

**Clifton Community Council
Board of Directors Meeting
September 20, 2011
Clifton Center**

MINUTES

Board Members Attending: Jason Brauner, Jim Brauner, John Beckman, Sam Dodson, Cher Robinson, Pam Sheehan, Bill Wright, Lisa Work

Liaisons Attending: Officer Jeff Artman, Cassandra Cullen, Lori Jacobs

Guest: David Sharpe

Co-Chair Sam Dodson called the meeting to order.

Crime Report: Officer Artman presented the crime report, which is attached and made a part of these minutes by reference.

Website: Sam introduced David Sharpe of Sidewalk Network, who had presented a CCC website proposal at the last board meeting.

David responded to several questions from John and Lisa raised after that presentation with the following:

Advertising sold by the agency will be used as filler ads, with the agent retaining 100%

Advertising sold by CCC will be split 50/50 between CCC and the agent

Network ads, which would be on all of the agent's sites, would be split 50/50

Bartered or Donated ads would be split 50/50

CCC would register its domain name at a cost of \$10 per year

Designation of agent (in the contract agreement with agent) refers to the Digital Millennium Copyright act, which outlines procedures if someone wants to sue us due to website content. It provides safe harbor protection and we would have a link on the site to the U.S. Copyright Laws. It costs \$100 to register and provides copyright infringement "insurance," which offers us the opportunity to rectify the problem; otherwise they can just sue.

The Creative Commons license is provided at no cost and keeps people from using material on the site without permission

It usually costs \$5-7,000 to build and maintain a website in the first year. The agent's "fee" is 50% of CCC website ad revenue

One person on the Council would have full access to the site

Content goes back to CCC if the site is dissolved (some functionality, such as a calendar, are licensed and non-transferable)

Agent has the freedom to select appropriate technical applications

Potential gross from ads is \$1200 month, possibly up to \$2500 month

CCC is not allowed to install software, but can install links (which could include a link to download Adobe Reader)

The site is based on Word Press, which is accessible to visually impaired people. PDF files are not accessible.

Sam thanked David for his time and said that we would be discussing his proposal further as a Board.

CHCC (Crescent Hill Community Council): Lori Jacobs reported that CHCC gave Spirit of Crescent Hill Awards. Their annual meeting is in October, at which time they will vote on officers. Tim Allen is expected to stay on as president, and Greg Smith is expected to be elected as vice president. The art and music jury for the 4th of July Festival is sending out flyers about the jury process, and they are seeking additional artists.

Regarding UCHM (United Crescent Hill Ministries), Lori said that food and fund donations are always welcome. September 30th is their antique car show in conjunction with the FAT Friday trolley hop. Although donations are not covering their operating expenses, Lori said that they recently received a \$10,000 bequest and that they have a good endowment fund.

Cassandra noted that CHCC wants to join the Pedestrian & Bicycle Access committee, which all agreed was a great idea.

Minutes: Sam called for a motion to approve the August minutes. John Beckman so moved; it was seconded by Cher and unanimously carried.

Co-Chair Report: Jason said they are continuing to work with FABA on Frankfort Avenue banners. Sam noted that Janie and Edgar have not been attending board meetings and will call them to ascertain their continuing interest.

LUPC: John sent the LUPC report which is attached and made a part of these minutes by reference. The following items were discussed:

The Silver Dollar is applying for a liquor license with extended hours. Their choices are 2 a.m., 4 a.m., or midnight without extended hours. There was discussion about who has the final say about this – BOZA (Board of Zoning Adjustment) or Alcoholic Beverage Control. John presented a letter to be sent regarding the extended hours which was tabled for later discussion.

Jason noted that a micro brewery on Mellwood Avenue, across from Eyedia, has applied for a permit.

The Recovery Room on Frankfort at Pope has received two citations for noise violations – one from KY state police, one from Metro ABC.

Beautification: Cher plans to approach Frankfort Avenue business owners about upkeep around trees and telephone poles, which is usually their responsibility. If this doesn't work she will talk to the landlords. Her goal is to get these areas cleaned up this year and to deal with the tree wells next year. There is a group from Billy Goat Garden working on getting an arborist to trim the trees along Frankfort Avenue to conform to accessibility and preservation guidelines.

Cher met with someone from Louisville Paving about a retaining wall for the back of the garden and Frankfort and Clifton. They suggested using keystone, which is the same as Cunningham Overhead Door has used at the base of their buildings. Keystone would not require a footer, and would not cause drainage problems. They are pricing a concrete wall, and Cher has talked to a representative at CSX about where the wall may be located. She has also talked to the Landmarks Preservation office and was told that plans for the gardens can be approved at staff level.

A woman on New Main Street has been dumping bags of cat litter in the parking area on the side of the street, and that there are several abandoned vehicles there. It was suggested that Cher report both to the city.

Membership: We need someone to serve as membership committee chair. Cher said she may know someone willing to do this and will check on it.

Newsletter: Sam reported that October 14th is the deadline for the next newsletter.

Pedestrian & Bicycle Access: Cassandra submitted the attached report which is made a part of these minutes by reference. She noted on Saturday, September 24th Moving Planet, Moving Louisville beyond Fossil Fuels will take place with a trek downtown (w/o using fossil fuels) for a 4 PM Rally where we present gov't with "Local-Motions" regarding transportation.

Also of note is that the Brownsboro Road sidewalk is making progress, and has to go to purchasing for bid. There should be an announcement on the Jane Street sidewalk this Thursday.

Other Business

Ohio River Bridges Project: Bill Wright is representing the CCC on this, but needs regular meeting notices. Cassandra will accept print materials on the project. Cassandra said that CCC is a consulting party due to impact, but the project no longer impacts us as original plans called for. I65 is not being widened as planned, and no funding is available for Mellwood Avenue retaining walls.

Lisa - **Brightside Clean Up Day** is Saturday October 22nd. **Center for Neighborhoods** put out a call for nominees for Louisville's next hot neighbor. The board chose not to officially participate in these projects.

John will write a letter over Jason and Sam's signatures to the KY ABC regarding an extended license, stating that a 4 a.m. closing would be a burden on residential neighbors.

There being no further business, the meeting was adjourned.

Respectfully Submitted by: Lisa Work

Attachment #1

Clifton Crime Report

8/19/11 – 9/19/11

Theft

8/16	2300 Blk Frankfort Ave	Money bag stolen from a business (Arrest made)
8/2A	1800 Blk Brownsboro Rd	A/C console stolen from a vehicle
8127	1900 Blk Payne St	Motorcycle stolen
8/22	2100 Blk Sycamore Ave	False teeth missing/presumed stolen
8/29	2300 Blk Payne St	Vehicle stolen/recovered
8/29	2300 Blk Bickel Rd	Stolen scooter
9/4	2300 Blk Brownsboro Rd	Cell phone stolen
8/26	100 Blk State St	Credit cards stolen from vehicle
9/10	100 Blk Waverly Ct	Known suspect stole cash
9/13	100 Blk Rastetter Ave	Sewer grate stolen
9/15	100 Blk State St	Bike stolen

Criminal Mischief

8/20	2000 Blk Payne St	Box truck spray painted
8/29	100 Blk N. Jane St	2 reports of damage to vehicle windows
8/29	2200 Blk Frankfort Ave	Business door damaged
9/11	100 Blk N. Clifton Ave	Shed spray painted
9/15	1700 Blk Frankfort Ave	Tree damaged

Burglary

9/12	100 Blk Stevenson Ave	Tool stolen from vacant home
9/14	100 Blk Waverly Ct	Circular saw stolen
9/15	100 Blk coral Ave	Rear door forced/Jewelry/camera stolen
9/16	100 Blk N. Charlton St	Camera stolen

Other

8/31	2300 Blk Brownsboro Rd	Robbery-known subject tried to take victims belongings
9/7	2300 Blk Frankfort Ave	Terroristic threatening arrest-threatening employee
9/18	2300 Blk Brownsboro Rd	Victim assaulted after an argument

Attachment #2 LUPC Report

1) The following just appeared in a Bad Water Journal (<http://www.badwaterjournal.com/Bad_Water_Journal/Open_House.html>) email sent to me yesterday. I've asked Jim Brauner to attend the 9/27/11 MSD meeting to investigate the details, and give a report at the following LUPC meeting.

MSD Planned CSO 127 Overflow Storage Basin Project

MSD is proposing to bulldoze down the mature growth woods in the section defined by the yellow line and sink a large storage basin to contain a range of sewer overflows from a group of very dirty Combined Sewer Overflows. Ever since people settled in the Crescent Hill and Cherokee Park/ Highlands area, raw untreated sewage has been dumped into Beargrass Creek. In the 70s, some of the pollution was mitigated by installing sewer trunk lines that intercepted the direct dumping pipes and conveyed the sewage to the Morris Forman treatment plant on Algonquin Avenue. Unfortunately, in wet weather the trunk line interceptors are not big enough to contain and convey both storm water runoff and sewage. Residential and commercial properties from Lexington Road and St. Matthews overflow through CSO 166 which has a discharge outlet where I-64 crosses Lexington Road (bottom right hand corner of the map.) Bardstown Road and Cherokee Triangle homes and businesses overflow through CSO 127 right behind and below the August Moon restaurant. Averaged over a year, these sources dump more than a million gallons of untreated sewage and storm water per week into the Middle Fork of Beargrass Creek. See MSD calculated volumes below.

The proposed basin seems like a terrible solution to the problem since it will still allow 8 major sewage overflows per year based on storm intensity/frequency calculations--thus the creek remains polluted--and it would destroy existing mature woods and animal habitat. MSD has not indicated how the storage basin would be covered. Such storage basins require access for solids removal and the solids can be smelly since the residue from a sewer overflow is bathroom solids, detergent and food waste. Retirement homes, medical facilities and commercial and industrial operations can contribute pollution that ends up in the storage basin. On going solids removal will be required including truck access. MSD has not shared these detailed drawings to date.

This concrete basin proposal seems poorly conceived, insensitive to the existing natural habitat and contrary to the very nice natural area growing up along the Beargrass Creek greenway trail.

Options: Demand MSD consider alternatives to the basin. One alternative is to create several smaller upstream or up-pipe storage basins and increase the diameter of the trunk lines in Cherokee Park. The 1970s trunk lines in Cherokee Park are in terrible shape and need up-sizing and replacement. Other locations higher in the sewer-shed should be considered for basin location.

The project parameters are pictured below. Note the SE corner of Clifton at top of the frame.

2) An update on Clifton HP Guidelines revision process to be facilitated by the Clifton ARC as mandated 1/2011 by the Landmarks Commission:

Here's what I know as of today taken from a 9/2/11 CCC/LUPC meeting with Tina Ward-Pugh & Dave Marchall, and a 9/15/11 Landmarks Commission meeting:

At the 9/2/11 meeting I expressed to Tina and Dave frustration at what seemed to me to be excessive slowness on the part of ARC Chair Kremer in moving forward with the appointment of

the guidelines revision task force, and ARC decisions on what the process would look like. Dave had no response of knowing the status, and TWP responded by sending an email to Scott Kremer (reproduced at the end of this report). Tina recommended another communication to Chair Kremer to request a status update. My response was that three CCC letters as well as numerous checks on my part through Dave Marchal have all failed to elicit any response from ARC Chair Kremer (my only response was a reply email in mid-March in which Scott excused himself with his participation in the mayor's task force committee on evaluation of Metro Planning & Design, and vowed to move forward as soon as he was free of those obligations.). Tina also recommended that if Clifton ARC refused to be accountable in creating a schedule for the process for revising the remaining guidelines, I should attend the next scheduled chat with the Mayor to voice a complaint.

As there was no reply to TWP's email to Chair Kremer by 9/14/11, I decided to attend the LM Commission meeting on 9/15 to ask the question at that meeting, hoping ARC Chair Kremer would attend as he sits on the LM Commission as well. Chair Vice graciously agreed to put my last minute request on the meeting agenda this AM. I directed the status update question directly to ARC Chair Kremer, and he responded with Dave Marchal's assistance that he had made the decision to go with all seven task force candidates that had responded to the invitation, and he was waiting to solicit volunteer member(s) from the Clifton Arc to sit on the task force. When I asked when he thought that piece might be completed, he responded by late September or early October. FYI: Clifton ARC was scheduled to meet 8/25, and then 9/14 but did not; next meeting is scheduled for 9/28, then 10/13/11.

3) The Clifton missing ground wire pole inventory was completed 8/22/2011. Below is an email I sent, along with the completed inventory to David Guy, Electric Trouble Department at LG&E:

From: John Beckman [<mailto:john.beckman@insightbb.com>] Sent: Monday, August 22, 2011 11:47 AM To: Guy, David Subject: LG&E poles with missing ground wires in the Clifton neighborhood

Hello David,

By way of introduction, I'm John Beckman, co-chair of the Clifton Community Council Land Use & Preservation Committee. I have your email address courtesy of Chris Whelan, communications director at your company.

Two months ago I noticed that copper thieves had cut sections of ground wires on the utility poles on my property street borders. As I suspected this might be a wider occurrence than just my street, I took the issue to the Clifton Community Council, and it was agreed that there had been other incidences beyond my area, and it was suggested that I write an article for our upcoming newsletter urging residents to visually check their poles near their property to check for missing ground wires, and if they observed such, to call Electric Trouble at LG&E to report for investigation by LG&E.

Before the article was published, as a courtesy I ran it by the communications director, and she suggested not publishing the article at all. Her basis was that publishing the article would only bring more incidences of theft, might put residents in danger in checking the poles, and really was the work of LG&E inspectors who made regular inspections in the area. Indeed a week later the poles around my property were repaired. I continued to notice however that the poles up the street went without repair. Since the point of bringing this to LG&E's attention was to get the situation remedied in the entirety of Clifton, the Council decided to conduct our own inventory in Clifton.

We went about this over the last ten days, knowing in advance that every LG&E pole did not necessarily originally have a ground wire in place. So we looked only for cut ground wires, and listed what we found. That list comprising 72 incidences of poles with cut ground wires is attached to this email. I personally conducted 40% of the inventory, and noticed that there

were incidences of recent, and long in the past repairs, judging by the shininess of the wiring and clamping on the repairs. That tells me this is an on-going problem, and also one where we've witnessed a rash of new incidences in 2011. The incidences of repairs also tell me that LG&E is paying attention to the issue.

David, please accept this list with our gratitude for what's already been repaired, but with an eye towards what remains. I would appreciate your keeping me updated with the progress on what remains. Also please acknowledge receipt of this email.

Thanks for your consideration,

--John Beckman, co-chair Clifton Community Council Land Use & Preservation Committee

Here are the results of a subsequent follow-up phone conversation with David Guy at LG&E:

I just wanted to report the results of a very positive phone conversation I had late this AM with David Guy of LG&E Electric Trouble.

First, David acknowledged receipt of the poles with missing-ground-wire inventory that we all just completed. Hewent on to thank us for doing this, and stated that LG&E would immediately begin to inspect each location listed on the inventory, and order repairs where necessary.

David indicated that these continuing copper thefts (getting about \$3/pound now) are putting both customers and LG&E employees at risk. He added that LG&E usually sees a dramatic increase in these thefts at Christmastime (how do you get that extra money you need for gifts?). I responded that perhaps this might merit a short article in the next newsletter asking residents to be on the look-out for any suspicious activities around utility poles and substations (David also indicated that there had been several incidences of electrocution of alleged thieves at substation enclosures). Anything suspicious should be reported to 5th District LMPD at their non-emergency number at 574-7111. Sam, do you want to take on writing this and running it by your contact, or shall I?

David also said that LG&E is considering repairing with a steel wire in place of copper as LG&E can't afford to absorb the high cost of copper replacement. Steel doesn't conduct quite as well (I would guess that there might be an option to replace with a larger cable diameter to increase capacity), but is much less attractive to thieves.

I'll put it on my list to do a random check of some of our locations in a month to six weeks to monitor the repairs. If I find nothing's being repaired, I'll call David. I have done random checks on poles I know to be missing ground wires in the last two weeks. All have been repaired.

4) Work has commenced on the rehab of the former Longshot Tavern at Frankfort & Rastetter for conversion to a Homemade Pie and Ice Cream kitchen. Architect Steve Wisner tells me that the owner has decided to remove the shake roofing in the front and side the area consistent with the siding existing on the building. I do not yet know of an opening date for the kitchen.

5) In early July, as a result of complaints from neighbors near Frankfort & Pope about excessive noise coming from the Recovery Room at 1800 Frankfort Avenue late at night on weekends, I met with one neighbor and urged that I would act in their interest to try to facilitate a meeting between the owners and affected neighbors. After there was no response from two letters requesting a meeting over a three-week span, the affected neighbors went to Plan B that had neighbors filing complaints with both Metro Police and Metro ABC when there was a problem. As a result KY State Police responded to a complaint call on 7/22/11 and issued a citation over excessive noise. On 7/30/11 Metro ABC enforcement issued a citation for excessive noise again, on the second run of that night by that officer to the location. On 9/7/11 Codes and Regulations levied a \$1500 fine in lieu of a 40-day suspension of license for the citations. The fine is payable in installments, with the last due by 12/9/11 (accounting for replacement of 30 days suspension of license), the remaining \$500 (ten days of suspension) being commuted by probation if there are no additional complaints for a two-year period commencing with the date of the judgment.

Submitted by John Beckman, Co-Chair Clifton Community Council Land Use & Preservation Committee

Attachment #3

Pedestrian and Bicycle Access Committee Report

A Joint Committee of the Clifton and Clifton Heights Community Councils
Cassandra Culin, Clifton Chair, 895-5727, cell 594-4405

Next meeting, regular third Thursday: October 20, 2011 – all are welcome!

Location: United Crescent Hill Ministries, UCHM, 150 State Street (in the old Franklin School, enter off parking lot between Frankfort and Arlington).

Announcement from Clifton Committee member, Jan Weber:

Sat., Sept. 24. Moving Planet, Moving Louisville beyond Fossil Fuels. Trek downtown (w/o using fossil fuels) for a 4 PM Rally where we present gov't with "Local-Motions" regarding transportation. Sign up at www.moving-planet.org or on Facebook.

We're doing the 3-mile bike/walk downtown, starting at 2:30 from Louisville Bike Couriers with the Clifton and St. Matthews neighborhood groups. It would be great to have a MASSIVE bunch of walkers and bikers flowing downtown to meet with Mayor Fisher at 4:00. All are invited!

COMBINED REPORT of AUGUST 11 and SEPTEMBER 15 MEETINGS

1) Brownsboro Road Sidewalk Construction (Clifton Heights, Clifton and Crescent Hill), North side: News Flash – email from Mojgan Taghizadeh, Public Works Project Manager to Anne McMahan, dated 9/19:

A purchase requisition was submitted to purchasing Department. Bids will be advertised soon. I will notify you of the date of advertising for construction bids once it is determined.

And from Dirk Gowin, Public Works, to Cassandra, email dated 9/20:

We hope to advertise for bid this week. It is in our purchasing department for posting.

2) Kroger Fuel Project and Sidewalk Construction (Clifton - Cassandra), between Jane St. and Ewing Avenue on the south side of Brownsboro Road. Although the sidewalk at this site was closed Thursday 9/14 for awhile, Cassandra was assured by Benton Seay that if and when it is closed again, that a flag person would be there to guide pedestrians through that section, so pedestrian access will not be blocked. If pedestrians have problems traversing the sidewalk, call Leah Watson at Benton Seay Properties at 897-1051, and also call Cassandra at 594-4405.

This project will involve building sidewalks from the site adjoining the sidewalk in front of McDonald's, east and around the corner south on Ewing to the sidewalk south of the existing drive. Safe pedestrian access will be maintained throughout the construction of this project.

3) Crescent Hill Community Council – Joe Ward: At the September meeting, Joe requested on behalf of the CrHCC that it join the NPABA Committee, making three neighborhoods. Anne McMahan will draft revisions to the Joint Committee proposal to be submitted to all three Boards.

4) Jane Street Sidewalks (Clifton):

Lower – contract for easement transfer being worked out in Metro Law Dept. Construction should start soon.

Upper – hope to work with property owner and city for easement transfer.

5) Mud on South side of Brownsboro (Clifton): Metro did more extensive work than two years ago on the drainage in this area, between Bellaire and the "cottages". Public Works put it on its list to check monthly. The hope is that this will last, but if not all will work on a more permanent fix. Please immediately report mud problems to MetroCall 311.

6) Safe Passage Initiative: The Committee is working on a strategy to address safe passage on sidewalks in the commercial corridors (Frankfort Ave. and Brownsboro Road) in our neighborhoods. Work on talking points will continue at October meeting. John Beckman will contact Butchertown Neighborhood Association to see if it would like to join the effort. Joe Ward will check the eastern boundary of Crescent Hill on Frankfort Ave.

7) Comfy Cow Sidewalk (Clifton): John Beckman will contact owners about the sidewalk. Bill Wright will contact TARC about maintaining the bus stop in that area, the westernmost stop on Frankfort Ave. for Route 19, before it dog legs over to Payne Street.

8) Drescher Bridge Road Sidewalk (Clifton Heights): sidewalk will be built on this heavily walked road to Brownsboro Road, which will make it safer.

9) Mt. Holly (Clifton Heights): In response to requests by Committee member Tia Jenkins and Anne McMahan, Metro Public Works patched potholes, making it safer for wheel chair users since there are no sidewalks. We send our best wishes to Tia, whose apartment was damaged in a fire from another unit.

10) Crescent Hill: Discussion of sidewalk being built between the Masonic Home sidewalk and the existing sidewalk to the east. Joe will look into how far this will be built, and whether it can be extended to the west also.

11) Unused Right of Way: Suggestion through Kevin McAdams of the Clifton neighborhood to look into putting together a policy on unused ROW for pedestrian and bicycle access where this would be useful. To be discussed and developed further at future meetings.