTIVITY  
PERMIT**

Councilmember Pam Ware, Administrative Committee, asked if the City has received any further information regarding the study being done on Billtown Road and Fairground Road since the recent fatal accident. Matt Meunier commented that Andrea Clifford would be the contact for information regarding this study and he will provide a phone number for Councilmember Ware.

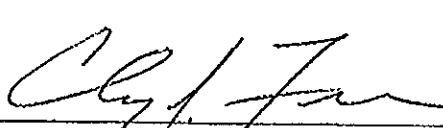
**BILLTOWN ROAD/  
FAIRGROUND ROAD  
STUDY**

Mayor Foreman distributed a summary of the year-end Statement of Operation ending June 30, 2010 to the City Council and provided a brief presentation noting that the summary excludes Grant proceeds. Mayor Foreman commented that the hand-out bottom line shows that the City's revenues have exceeded expenses in the amount of \$200,000.00; which, in these hard economic times, is a good thing coming on the heels of last years \$865,000.00 surplus.

**YEAR END, 6/30/10,  
STATEMENT OF  
OPERATIONS**

There being no further business to come before the Council, Councilmember Carol Pike made a motion to adjourn. Councilmember David Quinlan seconded the motion. MOTION WAS UNANIMOUSLY CARRIED.

**ADJOURN**

  
Clay S. Foreman  
Mayor

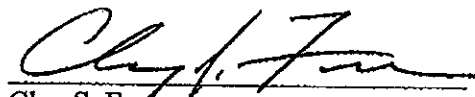
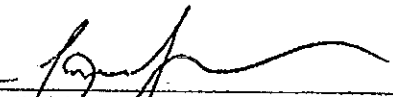
  
Jim Leidgen  
Clerk-treasurer

Pike's vacated seat. This would alleviate the Governor's appointment to the City Council; and, the candidate receiving the highest vote in the election will become a sworn Councilmember, in any event, on January 1, 2011. A discussion followed. Councilmember Bill Dieruf seconded the motion. Mayor Foreman requested Jim Leidgen, City Clerk, call the roll. The roll was called as follows:

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

Jim Leidgen, City-Clerk, announced the seven votes as five (5) votes in favor of the motion and two (2) votes in opposition to the motion, whereupon the MOTION PASSED.

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

	
Clay S. Foreman Mayor	Jim Leidgen Clerk-Treasurer