

The Hursthourne Herald

Summer 2018

City of Hurstbourne 200 Whittington Parkway Suite 100 Louisville, Kentucky 40222 Tel: 502 426 4808



Mary Schneider-Masick Mayor



Earl Hubbuch Commissioner Public Works



Ben Jackson Commissioner General Government



Lois Wagner Commissioner Code Enforcement/ Sanitation



Norb Hancock Commissioner Public Safety

TOPGOLF UPDATES:

- · DEVELOPMENT PLAN APPLICATION CONTINUES
- · HURSTBOURNE RESIDENT OPPOSITION GROUP HOLDS PUBLIC MEDIA RALLY
- · NEXT STEPS AHEAD



Hundreds show up for rally



Speaking Out



Towering Topgolf poles and netting

TOPGOLF FILES DEVELOPMENT PLAN – OPPOSITION GROUP TAKES ACTION:

Dallas-based Topgolf USA submitted a preliminary plan and C-2 re-zoning request back in February of this year to demolish the vacant Sears building

and construct a facility on 37 acres abutting Christian Way. Since then, neighbors formed a Hurstbourne-based citizen action group LNRG (Louisville Neighbors for Responsible Growth). Residents have submitted hundreds of personal letters to Metro Planning Commission case manager Joel Dock to voice their opposition to the proposed site.

OPPOSITION MEETINGS, PETITIONS, SIGNS AND MORE:

LNRG initiated a petition in opposition to the proposed application for rezoning and any permits, variances or waivers which would allow a facility such as Topgolf at Oxmoor and have submitted over 1200 petition signatures to Metro Planning. To encourage active resident participation, "We Oppose Topgolf at Oxmoor Center" yard signs have been installed in Hurstbourne, Bellemeade, Norwood and surrounding areas.

In support of the opposition efforts, the City of Hurstbourne and City of Bellemeade both passed resolutions opposing Topgolf at Oxmoor Center. Hurstbourne, Oxmoor Woods Homeowners Association, Bellemeade and numerous residents have contributed to the grassroots campaign to help cover attorney fees and expenses such as signs and printing costs.

OPPOSITION RALLY:

On May 23rd neighbors held an opposition rally at the corner of South Lyndon Lane and Oxmoor Woods Parkway. Hundreds of area residents staged the rally to voice their opposition to the Topgolf development planned to be located at the old Sears Building site and parking lot at Oxmoor Mall. In short, LNRG stated that while the group does not oppose Topgolf in Louisville, Oxmoor Mall is not a suitable location.

Steve Porter, a zoning attorney hired by LNRG, spoke to attendees at the rally. He stated that "Topgolf's massive structure radically deviates from the surrounding neighborhoods and Louisville's master zoning plan for this area." He further added, "We are urging elected officials and Topgolf to secure an appropriate location that benefits Louisville but is not detrimental to any residential neighborhood. Such high intensity commercial development does not belong near any residential neighborhood, and zoning laws are designed to protect homeowners from this kind of undesirable encroachment. Neighbors should not have to deal

Continued from front page

with obtrusive lighting, loud music and heavy traffic 365 days a year, including hours of operation that extend until early in the morning." Porter also suggested Cardinal Stadium site as one viable location.

NEXT STEPS IN THE TOPGOLF APPLICATION PROCESS:

Topgolf filed three new applications with Louisville Metro Planning & Design Services:

- 1. A formal application for a zoning change to C2 commercial (which allows outdoor sales and consumption of alcohol, outdoor entertainment and a golf driving range),
- 2. A pre-application for a Conditional Use Permit for a golf driving range, and
- 3. An application for a dimensional variance to allow the poles holding the nets to be 170 feet high.

According to Porter, a request was made to see what changes were being proposed from the original plans prior to the filing of these applications. There was no reply from Topgolf. Porter also stated "extreme light glare and pollution, excessive noise levels, horrible aesthetics and increased traffic will all remain regardless of any proposed changes on the part of Topgolf."

IMPORTANT UPCOMING MEETINGS:

Two formal meetings with the Planning Commission are required. However, no dates have been set. The first meeting will be held at the Planning Commission downtown in the afternoon. The purpose of that meeting is to discuss technical aspects of the development plan application and most likely set a date for a formal public hearing if the case is ready.

The next meeting will come in the form of a formal public hearing that will most likely be held in the evening and at an east end location if the Planning Commission approves previously petitioned requests for a change of venue.

After the Planning Commission makes its recommendation, the case goes to the Metro Council for its consideration and decision. It's important to note that the Metro Council usually, but not always, follows the recommendation of the Planning Commission. According to Porter "that makes our appearance and presentation at the Planning Commission that much more important."

IMPORTANT ACTION STEPS:

- Voice your opinion. Send a letter or email. Email to Louisville Metro Planning Case Manager, Joel Dock. Any communications must reference Case #18ZONE1014.
 - Email to: joel.dock@louisvilleky.gov
 - Mail to Dept. of Planning and Design Services, Attn: Joel Dock, 444 S. 5th Street, Suite 300, Louisville KY 40222.
- If you have not done so, sign the opposition petition and help collect additional new signatures from family and friends (do not need to live in Hurstbourne but must be 18 years old). Send or deliver copies to City of Hurstbourne, 200 Whittington Parkway, 40222 or via email at: NRGLouisville@gmail.com.
- Send your email address to NRGLouisville@gmail.com to join email communication list.
- For yard signs (new or replacement) call Lois Wagner, 314-5647.
- To volunteer, contact <u>NRGLouisville@gmail.com</u>
- Help with needed donations to cover attorney fees and other expenses. Checks can be made payable to Stephen Porter Attorney Escrow Account and mailed to:
 - Stephen Porter, 2406 Tucker Station Road, 40299. You may also donate online at www.youcaring.com/theneighborhoodssurroundingoxmoorcenter-1147802
 - LNRG further states that no donation amount is too small.
- Follow opposition campaign on Facebook at www.facebook.com/NRGLouisville.

PLANNING COMMISSION RECOMMENDATION - METRO COUNCIL APPROVAL PROCESS

After the Planning Commission makes its recommendation, the case goes to the Metro Council for its consideration and decision. After the decision, either side could appeal the decision to Circuit Court.

It's important to note that during the entire process, which could take several months, nobody in opposition to or in support of the Topgolf project is allowed to make direct contact with any member of the Planning Commission or the Metro Council. All communications should be directed to staff only which will in turn create documented records for consideration by the Louisville Metro Council.

MSD MAKES REPAIRS TO SOUTH LYNDON LANE CULVERT AREA

During the last big rain event that took place earlier this year, flood waters once again overwhelmed the storm water drainage system. Waters overtopped South Lyndon at the

end of Colonel Anderson. As a result, the MSD concrete supports installed to shore up the creek bed side wall along with portions of fencing were all washed away. Since then, MSD repaired the concrete underpinnings and wall embankment on the west side of the culvert. In addition to the needed restorations, a new metal barrier has been installed for safety purposes. Let's keep our fingers and toes crossed in hopes that these will hold together during the next gully washer.





CITY STREETS, CURBS, GUTTERS AND SIDEWALKS

City street paving plans are underway after review and evaluation of all roadways in Hurstbourne by the City Engineer. The 2018 repaving plan includes extensive portions of Nottingham Pkwy and adjacent streets. The City also continues to modify curbs and sidewalks to meet ADA regulations.

PAVING

The city maintains over eighteen (18) miles of paved streets within the city limits. Each year the City Engineer inspects all streets and then prepares a prioritized list of streets proposed to be resurfaced. After review and approval by the Commission, the paving project, complete with detailed specifications, is let out for bids. Bid results are reviewed by the Commission and the winning bid is awarded. Annual paving projects usually run between \$150,000 and \$200,000. To partially offset these expenses, the city receives approximately \$80,000 from Kentucky road fund revenues.

Annual paving projects also include repairs to curbs and gutters as well as the repair or replacement of storm drains on certain selected streets.

ADA

The federal ADA (American Disabilities Act), which was passed several years ago, mandates that all municipalities upgrade sidewalks and sidewalk intersections to meet certain ADA guidelines to make sure disabled or impaired residents and visitors are not unduly encumbered. The City has spent more than \$300,000 over the past 5 years to meet these mandates. A special thanks to Louisville Metro Councilperson Marilyn Parker for financial assistance. The designation of neighborhood discretionary funds to Hurstbourne ADA Sidewalk improvements exceeded \$150,000 to help offset costs for this multi-year effort.

NEARING COMPLETION

After several years, the goal of total compliance of ADA requirements is now within sight. Keeping all residents and visitors safe while traversing City sidewalks will always remain a top priority.





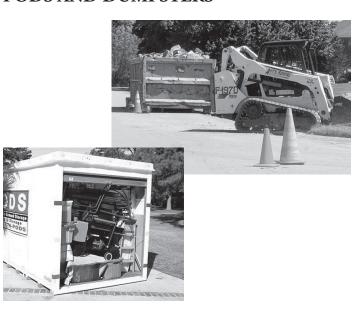




STOP SIGNS INSTALLED ON NOTTINGHAM PARKWAY

Two Stop Signs were installed at the intersection of Nottingham Parkway and Marlboro Circle (North). The intersection is now an active 3-way stop. Since that section of Nottingham is the bottom of downhill slopes from both directions, vehicles have been reported to be speeding. The signs will assist in traffic control management of Hurstbourne City streets. Please note the change and be mindful of speed when navigating City streets.

BUILDING, FENCING, DRIVEWAYS, PODS AND DUMPSTERS



When the weather turns for the better, home improvement projects shift into high gear. Unfortunately, on many occasions building projects are started without the knowledge and consent of the City of Hurstbourne. It is important to remember that when considering making a change to your home, garage, fence, driveway or any other permanent structure on your property; you must contact City Hall to obtain proper authorization. Visit our City website at www. hurstbourne.org to download the City "Letter of Compliance" form for processing. Other related matters include installation and use of PODS and Dumpsters. Just like building projects, all PODS and Dumpsters must be approved by the City of Hurstbourne. It's important to remember that placement of these storage containers are approved for a limited period of time. On a number of occasions residents have kept PODS and/or Dumpsters on their property far too long. If planning to use one of these for any length of time, obtain the applicable PODS or Dumpster Permit from the City in advance of placement on property.

YARD WASTE - COLLECTION LIMITS



During the growing (and trimming) season, yard waste appears at curbs in Hurstbourne. There are very important restrictions to keep in mind before taking yard waste to the curb.

- Receptacles:
 Approved: compostable bags or garbage cans
- 75 lb. weight limit:
 Please be aware of the weight of bags and/or cans
- 4 feet limit: Length of limbs and branches must be under 4 feet
- Plastic bags:
 NO plastic bags allowed

General Considerations:

There are a limited number of trucks available to service yard waste pick-ups. Please limit the number of containers brought to the curb. On some occasions 20-30 containers have been left at the curb for a single pick-up. As a result, trucks fill-up quickly and other pick-ups in our City are delayed. Please be mindful of this and considerate towards your neighbors.

SPRING AND SUMMER RESPONSIBILITIES

With the advent of spring and summer, some common code violations pop up like dandelions in a field. Here are a few to mention:

Tall grass and weeds: Keep Hurstbourne beautiful; Cut and trim regularly.

Dogs, barking, and waste: Remember to keep pets leashed, monitor excessive barking and pick up waste.

Exterior home care: Paint and repair wood, trim and brick if needed.

On-Street Parking: Be mindful of others and do not park cars on City streets. Entertaining, music: Remember neighbors when entertaining – quiet please.

Junk and clutter: Please keep homes junk and clutter free.

General Appearances:

Please take a moment, step outside your front door and look both to the left and to the right. If your home appears to be in worse condition than your neighbors, maybe it's time to step-up, fix-up, trim-up and clean-up. Let's remember that the City of Hurstbourne is only as good as the collective sum of the residents who live inside City limits. In other words, if individual households fail to keep their property in good order, the City, as a whole, will decline. Such decline comes in forms of property conditions, property values and overall quality of life within the community. Let's all do our part and keep Hurstbourne standards as high as possible.

RECENTLY PASSED CITY ORDINANCES



CITY OF HURSTBOURNE ORDINANCE NO. 18-01

AN ORDINANCE CREATING A RESTRICTED ACCOUNT FOR DRAINAGE IMPROVEMENT PROJECTS IN THE CITY OF HURSTBOURNE

The undersigned attorney does hereby certify that ordinance 18-01 passed by the Commission on May 8, 2018 has been summarized for publication pursuant to KRS 83A.060(9). Full text of the ordinance can be obtained by contacting the undersigned or through Hurstbourne City Hall, (502) 426-4808.

John Singler, Attorney (502) 245-0825.

CITY OF HURSTBOURNE. KENTUCKY ORDINANCE NO. 18-02

AN ORDINANCE RELATING TO THE ADOPTION OF THE CITY OF HURSTBOURNE AD VALOREM TAX ASSESSMENT AND THE LEVYING OF AD VALOREM TAX THEREON FOR CITY PURPOSES FOR THE FISCAL YEAR ENDING <u>JUNE</u> 30, 2019

WHEREAS, there has been deposited with the City Clerk the Jefferson County Property Valuation Administrator assessment for all taxable real estate located within the City, and

WHEREAS, the City has computed its tax rate as required by law, now, therefore,

BE IT ORDAINED BY THE CITY OF HURSTBOURNE:

Section 1. The City of Hurstbourne does hereby elect to use the Jefferson County Property Valuation Administration tax assessment of all real estate located in the City as of January 1, 2018 as the basis for ad valorem taxes for the City for the fiscal year ending June 30, 2019.

Section 2. An ad valorem tax for the fiscal year of the City ending June 30, 2019, is hereby levied and fixed at the rate of \$.169 per \$100.00 of all real estate assessed for taxation and subject to taxation by said City under assessment date of January 1, 2018, as made by the Jefferson County Property Valuation Administrator.

Section 3. The City Accountant shall make out and mail tax bills from the assessment rolls on or about July 1, 2018. Each bill shall show the lot, assessment, name of owner, tax rate and total tax due.

Section 4. The payment of tax bills shall be made to the City Accountant and shall be subject to the discounts and penalties listed below and the collection remedies provided by law:

- a. A discount of 5% shall be allowed on tax bills paid prior to August 31, 2018
- b. The face amount of the tax bill shall be payable September 1st, 2018 through November 30th 2018
- c. On bills paid on or after December 1, 2018, there shall be added thereto a penalty of 10% of the face amount of the tax due.
- d. On bills paid on or after January 1, 2019, there shall be added thereto an additional penalty of 15% of the face amount of the tax due.
- e. On any bill paid on or after the face amount is due, December 1, 2018, there shall be added interest until the bill is paid. All interest shall be calculated on the face amount of the bill, plus the applicable penalty. Interest shall be at the rate of one and one-half (1-1/2%) per month or part thereof.
- f. The City shall file liens to secure delinquent taxes and such lien shall take precedence over other security interests in said property, as set out in Kentucky Revised Statutes. Any lien filing and release fees must be paid by the taxpayer.
- g. If the City has to initiate a lawsuit, or is named a party to a foreclosure action, to collect such delinquent taxes, then it shall recover 25% additional penalty, which shall be deemed a penalty under (c) and (d) above and shall be encompassed within the City's lien.

Section 5. The proceeds of such taxes shall be used for general operating expenses of the City, including purchasing of city supplies, the erection of city signs, the general maintenance of the public ways, payment of bond premiums for city officials, sanitation, public safety, and the payment of all expenses incurred in the necessary and proper municipal functions.

Section 6. This ordinance shall take effect and be in force from and after its passage and publication.

FIRST READING: SECOND READING and adoption

May 8, 2018 June 12, 2018

ATTEST:

Mary Schneider, Mayor

Jim Leidgen, City Clerk

CITY OF HURSTBOURNE, KENTUCKY

ORDINANCE NO. 18-03

AN ORDINANCE ADOPTING AN ANNUAL BUDGET FOR THE CITY OF HURSTBOURNE FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019 BY ESTIMATING REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE OPERATION OF CITY GOVERNMENT

WHEREAS, an annual budget proposal has been prepared and delivered to the City Commission; and

WHEREAS, the City Commission has reviewed said budget proposal and made necessary modifications in public session, now, therefore, BE IT ORDAINED BY THE CITY OF HURSTBOURNE:

Section 1: That the annual budget for the fiscal year ending June 30, 2019, is hereby adopted as follows:

	General Fund	Road Fund	Drainage <u>Projects Fund</u>	TOTAL ALL FUNDS
Resources Available:				
Prior Year: Carry-Forward Appropriations	\$265,905	\$0	\$0	\$265,905
Current Year: Revenues & Other Appropriations	S	\$90,000	\$100,000	\$190,000
Property Taxes Interest and Penalties Insurance Premium Tax Cable Franchise Fees Bank Deposit Tax Sign Fees Alcohol Beverage Fees Home Occupation Fees Business License Fees State Coal/Mineral Tax/Litter Abatement Base Court Revenue (HB 413)	\$1,300,120 \$3,000 \$720,000 \$28,000 \$70,000 \$7,000 \$18,000 \$600 \$10,000 \$200			\$1,300,120 \$3,000 \$720,000 \$28,000 \$70,000 \$7,000 \$18,000 \$600 \$10,000 \$200 \$0
Interest General Fund Miscellaneous Income 200 Whittington Bldg Tenant Leases 200 Whittington Bldg Other Income	\$5,000 \$2,000 \$50,000 \$0			\$5,000 \$2,000 \$50,000 \$0
Subtotal (Current Year) Revenues & Appropriations Less Property Tax Discounts/Uncollected Accounts		\$90,000	\$100,000	\$2,403,920 (\$56,000)
Net Total (Current Year) Revenues & Appropriation:	s \$2,157,920	\$90,000	\$100,000	\$2,347,920
Total Resources available for Appropriations	\$2,423,825	\$90,000	\$100,000	\$2,613,825
Expenses: General Government Public Works Public Safety Sanitation - Code Enforcement Community Projects & Events	\$576,825 \$1,069,000 \$219,000 \$449,000 \$110,000	\$90,000	\$100,000	\$576,825 \$1,259,000 \$219,000 \$449,000 \$110,000
Total Expense Appropriations	\$2,423,825	\$90,000	\$100,000	\$2,613,825

Section 2	:_This Ordinance shall take ef	fect upon passage and publ	cation.
	First Reading held on:	Tuesday, June 12, 2018	
ATTEST:	Passed and Approved on:	Tuesday, June 19, 2018	
Jame	es E. Leidgen, City Clerk		Mary Schneider, Mayor

CITY OF HURSTBOURNE Ordinance No. 18-05, Series 2018

AN ORDINANCE ADOPTING THE PLAN 2040 COMPREHENSIVE PLAN (CASE NO. COMP_PLAN_ UPDATE_4.16.18)

WHEREAS, in August of 2016, an advisory committee was established representing various agencies, organizations, and interests of the community to guide the update of Louisville Metro's comprehensive plan;

WHEREAS, between August, 2016 and March, 2018, a broad and inclusive public engagement process was conducted, consisting of over 160 public meetings, during which input was collected from over 6,000 participants, to ensure the comprehensive plan appropriately reflects the community's vision for the future growth and development;

WHEREAS, using Cornerstone 2020 as its foundation, the comprehensive plan update focused primarily on five guiding principles: connectivity, healthy, authenticity, sustainability, and equity;

WHEREAS, the comprehensive plan update is based on research and analysis of the community's existing conditions and trends, as required by KRS Chapter 100, including but not limited to (1) the general distribution of past and present population and a forecast of the extent and character of future population; (2) an economic survey and analysis of the major existing public and private business activities, and a forecast of future economic levels, including a forecast of anticipated necessary actions by the community to increase the quality of life of its current and future population through the encouragement of economic development; and (3) the nature, extent, adequacy and the needs of the community for the existing land and building use, transportation, and community facilities in terms of their general location, character and extent; all as set forth in the demographic and economic assessment completed in 2015 by the University of Louisville's Urban Studies Institute and the Kentucky State Data Center, a copy of which is included as an appendix to the comprehensive plan update;

WHEREAS, the comprehensive plan update, entitled Plan 2040, contains Goals and Objectives, and Land Use (Community Form), Transportation (Mobility), and Community Facilities Plan Elements, as required by KRS Chapter 100, as well as Economic Development, Housing, and Livability Plan Elements; and

WHEREAS, on April 16, 2018, in Case No. Comp_Plan_Update_4.16.18, the Louisville Metro Planning Commission held a duly-noticed public hearing on, and recommended approval of, the Plan 2040 Comprehensive Plan;

WHEREAS, the City Commission of the City of Hurstbourne has reviewed the minutes and records of the Planning Commission and the Plan 2040 Comprehensive Plan, and concurs in the recommendation of the Planning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HURSTBOURNE COMMISSION AS FOLLOWS:

SECTION I: There is hereby adopted the Plan 2040 Comprehensive Plan, which is attached hereto and incorporated in this Ordinance as if fully set forth herein.

SECTION II: The adoption of the Plan 2040 Comprehensive Plan herein shall repeal and replace the Cornerstone 2020 Comprehensive Plan as of January 1, 2019 and shall become applicable on said date.

SECTION III: This Ordinance shall take effect on upon its passage and approval.

First Reading: May 22, 2018 Second Reading: June 12, 2018

Passed and approved this the 12th day of June, 2018.

ATTEST:

Mary Schneider, Mayor

Jim Leidgen, City Clerk

NEW TO THE CITY?



WELCOME TO HURSTBOURNE!

Are you a new resident of our City? Important information such as the City directory, sanitation schedule, ReachAlert mass communication network, City Ordinances, Codes and important public service agencies are good to have in hand.

If you need any of the above, contact the City website at www.hurstbourne.org, call us at (502) 426-4808, or stop by City Hall at 200 Whittington Parkway.

Help us help you get plugged in and connected!

TENANT OFFICE SPACE STILL AVAILABLE AT CITY HALL



One section of 944 square feet of space is available for lease. Marketing the available space is under contract with Geoff Wilkinson of KW Commercial Realtors. Geoff can be reached at 502 653-3600 or by email at g.wilkinson@kwcommercial.com

SAVE THE DATE

City Picnic - Sunday, September 9, 2018

Junk Pick-up Day - Coming in October

IMPORTANT NUMBERS TO KEEP ON HAND

On many occasions, we need to contact important services and agencies. Local government and public agencies contact numbers are listed below:

- Animal Control—363-6609 (Complaints)
- Before U Dig, Dial 811
- Garbage Service—City Hall 426-4808 or Rumpke 568-3800
- Louisville Gas & Electric, 589-3500—to report power or gas problems
- Louisville Water Co, 583-6610
- Metro Call, Dial 311 (fields local government inquiries or reports, or visit www.louisvilleky.gov,)
- Municipal Sewer District, 587-0603–To report clogged drainage pipes & storm sewers or visit www.msdlouky.org
- Louisville Metro Police Department

Non-emergency 574-7111 / Emergency 911

Telephone Reporting Unit, 574-4661 (allows you to make a report for insurance purposes)

Anonymous Tip Line, 574-5673

Free Home Security Survey, 574-2258





City of Hurstbourne 200 Whittington Pkwy. Suite 100 Louisville, KY 40222 Tel: 502 426 4808 www.hurstbourne.org PRESORTED STANDARD
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CITY CONTACT INFORMATION

We encourage you to check out the ways you can get in touch with your City government.

Office: City of Hurstbourne

200 Whittington Parkway, Suite100

Louisville, KY 40222

Hours: Monday-Friday 8:30-5:00 Phone/Fax: (502)426-4808 / (502)426-4889

Website: www.hurstbourne.org General Email: info@hurstbourne.org

City Commission

Mary Schneider-Masick Mayor maryschneider@hurstbourne.org
Earl Hubbuch Public Works earl@hurstbourne.org
Ben Jackson General Government ben@hurstbourne.org
Lois Wagner Code Enforcement & Sanitation lois@hurstbourne.org
Norb Hancock Public Safety norbhancock@hurstbourne.org

City Administration

Jim LeidgenCity Administratorjim@hurstbourne.orgVictoria LemkeAdministrative Assistantvictoria@hurstbourne.orgJohn SinglerCity Attorneysinglerj@bellsouth.netBill BennettCity Treasurerbill@bennettcpas.comTrisha SikkemaFinancial Assistanttrisha@hurstbourne.org