

**MINUTES  
OF THE  
ANCHORAGE CITY COUNCIL**

November 9, 2015  
6:00 p.m.  
City Hall

The Council members in attendance were Diane Cook, Cece Hagan, Connie O’Connell, Neil Ramsey, and Bill Wetherton. Mayor Tommy Hewitt presided. Also in attendance were City Administrative Officer Reneé Major, Public Works Director Erwin Booth, Police Chief Dean Hayes, Police Lieutenant Mark Hoskins, City Attorney John McGarvey, Deputy Treasurer Sara Ritchie, Clerk/Receptionist Sandra Kunzler, and guests Diane McAllister, Stephen Ford, Matt Trentham, Edward Trentham, Richard and Stefi Chilton, Bob and B.J. Elliott, Stuart Ray, Curt Richards, Becky Miller, Chuck and Ginny Martin, Nancy Bowman, Jane MacDonald, Susan Hewitt, Ken Hall, Kyle Galloway, Chris Sternberg, John Cristofoli, and others who did not sign in.

The meeting was called to order by Mayor Hewitt at 6:02 p.m.

**MINUTES**

Minutes from the October 12, 2015, Regular Meeting of City Council were reviewed. O’Connell motioned to accept the minutes as presented, and Wetherton seconded. The motion was unanimously approved.

**TREASURER’S REPORT**

The October 2015 Check Register and Financial Report were presented. There were no questions for Major or Ritchie.

**POLICE REPORT**

The October Police Activity Report was presented. There were no questions regarding the report. Hayes informed Council that the body cameras are in and training begins this week. Policies regarding their use have been written and approved. Ramsey asked why the need for ten cameras. Hayes stated the department purchased one per officer. Along the same line as take-home cars, equipment is better maintained when each officer is responsible for their own apparatus. Hayes mentioned that department re-accreditation takes place every five years; the review has been completed and the department should be set through 2020. Hayes said they are low on manpower right now. Officer Atchison is having surgery this week and will be off several months.

**HISTORIC PRESERVATION COMMISSION**

Minutes from the October 20, 2015 meeting were shared with Council. Wetherton stated he was not in attendance, and that Miller chaired the October meeting. Mayor Hewitt asked Miller if there was anything she’d like to add regarding the meeting; she did not.

## **FORESTRY BOARD**

Forestry Board minutes from the September 14, 2015 meeting were reviewed. McAllister informed Council that the canopy trees are to be planted this week. Two residents do not have their flags properly placed, and those issues are being addressed. In total, 62 trees were ordered. Hagan thanked the Forestry Board for their donation of a tree to Anchorage School. Cook inquired if the City Forester or Forestry Board has assessed the trees at Wagner Park. She said some appear to be in decline, and suggested that trees be planted now to eventually replace them.

## **OLD BUSINESS**

Before moving on to the agenda items, Mayor Hewitt provided an update on the health condition of Councilmember Brian Rublein. It is possible he will be off for some time due to his recent stroke.

**Cell Tower Update** – Major notified Council that AT&T is in process of completing the post-modification checklist. Booth and his crew were thanked for painting the protective sleeves for the guy wires a bright yellow to make them more visible. The new mono-pole proposal was to be sent to McGarvey today, but the City was informed that it had to be routed through AT&T’s legal department first. The FAA has approved the location.

**Evergreen/Nutwood Culvert Update** – Cook reported that the stonework is finally finished. Booth will complete a final inspection, and then seed and add creek rock to enhance the visual appeal of the surrounding area. Cook provided an overview of the two-year project to the residents in attendance.

**REACH Alert** – O’Connell informed Council that McGarvey is reviewing the contract with REACH Alert for the City’s new notification system. An article and an insert with sign-up instructions will be included in the December *Anchor Age* newsletter. The system will allow residents to receive information via text, email, or voice message, depending on their preference.

**MSD Sewer Project Status** – Major reported that Booth and the City Forester, Andrea Hanlon, completed a walk-through with MSD and MAC this morning. It appears that up to 50% of the trees may not have to be removed. T-Ray will be doing the tree clearing in the right-of-way. Tree removal will begin Thanksgiving week, and is expected to take two months. MAC anticipates digging to start in early December.

**Resolution to Develop a New Category (R2-A) for the Anchorage Zoning Code** – A copy of the proposed Resolution was provided to Council at the last meeting for their review. Mayor Hewitt explained that the Stonebridge subdivision properties west of Old Harrods Creek Road were to have been rezoned by the developer from R4 to R1 when annexed into the City, but that never occurred. Anchorage Zoning Code does not allow for R4. Discussion and negotiations have been held with the homeowners. The Resolution requests that the Metro Planning Commission create a new R2-A category to minimize the number of

non-conforming lots that would be created by downzoning to R2. R2-A adopts all existing requirements and permissible uses of R2 except the floor-area ratio for R2-A would be .16 instead of the .14 and the required side-yard setbacks be a combined 25 feet with a minimum of eight feet, a decrease from a combined 30 feet and a minimum ten feet in R2. The Resolution also addresses two properties that failed to be listed in the community-wide rezoning of 1988, and the Epiphany Church property on Old Harrods Creek Road. Ramsey made a motion to approve the Resolution. The motion was seconded by O'Connell, and all approved.

## **NEW BUSINESS**

**Ordinance Adopting Supplement to the Code of Ordinances, First Reading** – Hagan held the first reading of the ordinance to enact and adopt the S-18 Supplement.

**Surplus Equipment** – Major asked Council to declare an outdated Gateway laptop computer as surplus. The laptop does not have working software to connect to the internet. A new laptop was recently purchased so residents needing assistance to sign-up for ReachAlert could do so at City Hall. Also, in the event of a major power outage, residents could use it for online emergency access as City Hall has a back-up generator. Hagan made a motion to declare the laptop as surplus, Ramsey seconded. A vote was taken and all approved.

**Ridge Road Turnaround** – Ridge Road is now closed at the railroad tracks. The Industrial Disposal trucks and other service vehicles have no where to turn around. The City owns land in Middletown at the end of Ridge Road. It is recommended that a turnaround be installed on City property. Three bids were secured to install a culvert and the turnaround. Flynn Brothers submitted the low bid at \$14,146 and Public Works requests they be awarded the contract. Since the low bid was selected, no motion to approve was required.

**Deer Issues** – In reaction to a recent hunting article in *The Anchor Age* that told of Kentucky Fish and Wildlife requirements and regulations relating to deer hunting, several residents raised concerns about bow hunting in the City with the Mayor and Council members. Mayor Hewitt had invited Becky Miller to tonight's meeting to discuss her concerns, and encouraged other residents to voice their position on the subject as well. Mayor Hewitt began by providing an overview of the "green island" in eastern Jefferson County that is Anchorage. He said that over the past 20 years, the City has become encircled by heavy development, leaving Anchorage, with its large tracts of land, a haven for wildlife, especially deer. Mayor Hewitt then opened the floor. He explained that residents would speak first, and then McGarvey would answer any questions and provide legal information on this subject. Miller, Richard Chilton, Stephen Ford, Curt Richards, and Nancy Bowman each addressed Council. All expressed their opinions on the safety issues and dangers of bow hunting in an urban environment. They worry about errant arrows, injury to children, and damage to property. Richards stated that he recently experienced firsthand such an incident while in his own yard. They mentioned other cities such as Prospect, Indian Hills, and Covington that have ordinances prohibiting the use of any projectile, and requested that Anchorage do the same. Ken Hall, Stuart Ray, Chris Sternberg, and John Cristofoli also

addressed Council and spoke in support of deer hunting. All stated that bow hunting has been going on in Anchorage for years without any documented injury. They spoke of the overpopulation of deer in Anchorage, and how the deer are destroying landscapes and property. Ray discussed herd management, the need for harvesting deer in Kentucky as a critical component of the management program, and deer disease. Both sides of the discussion were civil, yet passionate about their position. McGarvey informed those in attendance that the only powers the City has are those granted to it by the State. The State of Kentucky reserves its right to regulate all hunting in the commonwealth via the passage of Section 255a. of the Kentucky Constitution in 2012 (Kentucky Right to Hunt). McGarvey said the City can enforce existing laws, against trespass, wanton endangerment, and the discharge of a projectile across a right-of-way, to protect its citizens, and has made an official inquiry to the Kentucky Attorney General's office for a legal opinion. The Anchorage Police Department should be contacted immediately if any activity is suspect of being an endangerment. As to the other cities mentioned, McGarvey stated that he can only assume their ordinances were passed prior to 2012 and have not yet been challenged in court. McGarvey said, that in good conscious, he could not currently recommend that City Council pursue passing an unconstitutional ordinance. Someone suggested creating a set of City guidelines for safe bow and archery hunting. Council said they would consider forming a committee to research this with the help of Fish and Wildlife.

At 7:52 p.m. Council moved to Executive Session to discuss pending litigation. Council returned to Regular Session at 8:32 p.m. No action was taken, and the meeting adjourned.

W. Thomas Hewitt  
Mayor

Reneé M. Major  
City Clerk