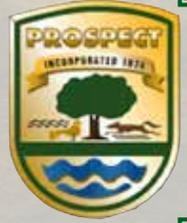




PROSPECT CITY NEWSLETTER



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Volume 1, 2020

State of the City Message

Internally, your City government is operating smoothly and, I think, well.

Our Police Department is extremely well run, under Chief Jeff Sherrard and Assistant Chief Tony Denham. Our eleven officers (some full time employees and some part time) patrol our neighborhoods continuously twenty four hours a day, and are available to any resident who calls dispatch – 228-COPS – typically within a few minutes. They are professional and courteous. I have not had a single complaint about any of them in a long time, and many thank yous. My wife says they are the single best thing we get for our tax dollars, and I agree. Similarly, the administrative staff at City Hall are doing a good job: Laura Taylor, City Clerk and my administrative assistant, on whom I rely every day; Ron Cundiff, Supervisor of the Public Works Department (and a true Renaissance man, he has so many talents), together with Rusty Waters and Brian Whitlow who do the hard physical work around the City ; Mike Lesch, Code Enforcement and Licenses (who could probably recite most of our ordinances from memory); our new bookkeeper, Len Mariani, whose recent transition from the previous bookkeeper has been seamless; police secretary Jill Vidito; and Antoinette Dirksen and Julie McGovern at the front desk, handling incoming phone calls, greeting visitors, and checking library book checkouts and returns, efficiently and pleasantly.

Our Parks are maintained not only by the City's public works team, but also by many residents who volunteer regularly. The results are that we have several beautiful City Parks for all to enjoy. Volunteers also perform many of the tasks necessary to run our Library, and also the research and writing of Prospect's History Book, both under the direction of Councilwoman Sandra Leonard; and also the work of our Forestation Board, which has made Prospect a "Tree City, U.S.A." for many straight years.

We are fortunate to have two major City service contractors, one for landscaping, the other for collection of trash, recyclables, and yard waste, which both do a good job. Greenscapes does our mowing, weeding, and flower planting and overall landscape maintenance of all of the City's public areas. Rumpke handles our back door trash collection twice a week, recyclables and yard waste once a week. This last year, I did a study of the numbers of complaints to City Hall about missed trash pickups, and it turned out their success rate was well over 99%. In addition, when I contact them, they get the missed pickup done promptly.

We have operated under budget every year during the last six years, and are on track to do so again this fiscal year. We also have a fiscally conservative six member Council, which sets the budget in about June every year. They also are active in reviewing our ordinances and updating them. Some of them also keep a close eye on what I'm doing or not doing, which makes my life more interesting.

In recent months, I have put together a small group of residents to study what the City can do to install, or have installed, street lights along U.S.42. Our study has made a lot of progress, and I hope to report further on this in coming months.

Externally, we continue to face challenges. Chief among these are Metro Louisville's apparent determination to put first one, now two, "affordable housing" projects on our immediate borders. The first of these, chronologically, is the proposed "senior" apartment development (sometimes called "Prospect

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Coffee with the Mayor

You are cordially invited to come meet with Mayor Evans and Chief Sherrard and voice any concerns or issues that involve the city. The Mayor and Chief will be available every Friday from Noon to 1 PM at the Prospect Starbucks.

Cove”) located across from the Kroger gas station, on Timber Ridge Drive. We first learned of it in September, 2016. I put the word “senior” in quotes because the plan was that ONE resident of each apartment had to be at least 55; any other occupant (up to 3 more) could be any age above 17. The plan was for 198 apartments – 178 of them 2 bedroom – in a monstrous 4 story building 501 feet long (1 and 2/3 football fields)!! This proposed site is located just a few feet OUTSIDE the City of Prospect, in unincorporated Jefferson County, and thus within the Jurisdiction of Metro Louisville; therefore, Prospect had no legal jurisdiction over the rezoning. The developer, LDG, had to get a zoning change to go forward, and thus the matter had to go before the Metro Planning Commission, whose members are all appointed by Metro’s mayor, who is in favor of the project. Hearings were held by the Planning Commission twice, first in January, 2017 (a 6 hour hearing resulting in the Commission failing to decide, and sending the developer back to the drawing board for a more “compatible” plan) (incredibly, they came back with a bigger one!); and again in August, 2017 (a 4 hour hearing), at the conclusion of which the Board voted unanimously (6-0) to recommend approval. (There were hundreds of Prospect residents at both hearings, and at least 1000 on a petition opposing the project.) From there the rezoning matter went to the 26 member Metro City Council for its vote on whether to accept or reject the Planning Commission’s recommendation for approval. (Had the property been in the City of Prospect, the decision would have been up to the Prospect City Council – but it is outside our city’s boundaries, and in Metro’s.) In order for the Metro Council to reject the Planning Commission’s recommendation, it took a majority of the 26 members (14 or more) to vote against it. The vote, in October of 2017, was 14 against and 11 voting to allow it. Had the vote been only 13 against, it would have passed, and construction presumably would already have been underway. It almost never happens that the recommendation of the Planning Commission is rejected. This result was due very largely to two people. Grover Potts, the City’s lawyer in this matter, made a compelling factual record at the hearings of the Planning Commission, which exclusively were the facts that the Metro Council had to work with. Second, Scott Reed, our Metro Councilman, worked hard, and successfully, to persuade enough other Council members to vote against it. In addition, numerous residents, and Council members, testified, and lined up witnesses to testify, at the two Planning Commission hearings, where the factual record was made.

So that is where the Prospect Cove proposed development was 2 ½ years ago. By law, the developer is allowed to try again for the necessary rezoning 2 years after the last Planning Commission hearing and vote, that is, as of last August. Last summer, LDG’s lawyer, in a letter to me, proposed that Prospect agree to a 3 story building with 150 apartments and that we accept within 2 weeks, or else they would reapply and propose the same size project as before. I did not accept. They have not yet re-applied. They could do so any time, and we will have to go through the same thing we did last time. If we have to do this again, this time we will make an even more compelling factual record. I would note that the makeup of the Metro Council has changed somewhat in the last 2 years, and the result of another vote is unpredictable. If we lose there, we will take the matter to court (where the factual record in the Planning Commission will comprise all the evidence), which result also is not predictable. The Prospect City Council, by Resolution, has indicated more than once that it supports this expensive fight.

One last thing about Prospect Cove is that, after Metro Council’s 2017 rejection of this, LDG brought a lawsuit against Metro and Metro Council making several claims, including that Metro Council’s decision was arbitrary and not supported by the evidence, and asking the court to overturn Metro Council’s vote. At my direction, the City of Prospect has intervened in the relevant part of that lawsuit, and recently has briefed our motion for summary judgment. Speaking as a lawyer with over 50 years’ experience, I think it is an excellent brief, and I think we will win.

The second LDG proposed apartment project (160 units) is located on the east side of Prospect, between the Marathon gas station and the Oldham County line, just off to the right of U.S.42. This also is not in the City of Prospect, but in unincorporated Jefferson County, and thus is part of Metro Louisville. There are critical differences between this proposal and the Prospect Cove situation. The single biggest difference is that the 13 acres of land involved are already zoned for this intensive use – have been for decades – so there is no rezoning process involved – no fight over rezoning at the Metro Planning Commission, no vote at Metro Council. Also, LDG already owns the 13 acres of land. In addition, the Metro Housing Authority passed a Resolution last summer which, among other things, stated that up to 100 of the residents of this apartment project were prioritized for former residents of downtown’s Beecher Terrace (who were, or would be, displaced by Metro’s destruction of

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Beecher Terrace). So Louisville Metro is totally supportive of this project. But by the time these apartments get built, if they are, many of those former Beecher Terrace residents may have elected either to stay in the rebuilt Beecher Terrace, or have relocated to other projects being built elsewhere in the County.

There are many reasons why the location of this proposed apartment project makes no sense. There is no public transportation nearby, and no sidewalks. The drainage is a severe problem. It's not near anything: schools, jobs, groceries, stores, or medical services. My information is that sewer service may not be available.

A number of people who live in homes nearby this 13 acre site, including a number who live in Oldham County, have formed an organization called "Friends of 42, LLC" for the purpose of opposing this project, and have retained legal counsel. We are watching this closely.

There are two other proposed developments, both inside the City of Prospect, both for high-end single family homes. A 50 acre tract, known as the McCall farm, lies behind Sutherland and Innisbrook. It has been bought by Stephanie Gilezan, a developer, who is already at work creating a new neighborhood called "The Breakers," designed to have 70 home-sites. She estimates that the homes to be built there will be valued at from \$600,000 to over one million. Her plan has received preliminary approval from the Planning Commission. The Sutherland HOA (but not Innisbrook) has filed suit against her, seeking an injunction (which has been denied) and a declaration of rights (which is still pending). There continues to be some friction between some Sutherland residents and Ms. Gilezan.

Another is a smaller tract lying between Hunting Creek Drive and Covered Bridge Road is proposed for 22 home-sites to be called Hunting Green. There do not appear to be any issues about this.

John E. Evans

John E. Evans, Mayor

Parks & Recreation Announces Two Spring Wild Flower Walks And Slide Show in April

Prospect Parks & Recreation is sponsoring two wildflower walks in Harrods Creek Park. The dates are **Saturday, April 4th, at 1:00 PM** (rain date Sunday, April 5th, at 1 PM), and **Saturday April 18th, at 1 PM** (rain date Sunday, April 19th, at 1 PM).

The tours will be led by Jacquelyn McGrail and Carolyn Embry, who are Prospect residents and wildflower aficionados. The group will meet at the Harrods Creek Park trail head on Montero Drive, but anyone not comfortable utilizing a rugged stream crossing with steps is invited to meet in the parking lot and take the connector to the Blue Trail. There will be someone at the parking lot to guide you to the alternate meet-up location which avoids the stream crossing. The trail is narrow, with rocks and exposed roots in some places, plus some steep ascents and descents. Sturdy boots or athletic shoes and a walking stick are highly recommended. Dress for the weather, in layers. The walk is approximately 2 miles along the Blue Trail, but an extended route will be available on the Green Trail. Those more comfortable with a shorter walk can turn back at any point along the trail.

In addition to the walks or if they just sounds like more than you can handle but you still want to learn about the local flora, **a slide presentation is planned for Friday, April 3 at 10am** in the council room at City Hall. There is no charge for any of these events!

If you have any questions about this event, please call City Hall at 502-228-1121.



Its Your Newsletter, Tell us what you'd like!

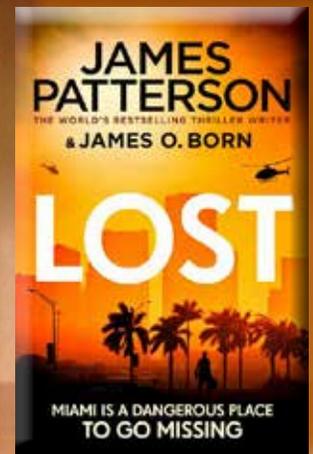
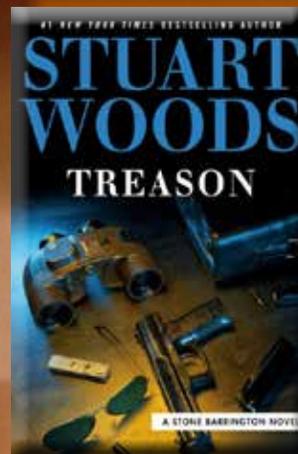
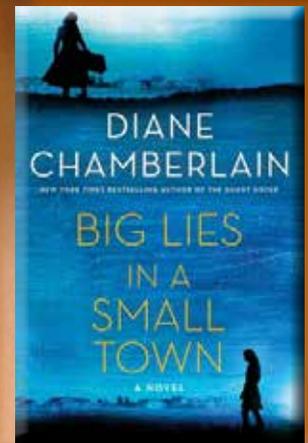
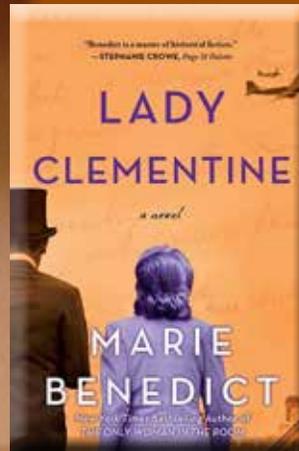
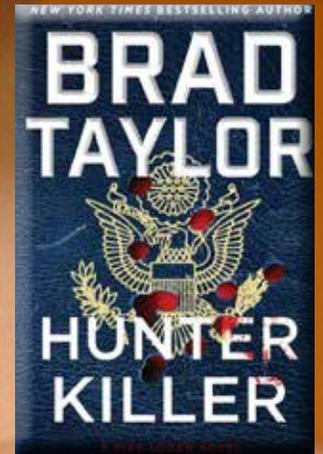
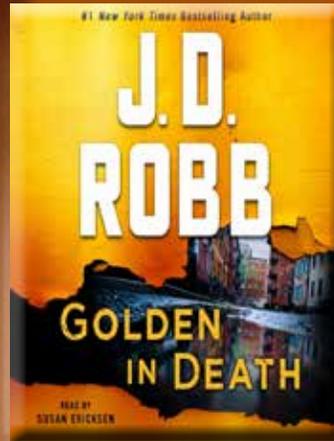
Now that the newsletter has gone completely digital, we are no longer bound by "the rule of four." This limited page numbers to an even number and confined the amount of information that could be included in the publication without leaving blank space. This opens up room for a theoretically unlimited number of pages!

Now that being said, what would you like to see in the newsletter? What changes would you make? Suggestions may be sent to:

Ron Cundiff at
citymaint@prospectky.com.

Tell us what you like, or don't like, about the newsletter and help us improve it!

NEW NON THE SHELVES



Looking For A Deal On Some Good Books?



Then you need to be at Prospect City Hall on **May 15th and 16th for the Spring Prospect Library Book Sale!** **9am to 5pm**

We've got deals on HUNDREDS of gently used books, tapes and CDs.

Book donations are always welcome and are tax deductible!

If you only have a few to donate they can be placed in the book drop. Please bring large donations in or ask at the front desk for assistance.

City Hall, Police And Library Hours

Monday 8:30 - 6:30

Tuesday - Thursday.....8:30 - 5:00

Friday..... 8:30 - 3:30

Contact Information

City Hall.....228-1121

Prospect Police Department (General Information)....228-1150

Prospect Police Dispatch.....228-COPS(2677)

Police, Fire & EMS Emergency911

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Chief Of Police.....Jeff Sherrard.....chief@prospectky.com

Police Dept.....Jill Vidito.....citycops@prospectky.com

Mayor And City Council



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