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CITY OF  
PROSPECT, KENTUCKY  
CITY COUNCIL MEETING

IN RE:  
KROGER

DECEMBER 13, 2010

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6 MAYOR EBERLE: Welcome. We are all  
7 assembled, and I will open the December 13th  
8 regular city -- regular monthly city council meeting  
9 of the City of Prospect, Kentucky. We are called  
10 to order. I will give a brief preliminary statement.  
11 We have a special order today and that will come  
12 after -- after my report.

13 Mr. Glenn Price is here, and you will notice  
14 that on the agenda as the third item. There will be  
15 two opportunities for citizen or public comment.  
16 The -- we will take comment at the -- comment and  
17 questions after the presentation by Mr. Price. And  
18 if he wants to take questions in the middle, we  
19 would -- we would ask that you refrain from that,  
20 because our court reporter -- so that we can have  
21 the -- we can have people go to the podium to  
22 state their name and -- and -- and ask the  
23 questions. So we'll have -- during that special  
24 order, we'll have a -- a period of time after Mr.  
25 Price's presentation to -- for comments and

1 questions on that.

2 I will point out that this involves a -- a zoning  
3 change and a possible form district change, and  
4 the members of the city council may be in a  
5 situation where they would have to sit as a zoning  
6 board in a quasi-judicial capacity so that they  
7 would be making the ultimate decision on this  
8 case. Therefore, the -- the silence on the part of  
9 the council should not be misinterpreted. We  
10 cannot really ask any -- any questions. At this  
11 point we will be -- we'll be listening.

12 So it's not that -- does not reflect a lack of  
13 interest. We may have some procedural questions  
14 or something like that, but we -- at -- at this point,  
15 the council will need to be a -- a listener rather  
16 than a commentator.

17 And the second opportunity for comments from  
18 citizens will come after the police report, as -- as  
19 is shown on the regular schedule. I will remind  
20 you that if you do have comments, please approach  
21 the podium. We have our -- our court reporter  
22 tonight, Sherri Perretta, and it will help her  
23 assist -- assist her greatly in keeping a good  
24 record of what goes on this evening.

25 The first item of business is the approval of

1 the minutes for the regular city council meeting of  
2 November 15th, 2010. Those are available at the  
3 back for the audience and they were distributed  
4 electronically to you-all earlier today, and also  
5 they're -- the hard copy in your binders. If we  
6 have had an opportunity to -- to consider those, I'd  
7 entertain a motion for approval as written or any  
8 comments or suggestions for change.

9 COUNCILMAN SIMON: So moved.

10 COUNCILWOMAN ERTEL: Second.

11 MAYOR EBERLE: Alan Simon moves and  
12 Loretta Ertel seconds the minutes be adopted as  
13 presented. Those in favor signify by saying "aye."

14 ALL COUNCIL MEMBERS: Aye.

15 MAYOR EBERLE: Opposed by "no." And  
16 we have adopted the minutes from the November  
17 15th meeting.

18 I'll try to be brief on my mayor's report. We  
19 do have the current year fiscal update. There are  
20 copies from our accountants at the -- at the rear,  
21 and they were distributed in your packets, as well.

22 I guess, in summary, at the end of five  
23 months, we have 70% of our revenues collected  
24 and our expenditures dispersed, the budget  
25 expenditures dis -- dispersed 38.7%. Again, the

1 revenue figure being very high at this time of the  
2 year is the result of the property tax being due  
3 October 1st. So we get that and we live off of it for  
4 the rest of the year, hopefully.

5 Our city calendar went out. We did scale that  
6 back, as -- as we discussed earlier. We printed it  
7 in-house, and we -- and we saved some money on  
8 that, but I think we're still fulfilling the -- the --  
9 the purpose as a -- as a local calendar has  
10 garbage pickup, delays and that kind of stuff, city  
11 council meetings and that kind of thing. So that  
12 was received hopefully by all addresses late last  
13 week, Friday. If you didn't get a copy, let us know  
14 and we have extra copies available.

15 Fall library book sale recap, Council Member  
16 Leonard is our liaison there. 1,236 --

17 COUNCILWOMAN LEONARD: 1,236, over  
18 1500 for the year-to-date. And two reasons  
19 probably this time. One is the donations were  
20 absolutely wonderful. And I know I always say it,  
21 but the volunteers really worked hard and did a  
22 great job.

23 MAYOR EBERLE: And thanks to you who  
24 worked. I know Council Member Tucci worked on  
25 the sale and writes our book reviews, so. . . The

1 library is in good shape.

2 COUNCILWOMAN TUCCI: If everybody  
3 does a little bit, it all works.

4 MAYOR EBERLE: That's right. Putney  
5 Pond and Woodlands Advisory Committee, we have  
6 an update there. We have received the biological  
7 inventory and we're supposed to be getting a copy  
8 that will be hardbound and available in the library.  
9 That should be available in the next month or so.

10 And we're working on the Kentucky Heritage  
11 Land Conservation Fund Final Resource  
12 Management Plan, which is due January 31st. And  
13 Stuart is our liaison there. Stuart, do you want to  
14 add anything as to what's been going on at the  
15 pond?

16 COUNCILMAN MILES: I gave my work  
17 crews the winter off. So we haven't done any  
18 protects in the past month. And we did get a letter  
19 from Gary Libby who did -- who did the  
20 environmental resource plan telling us that at that  
21 place where we're proposing putting the boardwalk  
22 through the wetlands, he sees no degradation to  
23 the wetlands in doing that, and he actually thinks  
24 it would be a great way to get more access to that  
25 beautiful area. So we have a green light from him

1 on that.

2           MAYOR EBERLE:   Forestation Board, we  
3 are working on our Tree City USA Renewal  
4 application. In fact, I was just working on it just  
5 about an hour ago getting everybody to send off.  
6 We're also working on our Growth Award. And Lee  
7 Tucci, the chair of the Forestation Board, has been  
8 working hard on that along with Greg Huelsman  
9 and some of the other members of the -- of the  
10 board.

11       So, hopefully, we'll both be renewed as a tree  
12 city and receive a grow -- this would be the second  
13 year in a row for a Growth Award. So we're --  
14 we're looking and hopeful that we will succeed in  
15 both of those efforts.

16       Louisville Metro Mayoral Inaugural activities  
17 on January 3rd, and -- and I don't remember this  
18 under Mayor Abramson, at least his later terms,  
19 but the inauguration is going to last all day  
20 starting with a breakfast, a parade, meeting at the  
21 cathedral, and then an inaugural ball, but the  
22 public is invited. If anyone has any desire to go to  
23 any of the events, let us know and I will also get --  
24 I have kind of a schedule from Jefferson County  
25 Legal Service [phonetic].

1 I will be participating as a -- as a member of  
2 the board of the Jefferson County League of  
3 Cities. And the new mayor has been very -- very  
4 forthright and -- and anxious to deal with the  
5 suburban cities, so we're pleased with that.

6 Prospect resident David Wicks is the chair of  
7 the Transition Team for Parks and Open Spaces,  
8 and we're going to meet with David in a couple of  
9 days and give some ideas to him. He also  
10 probably knows more than we do about the plans of  
11 the Transition Team in that regard. So, hopefully,  
12 we'll have very good offices with the new mayor.

13 Not on the mayor's report, but I should note  
14 that Metropolitan Sewer District is planning to  
15 attend our January city council meeting. They  
16 have under their consent agreement had to agree  
17 to close the five treatment plants in the Prospect  
18 area, consolidate it down to one larger plant. And  
19 when they take the five treatment plants offline,  
20 we will, among other things, have access to  
21 Harrods Creek because they will transfer the -- I  
22 always get -- the north station? The south  
23 station?

24 COUNCILWOMAN SIMMS: South station.

25 MAYOR EBERLE: South station land to

1 us which -- which fronts on -- on Harrods Creek.  
2 So those treatment plants and the plans for those  
3 will be addressed by Steve Emily, who is a -- a  
4 professional engineer with MSD. And as far as we  
5 know, they will be -- he will be attending the  
6 January 10th regular city council meeting. So you  
7 may want to note that.

8 Any -- anything I forgot that anybody wants to  
9 suggest? If not, we will move to our special order,  
10 which this is Mr. Glenn Price. And Glenn is an  
11 attorney with Frost Brown Todd here in Louisville.  
12 I've known him for a while. And he will make his  
13 presentation.

14 Again, there are maps in the back, and I  
15 guess we're handing some out here, too, if  
16 anybody needs one. There should be some left on  
17 the back table back there.

18 MR. PRICE: Thank you, Mayor Todd and  
19 Ann and Grover and members of the council. My  
20 name is Glenn Price of Frost Brown Todd, and  
21 actually my role in this tonight is pretty brief. I  
22 just want to introduce Danny Lethco who is right  
23 behind me over here. Danny is the real estate  
24 manager for Kroger Midsouth Division which is in  
25 charge of a multi-state area.

1 I think you all know Steve Goddin who is  
2 the -- back here who is the store manager here.  
3 And Danny wants to present what the proposal is  
4 to do here tonight, and then we'll take whatever  
5 questions that you might have.

6 MR. LETHCO: Again, thank you, Mayor  
7 and city council for spending a few time -- a few  
8 minutes with us tonight. I'm Danny Lethco, Real  
9 Estate Manager for the Midsouth Division located  
10 here in Louisville at 1600 Ormsby Station Court  
11 40223.

12 And as Glenn said, we have Steve Goddin.  
13 Steve reminded me this is his second stint at the  
14 store. He opened the store originally and now he's  
15 back with us, and we are very thankful for that,  
16 and I hope you-all are, too. We also have Brad  
17 Davis, the engineer that's going to be in charge of  
18 the project. And then Scott Hannah who is our  
19 outside engineer that does all these nice plans for  
20 us and -- and will be helping us build the store.

21 Basically, I think most of you all have a --  
22 have a plan in front of you that -- that you can see  
23 what we're trying to do, and now Scott's given you  
24 a colored plan. I'm going to revert back to the --  
25 to the black and white plan here a little bit so we

1 can see exactly what we're doing. You can tell  
2 where the existing store is by the light, the gray  
3 color of the -- of -- on the plan. And then the dark  
4 gray is the expanded area. That's the -- how we're  
5 going to -- we're wanting to expand the store.

6 Basically, we're kind of doing this backwards.  
7 Normally, we would go to the City of Louisville and  
8 present plans and then come back to you-all, but  
9 this is where -- where we are going to end up, and  
10 we wanted to share with you what our plans are for  
11 the store so you could kind of -- we could get some  
12 questions from you, get some comments, hopefully  
13 address those prior to even going through all  
14 the -- the plan review that we normally do.

15 Basically, our plans we're showing is our  
16 expansion of our Prospect store. We plan to  
17 expand the store to the left. There are retail shop  
18 spaces to the left right now with only -- only one  
19 tenant, a Great Clips that will need to relocate.  
20 So we'll take those shops down, expand the  
21 store, expand the store behind those shop  
22 spaces, and basically take the store from about a  
23 68,000-square-foot store today to 102,000 square  
24 feet. And -- and so that will -- that shows up on  
25 your plan, or should -- the total square footage

1 should be on the plan you have in front of you that  
2 shows you what the -- how big we're going to  
3 expand it.

4 Some of you probably wondered a long time  
5 ago when we opened the wine and spirits store,  
6 why did you put it all the way down on the left-  
7 hand side of the store? Well, that's how long  
8 we've been working on this project. Basically, it's  
9 been our intention all the time to be able to  
10 expand the store this way. It's just taken a -- a  
11 while to get it internal through Kroger's, some  
12 improvements, as well as some other things, and  
13 so now we're back. As some people would say, it  
14 takes a while for wine to age. Well, now we've  
15 improved the project that we originally were  
16 working on so that we're going to be able to  
17 expand it that way.

18 And also, something that's -- that has  
19 occurred, one thing that Kroger really wants to do  
20 when it remodels the store is to add a pharmacy  
21 drive-thru. A lot of the people really desire that,  
22 peo -- customers have asked for that. Basically,  
23 you can do most anything except shop for  
24 groceries through a drive-thru these days. And so  
25 our customers are asking for -- for that.

1        Now we're going to be able to slide the -- the  
2        cleaners that's on the right side of the store, we're  
3        going to be able to slide them down a little bit and  
4        actually create a pharmacy drive-thru on the right  
5        side of the store that will continue back to Carslaw  
6        Court and -- and go out. And if you're familiar  
7        with our Middletown store down on Shelbyville  
8        Road, you'll -- you'll -- you'll know that we've  
9        done that there.

10       Basically, you keep the facade -- it looks -- if  
11       you are looking at the store, it just looks like a  
12       continuation of the store and the shops, but you'll  
13       be able to drive right underneath the canopy and  
14       go right through the -- the pharmacy drive-thru and  
15       out the back. And so that's really a -- a good  
16       thing for sick moms got kids in the car, can't get  
17       out, doesn't want to get out, she can drop off the  
18       prescription, get it filled then, come back,  
19       whatever. So it's something we're really helping --  
20       trying to help our customers there.

21       Some of the stores I mentioned, the  
22       Middletown store, some of the stores that are  
23       similar to what we're trying to do here -- we just  
24       opened up in October, October 13th to be exact,  
25       down at Westport Road and Hubbards Lane, we've

1 got a store there and we just expanded that store,  
2 added a lot of the features that you're going to see  
3 in this Prospect store. And so we welcome you to  
4 come -- go and visit that store. It will just take  
5 you a few minutes to get down there.

6 Walk it and see what departments you're going  
7 to see in the store, and I'll mention some of those  
8 in just a minute. But visit that store. It really  
9 came off nice. Customers have just wrapped their  
10 arms around it, welcomed it, and -- and really -- it  
11 really did come off as a nice store. So we advise  
12 you to -- to visit that.

13 I already mentioned the Middletown store  
14 that -- that is similar to this. We're also under  
15 construction right now expanding that store from  
16 82,000 square feet to 104,000 square feet taking  
17 out the shops to the left there, as well, and -- and  
18 adding a lot of the features that I'll talk -- talk  
19 about in a minute there. So you can go down there  
20 and actually -- where the shop spaces were,  
21 they're gone, so you'll kind of be able to see  
22 what's going to happen here and -- in this -- in this  
23 project.

24 One of the other things that we like to include  
25 when we do a remodel if we don't already have one

1 is a fuel station. You'll see on the outside of  
2 the -- on the out part of the parking lot where  
3 nobody parks now right next to the main entrance  
4 of the shopping center, we'd like to add a 7MPD  
5 fuel station.

6 And the good thing about that is the way this  
7 sets up there's only about four fuel stations along  
8 Highway 42 that -- that you-all can -- can get fuel  
9 at. And so this would be a -- a very convenient  
10 fuel station and not be on Highway 42, which I'm  
11 sure you-all are trying to avoid. It would be on the  
12 Timber Ridge Drive side and be very convenient  
13 right off of -- about 350 feet from -- from Highway  
14 42, so it would sit on the side and not be right  
15 there and -- but still be a very esthetic part of the  
16 shopping center, very accessible, easy to get in  
17 and out of.

18 And excuse me for kind of doing a commercial.  
19 Most of you-all probably already know this, but if  
20 you're a Kroger customer now, which I hope all of  
21 you are, you've got a little Kroger Plus card or  
22 you've got something on your -- your keychain  
23 where when you buy groceries in the -- in the store  
24 you can use that for cents off. Well, for the fuel,  
25 if you have one of these, you get -- automatically

1 get 3 cents off per gallon. If you spend \$100  
2 inside the store, you get 10 cents off per gallon.  
3 And then if you get one of these Kroger  
4 Mastercards and you use it to buy fuel, you get 15  
5 cents off per gallon.

6 So we're trying to give those kind of things to  
7 our customers. And it's really the people that  
8 shop the store already. Those are -- that's an  
9 incentive that we're trying to give those  
10 customers. And -- and really we think Kroger  
11 thinks as a fuel station as -- if we didn't have a  
12 pharmacy or something, some other department in  
13 the store and we were going to put it in the store,  
14 that's the way we look at the fuel station. It's  
15 another department that we're adding to the store;  
16 it just happens to be on the parking lot versus  
17 inside the building. Just another one-stop  
18 shopping type thing that we're trying to help our  
19 customers with.

20 As far as the new store is concerned, a couple  
21 of the highlights that we're going to add to the  
22 store, and you'll see this if you go to the Hubbards  
23 Lane store, is a kitchen place. You can buy dishes  
24 there. Not cheap everyday dishes but good, nice  
25 dishes that you would actually want to put on your

1 table. Any kind of kitchen gadget you can  
2 probably think of is going to be inside the -- the --  
3 that area, the kitchen place.

4 And also, small appliances, toast -- toaster  
5 ovens, microwaves, coffee makers, little things  
6 like that will be inside that kitchen place. It really  
7 comes off well. And especially we'll probably try  
8 to tie in some -- we can't sell wine inside the  
9 store, as you know, in Kentucky, but we'll try to tie  
10 in some displays of things like that in that kitchen  
11 place. It really -- really comes off well.

12 So my -- another thing that we're going to do  
13 is the Nature's Market that we already have in the  
14 store, we'll expand that. Your organic foods and a  
15 lot of the things that people are asking for today,  
16 that will be a much larger section.

17 Something we call a KPNR [phonetic] is an  
18 expanded GM health and beauty aids area. Kind of  
19 like having a Bath & Body inside the Kroger store  
20 for the ladies and the -- all the stuff that  
21 everybody uses to clean up with and stay clean  
22 with. And -- and also something called "baby  
23 world." So it's got a lot of things that you buy for  
24 your children and -- and everything in -- in that --  
25 in that section.

1       So that's -- that's a -- just some of the  
2 highlights that we're going to add to the store.  
3 It'll offer many items that you guys are currently  
4 having to go drive somewhere else to get. That's  
5 one of the main things that we see the opportunity  
6 here in Prospect is to have a lot more things under  
7 this one roof that you are having to go somewhere  
8 else to get right now, and that's -- that's one our  
9 our main emphasis.

10       But again, the main reason that we're here  
11 today is to kind of get ahead of the curve and  
12 share this information with you. But it's our  
13 understanding that in this town center that we're  
14 currently in in the shopping center, there's a  
15 70,000-square-foot restriction as far as how big  
16 the store can be. And of course, now we're --  
17 we'll looking at 102,000 square feet. So that's  
18 a -- that's a an issue we're going to have to  
19 address through this planning process.

20       But just as a reminder, 102,000 square feet  
21 may seem -- may sound real large to you, but as a  
22 reference, if you are worried about a Walmart-type  
23 box or a Meijer-type box, this will still -- still be  
24 less than half the size of those big boxes. And so,  
25 hopefully, that gives you a better viewpoint as to

1 what we're talking about. It's going to have a lot  
2 of things in it, but it's still going to be a nice --  
3 nice size to shop.

4 Basically, we already have a nice store.  
5 We're just going to make it that much nicer. This  
6 store will be -- have the best that Kroger has to  
7 offer. Something that when we're presenting this  
8 internally with Kroger we have a store in southeast  
9 Cincinnati called -- it's in Anderson Township, it's  
10 called the Anderson store is what we refer it to.

11 And so this is going to be a very comparable  
12 store to that. If you're up in that area, again, I  
13 ask you to visit it. It's -- it's really -- I was telling  
14 Steve, I was in at 10:00 at night and I kind of got  
15 excited. So it really -- it really does come off with  
16 a nice store. But it's going to be a flagship-type  
17 operation here that we're trying to -- to address.

18 And -- and so, basically, we look forward to  
19 bringing these plans back to you and -- and  
20 hopefully, addressing some of your comments or  
21 questions in between that. But again, just thank  
22 you for your time. That's kind of what I wanted  
23 to -- to explain to you right now.

24 And -- and now, as -- as the mayor said  
25 earlier, we'll open it up for questions, if you have

1 any, at this time or comments.

2 MR. KEHLBECK: I do.

3 MR. LETHCO: Yes, sir.

4 MAYOR EBERLE: Anybody, yeah, please  
5 come forward and state your name for the record,  
6 and you can ask Glenn or any of the people in the  
7 back.

8 MR. KEHLBECK: Okay. Joe Kehlbeck,  
9 7812 Cedar Ridge Court, Prospect. I have a  
10 question on gas station pump.

11 MR. LETHCO: Yes, sir.

12 MR. KEHLBECK: What about the lighting  
13 and the height of it? Is there a canopy there and  
14 all the other things associated with a gas pump?

15 MR. LETHCO: There -- there is a canopy  
16 there, sir. And -- and the lighting we've add --  
17 we've addressed and had this question many  
18 times. Brad can probably answer it from an  
19 engineering perspective better than I can, but what  
20 we've done is done the lighting where it shines  
21 straight down. It doesn't bleed over into other  
22 properties. There's not neighbors or anything here  
23 to actually worry about, but we -- we've addressed  
24 that in the past and that is something we're very  
25 conscious of.

1 MR. KEHLBECK: We have particular  
2 ordinances on lighting; don't we, Alan?

3 COUNCILMAN SIMON: Yes, sir.

4 MR. KEHLBECK: They are very  
5 stringent.

6 MR. LETHCO: Okay.

7 MR. KEHLBECK: All right. And they  
8 certainly need to be addressed before we would  
9 ever agree to putting those pumps there.

10 MR. LETHCO: Okay.

11 MR. KEHLBECK: And the other is that's  
12 a traffic bottleneck right at that corner. I can  
13 vouch for everyone in this room saying that that's  
14 a problem getting in and out of there now at the  
15 peak times. Putting in a gas station is going to  
16 provide us with a lot more congestion in that area.

17 I don't know whether you've looked, but there  
18 are other pieces of property around here close to  
19 the Kroger but not in this shopping area. We've --  
20 we've put a lot of time and effort in, and a number  
21 of these people were here when we initially agreed  
22 to putting in the shopping center. And it was a,  
23 you know, village concept. And I guess I don't see  
24 gas pumps up in the air or lighting as a village  
25 concept. So that's my. . .

1           MAYOR EBERLE: Any other comments or  
2 questions or points of information? Yeah, come on  
3 up.

4           MS. HASWELL: I'm Sally Haswell, 17302  
5 Shadwell Lane. My question involves the sewer  
6 treatment plant. I'm a little confused. I thought I  
7 heard earlier that five treatment plants were going  
8 to be closed in Prospect. I'm assuming that would  
9 be the one in Hunting Creek?

10          And yet, here it specifically says that's where  
11 the sewer waste is going to be channeled on --  
12 under the notes in your. . . So can somebody  
13 clarify which is which, please --

14          COUNCILMAN SCOTT: Scott --

15          MS. HASWELL: -- or am I  
16 misunderstanding this?

17          COUNCILMAN SCOTT: -- Engineering.  
18 Well, right now the Hunting Creek North  
19 wastewater treatment plant is still in service, so  
20 we would go to there. At some point, that would  
21 be offline and pumped down to West County.  
22 That's my understanding there.

23          MS. HASWELL: Okay.

24          COUNCILMAN SCOTT: We can confirm  
25 with MSD, but there's a series of pump stations --

1 MS. HASWELL: All right. Well, I want  
2 that clarified --

3 COUNCILMAN SCOTT: -- that will be  
4 built -- yeah.

5 MS. HASWELL: -- because it's a  
6 complete contradiction, you know, within this  
7 meeting tonight.

8 COUNCILMAN SCOTT: Yeah, yeah. This  
9 one's still -- right now is still online, so that's  
10 where it'll go.

11 MS. HASWELL: All right. Thank you.

12 COUNCILMAN SCOTT: Appreciate it.

13 MR. POTTS: I have a question on the  
14 pump station. Will there be access there for  
15 diesel fuel or commercial diesel vehicles?

16 MR. LETHCO: Sometimes we have it, sir,  
17 and sometimes we don't. It kind of depends on the  
18 report that we had completed for fuel, whether or  
19 not it recommends it, and then or what -- whether  
20 or not there's a request by our customers for that.

21 A lot of times, mostly in areas like this, would  
22 mostly be people who have diesel cars and -- and  
23 SUVs ver -- versus larger vehicles that would be  
24 getting diesel. That's mostly where we had the --  
25 the request from this type and so I would have

1 to -- we can check on that, but I don't know the  
2 answer to that -- that.

3 MR. POTTS: Okay. I think that's a  
4 question that we --

5 MR. LETHCO: Okay.

6 MR. POTTS: -- need an answer to.

7 MR. BENCH: Good evening. I'm Herb  
8 Bench. I live at 6503 Gunpowder Lane, Prospect.  
9 I'd just like to be how much income increase will  
10 we be getting as a city, revenue from this  
11 expansion of Kroger and the gas station.

12 I'd like to see expanded basis in the Uni -- in  
13 the city more, so we could get tax more money  
14 coming in or more revenue coming in and keep our  
15 taxes at a reasonable rate. So I'd like to know  
16 just how much money we're going to be realizing  
17 from this project.

18 MR. POTTS: You -- Glenn?

19 MR. PRICE: You know I don't know that  
20 that is something that we ought to be getting into  
21 and here's why: Whe -- when you're dealing with a  
22 planning and zoning issue, you're dealing with  
23 what's the appropriate use of land and, believe it  
24 or not, it's not necessarily how much money the  
25 city can get in terms of additional tax revenue.

1 Now, there's no doubt that if you have additional  
2 sales, you know, your property values are probably  
3 going to be higher and there's probably go -- going  
4 to be some.

5 But I don't know if it would really be  
6 appropriate for us in this kind of a forum to -- to  
7 speculate about that. But appreciate your con --  
8 concern about it, because it's -- I think what  
9 you're concerned about is making sure that the  
10 city coffers stay full.

11 MR. POTTS: What's the projected cost of  
12 the expansion?

13 MR. LETHCO: Right at \$14 million.

14 MR. POTTS: And I think you can look at  
15 that. And again, PVA does our assessments, but  
16 they will have to building permits and then the PVA  
17 will, in turn, reassess that property after it's  
18 completed. Now, whether it'll be -- what number  
19 that will be, obviously, would be for the PVA to --  
20 to determine. But if they're putting \$14 million  
21 into it, I think you can un -- I think it's logical to  
22 assume there will be an increase in the tax base in  
23 Prospect as a result thereof.

24 MR. BENCH: May I comment? Well, I -- I  
25 think that's all good news --

1           THE REPORTER:   Would you please state  
2 your name again.

3           MR. BENCH:   Excuse me.   My name is  
4 Bench, Herb Bench.   Herbert Bench.   I think that's  
5 all good news, but I do think we ought to have  
6 some sort of an idea presented to us as to what  
7 you anticipate those figures would be before you  
8 move ahead.

9           I -- I, for one, would like to see expansion of  
10 the base of revenue in the city.   I'd just like to see  
11 what it's going to be when we embark on such an  
12 ambitious program.   I think Joe Kehlbeck brought  
13 up some, recently, where he had concerns about  
14 the lighting of the access.   I think some other  
15 issues there, the sewer, whatever it might be, and  
16 I think there'll be some other costs on the part of  
17 the city to expand some facilities into this  
18 location.   Perhaps, perhaps not, but I think, as a  
19 citizen, I'd like to know how much we can realize  
20 from this project.

21           MAYOR EBERLE:   Any other comments,  
22 questions or points of information while we have  
23 everybody --

24           MR. POTTS:   Again, I want to emphasize  
25 that I've instructed the city council members not to

1 ask questions tonight. So, again, no one --

2 COUNCILWOMAN TUCCI: Though we  
3 would love to ask --

4 MR. POTTS: I --

5 COUNCILWOMAN TUCCI: -- questions.

6 MR. POTTS: And I'm sure you would;  
7 okay?

8 COUNCILWOMAN TUCCI: I've been  
9 trying to send waves out into the audience and  
10 nobody's catching and asking the questions I  
11 would like them to ask; you know? Think, people,  
12 think.

13 MAYOR EBERLE: Sure.

14 MS. KENNEY: My name is Leslie Kenney.  
15 I live on Wythe Hill Circle. And I guess my  
16 question about the gas pumps and all that is: So  
17 do you have dig up the whole parking lot to put  
18 those big tan -- I mean, it seems like it's a lot of  
19 hazardous stuff. And, I mean, I just have some,  
20 kind of, concerns about all that. Like, how do the  
21 big tanks get down into something that's already a  
22 parking lot?

23 MR. LETHCO: You want to address that,  
24 Brad?

25 MR. DAVIS: My name's Brad Davis. I

1 actually live at 3306 Dalton Court in Floyd Knobs,  
2 Indiana. The fuel center, we will have to dig out  
3 for the tanks. The tanks are basically 10 foot in  
4 diameter by anywhere from 20-foot long to -- to  
5 24-foot long, so we will dig out a large area in the  
6 parking lot where the tanks sit. And right here is  
7 where the tanks are on the plans for right now.

8 So basically, we'll dig that out, place the  
9 tanks, and then backfill over and basically put a  
10 concrete pad over top of it. You won't even know  
11 they're there when we're done.

12 But I also would like to address lighting  
13 issues. I know that was brought up. One nice  
14 thing about our canopy design, if you go out and  
15 look at some of the newer ones we've done, our  
16 extra spotlights are not underneath the canopy;  
17 they're actually recessed up in the canopy. So  
18 they do shine down, but there's not light,  
19 basically, bled off very far outside the canopy.

20 MR. KEHLBECK: How high is the  
21 canopy?

22 MR. DAVIS: Usually, the canopy is 14-  
23 foot haul -- tall.

24 THE REPORTER: I'm sorry, sir, in the  
25 red, what was your name?

1 MR. KEHLBECK: Kehlbeck.

2 THE REPORTER: Thank you.

3 MR. DAVIS: Excuse me. I think it's --  
4 it's 14- to 15-foot tall. And lastly, we've done a --  
5 done quite a few new stations around the city  
6 that -- that you can definitely -- you'll see and the  
7 newer ones that have been done in the last couple  
8 of years, we've got those recess lights inside of it.

9 It is quite bright at the pump, but it -- it -- it  
10 does not bleed outside that area. But -- but the --  
11 we do build one of the -- a state of the art facility.  
12 It's very safe. We use double wall tanks with a  
13 brine solution that is monitored continuously in-  
14 between, so if there is any leaks, it'll leak into --  
15 inside the tank. It does not get outside that  
16 containment. All of our piping is double-walled,  
17 and it is also pressure tested, so there's a lot of --  
18 a lot of state of the art equipment we use on our  
19 tanks, and -- and the whole shop -- and the whole  
20 fuel center just to make sure that we do not have  
21 any contamination.

22 MR. PRICE: I did have an occasion  
23 recently to -- with -- to -- in working with Brad to  
24 work on this fuel-tank aspect of this thing, the  
25 piece that you asked about, the environmental

1 hazard. And these tanks are EPA approved,  
2 fiberglass double-wall tanks.

3 And you'll recall in the late 80s, the -- the  
4 federal government was requiring all the gas  
5 stations to remove all of their prior metal-wall  
6 tanks because of the -- of the leakage problem.  
7 And these double-wall tanks are -- they're pretty  
8 ingenious, because there is -- as Brad was saying,  
9 there is this hydrostatic fluid that is between the  
10 inner wall and the outer wall.

11 So if the outer wall is breached, that -- the  
12 fluid immediately -- the -- the pressure is  
13 immediately lowered. If the inner wall would  
14 somehow be punctured, the fluid is immediately --  
15 the -- the pressure on that is immediately lowered.  
16 When that pressure lowers, the fuel stops.  
17 Therefore, there's no leakage. So it's a -- it's a  
18 pretty remarkable, technological advance that we  
19 have now, that we didn't even have even 20 years.

20 MR. POTTS: What about landscaping for  
21 the fuel station?

22 MR. PRICE: I think we're showing --  
23 some of the green area right now is -- is showing  
24 around the fuel station, as far as landscaping's  
25 concerned.

1           MR. HANNON: Scott Hannon [phonetic],  
2           603 North Shore Drive, Jeffersonville, Indiana.  
3           You know we really haven't addressed it as of yet,  
4           but it will be first class. I mean, and that's our  
5           goal, was to create a first class development, but  
6           we can talk about it in a little more detail as -- as  
7           we proceed through the process.

8           MR. JECKER: Steve Jecker, Westover  
9           Drive.

10          THE REPORTER: Could you go to the  
11          podium, please?

12          MR. JECKER: I can. Steve Jeffery,  
13          Westover Drive. Thank you.

14          I think my concern and most concerns are  
15          going to be a couple three things. One is -- is:  
16          Why that location in particular? Because of the  
17          access in right there.

18          Number 2 is: Being right there, that's the  
19          first thing that you see as you turn in to the  
20          village. Was there any consideration in the back  
21          of this location and the middle part of it?  
22          Aesthetically, does it serve itself of putting  
23          something to buffer it before you see that, is the  
24          first one. And really, the traffic pattern in itself,  
25          and was there any other consideration of anywhere

1 else around that parking structure so that that's  
2 not the first thing.

3 I think everybody's excited about that. I think  
4 that's good news. I actually think the fuel part of  
5 it is. It's just from its location of -- of trying to --

6 MR. LETHCO: Yeah, I figured that's --

7 MR. JECKER: -- trying to --

8 MR. LETHCO: -- where Grover's  
9 landscaping question was coming from.

10 MR. JECKER: Well, it's going to take a  
11 lot of landscaping. You can have pretty things in  
12 front of something that's going to be an eyesore,  
13 and that's going to be the main consideration, I  
14 think, is the --

15 MR. DAVIS: I don't know -- is location --  
16 you-all?

17 MR. DAVIS: Location, we -- we're trying  
18 to keep it, obviously, away from tenants. And  
19 we're -- that's really the place that makes the  
20 most sense. You know, we still have to do some  
21 traffic -- look at traffic and see if -- if there's a  
22 better way to do it in that area.

23 But it -- just -- just for the tenant spaces -- I  
24 mean, obviously, we don't want the center parking  
25 lot's going to take parking closer to our building.

1 MR. JECKER: Yeah.

2 MR. SPEAKER: There is a quite of bit of  
3 landscaping right here. I'm not going to say you're  
4 not going to see the -- the -- the canopy.

5 MR. JECKER: Okay.

6 MR. LETHCO: But I will tell you that --  
7 that we do plan on upgrading. It's not going to be  
8 a Plain Jane camp.

9 MR. JECKER: Yeah, but you say "easy  
10 access." Easy access what? Easy access to get  
11 in it?

12 MR. LETHCO: And --

13 MR. JECKER: Because it won't be easy  
14 access to get out.

15 MR. LETHCO: You'll be able to drive all  
16 the way around it before you get back into that  
17 driveway.

18 MR. JECKER: Well, that's -- that's --  
19 my -- my concern now is a lot of people have to  
20 drive all the way around to get out the back way  
21 right now, because of the traffic jam, depending on  
22 what -- what hour it is. I -- I mean, I -- I think  
23 that that's the main -- the how it's going to flow,  
24 what the access is, where it's located and any  
25 other considerations in -- in locations, at least,

1 before.

2 MR. PRICE: And again, mostly, what  
3 we're trying to do is service our existing customer.  
4 Those are people that are already in the shopping  
5 center and that traffic's already there. And a very  
6 small percentage that we e -- that we even look to  
7 as far as growth and bringing additional customers  
8 into the shopping center by adding that. So again,  
9 the traffic's already there that's there. It  
10 shouldn't really create an additional traffic --

11 MR. JECKER: Yeah. My -- my point,  
12 again, is though, aesthetically, what does that  
13 look like, you know, as you're driving in through so  
14 it doesn't look like it's a --

15 MR. PRICE: Well, we will have  
16 elevations, and we'll do all the point elevations to  
17 see what it's going to look like and give you that.

18 MAYOR EBERLE: We have someone else  
19 back here? We have --

20 MS. HASWELL: I've noticed on the map  
21 here --

22 THE REPORTER: I'm sorry. What's your  
23 name?

24 MS. HASWELL: Oh. Sally Haswell. I've  
25 noticed on the map that you've given us, the

1 islands will be removed. Well, that is the only tiny  
2 little piece of green space there is there right now  
3 where the mailboxes are. And they're actually a  
4 little bit elevated, so --

5 MR. LETHCO: Where now? Where you a  
6 talking about?

7 MS. HASWELL: I'm talking about where  
8 your fuel station is. So it --

9 MR. LETHCO: Oh, a [sic] existing island  
10 here?

11 MS. HASWELL: Yeah. Existing islands  
12 to be removed, so that implies a total lack of  
13 greenspace to me, because that's all there is there  
14 right now, and it -- and it's even though it's very  
15 small and narrow, it -- there's a certain charm to  
16 it, because it sort of separates the road from the  
17 shopping center, which, of course, which is much  
18 more sane. Most people don't even bother to  
19 park --

20 MR. LETHCO: You're -- you're talking  
21 about these --

22 MS. HASWELL: -- on the far end.

23 MR. LETHCO: -- these islands that go  
24 along here?

25 MS. HASWELL: Yeah. That face the

1 temporary road.

2 MR. LETHCO: M-hm.

3 MS. HASWELL: Along in here; right?

4 MR. LETHCO: Well, there -- it looks like,  
5 to me, that there are --

6 MS. HASWELL: There's a --

7 MR. LETHCO: -- there's three sets of it,  
8 as you go through each row.

9 MS. HASWELL: Oh, yeah. I guess there  
10 is. So they're all -- yeah. So, I mean, I don't  
11 know where you're going to fit any greenspace if  
12 you're -- I'm just picturing turning in to Timber  
13 Ridge Road and, kind of, like I turn off of  
14 Hurstbourne and to the Kroger at Westport Road  
15 and it's just a nice, flat, you know, asphalt "Here  
16 you are. You're at Kroger." You can see it from  
17 the road. It's, like, in your face.

18 MR. LETHCO: And that's what --

19 MS. HASWELL: It's --

20 MR. LETHCO: -- you want to avoid?

21 MS. HASWELL: -- aesthetically not  
22 attractive, and certainly no village concept at all,  
23 and, you know, that is part of the -- believe it or  
24 not, Prospect does have a charm that is missing in  
25 a lot of other parts of the city, because of

1 development like this. That's my feeling.

2 MR. LETHCO: And we do not want to  
3 change that. We're only enha -- we're only trying  
4 to enhance it.

5 MS. BATES: Anna Bates. Shadwell  
6 Lane. I'm a loyal Kro -- Kroger fan and customer.  
7 I have all the cards. I just want to say that right  
8 upfront. So I love it.

9 My question and concern has to do with the  
10 location of where you're going to put the fuel. And  
11 two things about that: I want to make sure that  
12 you do some kind of traffic study. Not a  
13 guesstimate, not a casual observation, but a real  
14 count.

15 And -- and I heard you say multiple times that  
16 you're not really expecting an increase in customer  
17 base just for the fuel, but it currently is a very  
18 dangerous intersection with the Walgreens, with  
19 the way that the lanes are painted out, the arrows  
20 in the directional. It's very dangerous.

21 MR. LETHCO: Okay.

22 MS. BATES: And then even the  
23 ingress/egress coming in where the bank and the --  
24 and the McDonald's are, so. . .

25 And -- and this other gentleman was correct

1 about we already have to go out the other way,  
2 oftentimes, to even get out of there. So a traffic  
3 study would be one thing.

4 Probably, my larger question is: Why haven't  
5 you looked at locating at -- on the back of the  
6 property. That seems --

7 MR. LETHCO: Okay.

8 MS. BATES: -- to make more sense,  
9 because it, visually, would take care of all the  
10 concerns you've already heard voiced here tonight;  
11 it would address the concern of the traffic pattern  
12 and the traffic flow; and certainly the village feel.

13 So are you going to --

14 MR. LETHCO: You want a fuel station,  
15 you just don't want to see it?

16 MS. BATES: It's not so much that I don't  
17 want to see it. It's that I want -- I want to safe  
18 going in and out that area, and it's a high-traffic  
19 now. I don't know and can't guesstimate what  
20 the -- the flow is, but you-guys should know it if  
21 you're going to take on this project. I just think  
22 that it would be a safer location in the back.

23 MR. LETHCO: I -- I could not get that  
24 approved internally, seriously, is why we could not  
25 put it back there.

1 MS. BATES: Well -- so if the community  
2 is saying "no" to having it there, can Kroger then  
3 change their attitude towards approving it for the  
4 back of the property?

5 MR. LETHCO: We -- we -- I will raise the  
6 flag on that.

7 MS. BATES: Because I think --  
8 something -- the majority of the people here  
9 tonight -- if this comes back to a zoning, I would  
10 be willing to bet you're going to see ten times this  
11 population voicing this concern -- this concern,  
12 so. . .

13 MR. LETHCO: And it appears that most  
14 of the concern is in regard to the fuel station and  
15 not what we're planning on doing to the store.

16 MR. SPEAKER: That's correct.

17 MS. SPEAKER: I agree; yes.

18 MR. SPEAKER: That's right.

19 MS. BATES: Again, I'm a very loyal -- I  
20 was a Middletown customer before I was a  
21 Prospect, so I'm a loyal customer, and I -- I feel  
22 very strongly that you-guys have done the  
23 financial research about what this will do to your  
24 numbers, but just keep in mind, this is Prospect,  
25 and part of the reason why most of us live here is

1 because it is the community that it is, so. . .

2 We want to work with you. We want you to  
3 stay here, because we enjoy shopping and the  
4 service that you provide, but that's a concern for  
5 us.

6 MR. LETHCO: Okay.

7 MS. BATES: For safety of our  
8 community.

9 MR. LETHCO: That's -- that's one of the  
10 main reasons we're here tonight is to get the  
11 comments and questions so we can address those  
12 when we go forward.

13 MS. BATES: Yes. Thank you.

14 MR. BENCH: Can I cut -- Herb Bench.  
15 Just one added thought on this. When you're  
16 doing a traffic pattern study, I just -- curiosity on  
17 this drive-thru pharmacy, how much traffic is that  
18 going to put out on Cos -- Carstel [sic]? I think,  
19 you ever done a study? Give me an idea of what  
20 kind of traffic flow that's going to create here, and  
21 is the city going to have to spend some money to  
22 upgrade Carstel Court or perhaps put some traffic  
23 light out on 42 or something from that increased  
24 traffic that might be coming through that pharmacy  
25 drive-thru?

1 I mean, I have no idea, but you must have  
2 some sort of an anticipation or study on what kind  
3 of numbers you're going to see through a drive-  
4 thru if you're going to spend the money on it. I'd  
5 like to know what that might be.

6 MR. DAVIS: When you come around the  
7 building, the front, too, it's not -- not everything  
8 that's going to --

9 THE REPORTER: I'm sorry. I'm not  
10 hearing at all. I -- I need your name again.

11 MR. BENCH: My name's Mr. Bench.

12 THE REPORTER: Oh, no. I have you,  
13 Mr. Bench.

14 MR. BENCH: Okay.

15 MR. SPEAKER: Brad, you got to find the  
16 microphone.

17 MR. DAVIS: Brad Davis with -- from  
18 Floyd Knobs, Indiana. One of the things, too, if  
19 you notice on -- when you -- when you travel  
20 through for the pharmacy drive-thru, not all cars  
21 have to go back through Carslaw Court. We're  
22 actually going to put a -- a little drive lane on the  
23 side of the building where you can exit back to the  
24 front, also.

25 So you do have -- we do want to give you that

1 option, and that's one thing we have done, so. . .  
2 But -- but, obviously, there will be some that go on  
3 to Carslaw Court, but I don't think -- it's -- it's --  
4 it's not a -- a lot of people.

5 MR. POTTS: Glenn, just my -- my  
6 recollection is that Carslaw Court may not even be  
7 a dedicated street?

8 MR. PRICE: I don't know if it is or not,  
9 at the moment --

10 MR. POTTS: I mean, that --

11 MR. PRICE: -- but --

12 MR. POTTS: -- might raise some  
13 question, too. Because I remember we had an  
14 issue there, and I'm not sure what part of Carslaw  
15 we had the issue on, but my recollection was that  
16 there was some issue on -- on Carslaw Court, so  
17 you need to check that.

18 MR. PRICE: That it was a private street?

19 MR. POTTS: Private -- part of it --

20 MR. PRICE: Okay; yeah.

21 MR. POTTS: -- I think it was a private  
22 street. It used to be an ally.

23 COUNCILMAN SIMON: Well, it used to  
24 be -- I don't know whether it was a court --

25 MAYOR EBERLE: Yeah, I mean, when it

1 was opened, it -- they didn't change the name from  
2 "court." It -- it didn't go to a court. Yeah, that's  
3 why it's called -- still called "court," but. . .

4 MR. PRICE: Thank you for that.

5 MR. POTTS: So, I mean, just -- you  
6 need --

7 MR. PRICE: Yeah. Yeah.

8 MR. POTTS: -- to have that issue. I  
9 guess, one of the things, this is an observation. I  
10 use the Kroger store on Westport Road and --

11 MR. SPEAKER: Hurstbourne?

12 MR. POTTS: -- and you didn't put a -- a  
13 fuel station there. And you did not put a fuel  
14 station there when you re-did that store.

15 MR. LETHCO: Whe -- I'm sorry. Where?

16 MR. POTTS: Westport and Hubbards.

17 MR. SPEAKER: Wesport Road and -- and  
18 Hubbards Lane.

19 MR. LETHCO: There is a deed restriction  
20 in that shopping center --

21 MR. POTTS: Okay.

22 MR. LETHCO: -- that would not allow us  
23 to, or we would have one where the Salsarita's is  
24 today.

25 MR. POTTS: Okay.

1 MR. KEHLBECK: I have a question. Joe  
2 Kehlbeck. I have two, basically. One is: Did you  
3 consider properties that are presently available?  
4 There's one across the street from the Bristol for  
5 52 acres, I think it is, that's available for sale.  
6 And then on the other side of the fire house. And  
7 it seems like the fire -- the gas station here is a  
8 problem, as far as the --

9 MR. PRICE: The residents go; yeah.

10 MR. KEHLBECK: Right? Well --

11 MR. PRICE: Actually --

12 MR. KEHLBECK: -- having looked at the  
13 other pieces of property, because that would  
14 satisfy the needs of having a gas station, but not  
15 this monstrosity here on this very critical turn.

16 The other was what about the lighting at  
17 night? Is this a 24-hour operation?

18 MR. LETHCO: The fuel station?

19 MR. KEHLBECK: Yeah.

20 MR. LETHCO: No, sir. 7 p.m. to 11 --  
21 7:00 a.m. to 11 p.m. at the -- at the most.

22 MR. KEHLBECK: M-hm; okay. But I  
23 would really appreciate your looking at a piece of  
24 property in the area here, but not at point.

25 MR. PRICE: Not at the si -- site? Okay.

1 MR. LETHCO: And I am familiar with the  
2 property you are talking about.

3 MR. KEHLBECK: Right.

4 MR. TUCCI: I'm Lee Tucci. 7301 Fox  
5 Bluff Place, Fox Harbor. My concern -- concerns  
6 are to one: The traffic here is already terrible and  
7 everybody else has brought it up. Secondly,  
8 traffic exiting onto Carslaw, some people going to  
9 want to go up to 42 and turn left. That's already a  
10 very dangerous --

11 MR. PRICE: I can imagine.

12 MR. TUCCI: -- situation there with  
13 another fuel station. And at the minimum,  
14 assuming the city controlled it, it would have to  
15 have No Left Turn. A traffic light would be better.

16 MR. SPEAKER: Well, we have a lot of  
17 traffic lights already.

18 MR. TUCCI: Okay?

19 MR. PRICE: Now, are you related to this  
20 Ms. Tucci over here?

21 COUNCILWOMAN TUCCI: I definitely  
22 am.

23 MR. PRICE: Well, was she kind of giving  
24 you the nod of the -- the mindbend?

25 MR TUCCI: These are my own thoughts.

1 MR. PRICE: Oh, okay.

2 COUNCILWOMAN TUCCI: He'll check  
3 with me later to see whether he really caught the  
4 vibe or not, but he thinks pretty well for himself.

5 MR. PRICE: Yes, sir?

6 MR. HERZFELD: I have a question. My  
7 name is John Herzfeld, H-e-r-z-f-e-l-d. I live on  
8 6705 Wild Fox Lane in Prospect. And one of the  
9 questions, and someone asked it earlier about  
10 diesel. And the big trucks will use diesel fuel.  
11 Will this be a problem?

12 MR. LETHCO: I'm still trying to  
13 determine if the question was a negative or a  
14 positive, but I --

15 MR. HERZFELD: Well --

16 MR. LETHCO: We -- we --

17 MR. HERZFELD: -- diesel is -- is a --  
18 could be a negative, because there'd be more truck  
19 and bigger trucks, big -- bigger vehicles. And that  
20 was my question. And the other thing, looking  
21 down the road, about a plug-in for these electric  
22 cars?

23 MR. LETHCO: We actually have a  
24 program right now that we're looking at that -- that  
25 deals with that, sir.

1 MR. HERZFELD: Okay. Thank you.

2 MR. PRICE: Well, if you don't have any  
3 more questions, we appreciate the opportunity.  
4 This is really good for us to be able to get  
5 feedback this early in the process and it's just --  
6 was just great and happy holidays to you.

7 MAYOR EBERLE: Okay. Thank you,  
8 Glenn. And I assume every -- I hope everyone that  
9 had any questions -- no one's being shy? Do you  
10 have any more for Glenn before we turn him loose  
11 to go have dinner. And as -- as Mr. Price has  
12 stated, it's -- we are very early in the stage. I  
13 believe you filed with the -- with Metro on  
14 December 1st?

15 MR. PRICE: Yeah. We're just -- we're --  
16 we're just in the pre-application stage right now.  
17 It takes roughly -- it'll be, probably, after the first  
18 of the year before we could even file anything.  
19 And there's some legal questions that are out  
20 there that I've spoken with Grover about that have  
21 to be ferreted through, but I think we'll be able to  
22 get through those.

23 MR. LETHCO: And I would hope that you,  
24 too, would talk so we get the rest of the comments  
25 that aren't being stated tonight. But I do, again,

1 appreciate your-all's time. Appreciate everybody  
2 coming out on such a balmy night and -- and -- and  
3 I hope, again, that you-all are Kroger shoppers. If  
4 you're not, then you need to be. Thanks for your  
5 time.

6 MAYOR EBERLE: Okay.

7 MR. PRICE: Thank you.

8 MAYOR EBERLE: Thanks for the whole  
9 team coming out to make your presentation.

10 [WHEREUPON, the portion of the Prospect City  
11 Council, In Re: Kroger, concludes.]

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CERTIFICATE OF REPORTER

STATE OF KENTUCKY AT LARGE:

I, SHERRI L. PERRETTA, Notary Public for the State of Kentucky at Large, do hereby certify that the foregoing was reported by stenographic and mechanical means, which matter was held on the date, and at the time and place set out in the caption hereof and that the foregoing constitutes a true and accurate transcript of same.

I further certify that I am not related to any of the parties, nor am I an employee of or related to any of the attorneys representing the parties, and I have no financial interest in the outcome of this matter.

GIVEN under my hand and Notarial seal this  
day of , 2010.

My Commission Expires: Notary Public

MAY 27, 2013 .

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