

MINUTES FROM SPECIAL REGULAR COUNCIL MEETING

CITY OF SHEPHERDSVILLE,

MONDAY, May 2, 2011

(Rescheduled from April 25, 2011)

Council Woman Bonnie Enlow gave the invocation

Pledge of Allegiance was recited

Mayor Ellis called the meeting to order at 6:30 p.m. and thanked everyone coming out in such nasty weather to attend the meeting.

In attendance were Council members Bernie Brown, Don Cundiff, Bonnie Enlow, Larry Hatfield, Faith Portman and Alan Wetzel.

Mr. Cundiff made motion to dispense with reading of the minutes from the April 11, 2011 Council meeting. Mrs. Enlow 2nd. Motion carried 6-0 absent. Mrs. Enlow made motion to approve the minutes. Mr. Wetzel 2nd. Motion carried 6-0 absent.

Mrs. Enlow made motion to dispense with reading of the minutes from the April 13, 2011 Special meeting. Mrs. Portman 2nd. Motion carried 6-0 absent. Mrs. Enlow made motion to approve the minutes. Mrs. Portman 2nd. Motion carried 6-0 absent.

Mayor Ellis thanked all City employees who worked tirelessly last week during the flood, the Shepherdsville Police Department, Fire Chief Layne Troutman and the fire department; Public Works Foreman Claude Middleton, WWTP Superintendent Chuck Keith, John Bradley, all City department heads. Everyone did an awesome job.

Old Business:

City Attorney Joe Wantland had second reading and public hearing of Ordinance 011-795 concerning timeliness and publishing annual municipal audit pursuant to KRS 91.040. Mr. Brown made motion to approve. Mr. Hatfield 2nd. Motion carried 6-0 absent.

Marty Brown with Public-Finance.com was present to give the Council a short update on the note transactions. He stated that since he spoke at the April 11th meeting the amount for the general fund note has gone from \$1.5 million to \$1.8 because it was discovered more money is owed to Judy Construction than was previously reported. Mr. Brown stated in working with lenders in order to have cash to operate the time frame to pay the money back would be four years instead of 3 years. Mr. Brown reported that there were three lenders interested in the deal; 2 banks and one non bank. He stated all that needs to be done is finalize interest rates and get final terms from lenders. Mr. Brown stated in the beginning they thought a general obligation loan was the way to go; but at this point they feel a \$350,000 bond and \$350,000 tax exempt transaction is more feasible. He stated he feels they should get the note deal closed pretty quickly.

Mr. Hatfield stated that he and Mr. Brown had met with Nick Simon and Publishers Printing Company and Mr. Simon has agreed to loan the City \$200,000 to pay Judy Construction. Mr. Brown asked that if we do that to speak with him first to be sure we don't get in trouble with any federal tax codes.

Mr. Cundiff asked if this would be paid back as soon as we closed on the loan. Everyone was in agreement that it would.

After discussion on the bills Mrs. Enlow made motion to pay all sewer bills highlighted in pink; except those marked for a June 1st due date). Mrs. Portman 2nd. Motion carried 6-0

Mrs. Enlow made motion to pay City bills in amount of \$105,167.80. Mr. Wetzel 2nd. Mr. Brown stated he had a problem paying the bill for Stephens and Lawson because he felt the audit was not prepared correctly. Mrs. Enlow withdrew her motion and Mr. Wetzel withdrew his 2nd. Mrs. Enlow made motion to pay all City bills excluding Stephens and Lawson. Alan Wetzel 2nd. Motion carried 6-0 against. The Council directed the Mayor to call Stephens and Lawson and see they would negotiate the price down and report back to the Council at the next meeting.

At this time Mayor Ellis stated he would like to open discussion on the old City Hall Building. City Attorney Wantland stated that he has spoken with Rex Pitts with the State regarding the building and Probation and Parole is willing to sign a long term lease agreement with the City and pay more rent. However they want some improvements done to the building before doing so. The Council instructed the Mayor to enter into negotiations with Mr. Pitts on the old City Hall Building; finding out the cost to improve the building; how long they are willing to enter a lease agreement; would they be willing to purchase the property. Mr. Wantland stated he doesn't think the State has the capital to purchase the agreement because they run in a two year budget cycle. Mr. Hatfield feels the City can't enter into a lease agreement longer than 4 years. Mayor Ellis stated he would contact Mr. Pitts and report back at the next meeting.

Mayor Ellis stated he had received only one bid to appraise the property on Frank E. Simon. He stated Jack Porter entered a bid price of \$1900.00 to appraise all four buildings on Frank E. Simon (City Hall/Fire Department Building; Community Center; old Police Station; Public Works Garage.) Mrs. Portman made motion a accept bid of \$1900 from Jack Porter. Mrs. Enlow 2nd. Motion carried 5 /0/1 abstain (Bernie Brown).

New Business:

City Attorney Wantland stated that since the next two Ordinances dealt with raising taxes he would like to read them at a regular meeting. After a brief discussion all agreed.

City Attorney Wantland read Resolution 011-012 authorizing the Mayor (or City Clerk in the Mayor's absence) to sign grant application, statement of assurances and any and all documents necessary to carry out submission of the application and development of the project (BRAC money). Mrs. Portman made motion to approve. Mrs. Enlow 2nd. Motion carried 4-2 against (Larry Hatfield; Bernie Brown).

City Attorney Wantland had first reading of a Text Amendment to add Sections 10.00 thru 10.800 to the Official Bullitt County Zoning Regulations for the regulation of Cell Towers that are to be built in Bullitt County. Mr. Daryl Lee, the City's Planning and Zoning appointee said that the Public Service Commission recently started handling cell towers unless the County or City had their own regulations. City Attorney Wantland asked if each entity would participate jointly. Mr. Lee answered yes and asked if Mr. Wantland would take care of contacting County Attorney Monica Robinson. Mr. Wantland answered yes.

Mayor Ellis asked for a motion to approve a Parade Permit for the 2nd Sunday Committee for their event in 1st Street and Frank Simon Parks on October 9th. Mayor Ellis stated they were required by the Police Department to have a permit since they were closing First Street. Mrs. Portman made motion to approve. Mr. Cundiff 2nd. Motion carried 6-0 absent.

Mayor Ellis stated that he had given the Council the three bids he received on doing a rate study on sewer charges. Prices ranged from \$3500-\$19,000. After some discussion Mr. Hatfield made motion to table this discussion and ask Angi Johnston or Phil Wood with Qk4 to look the proposals over and report back at the next meeting. Mr. Wetzel 2nd. Motion carried 6-0 absent.

City Attorney Wantland had first reading of Ordinance 011-(number to be assigned) amending ordinances for collection of ad valorem taxes by the Sheriff of Bullitt County Kentucky for the City of Shepherdsville and compensation for same pursuant to KRS 91.A070 for calendar year 2011 and thereafter until further amended.

City Attorney Wantland had first reading of Resolution 011-013 authorizing the Mayor and other City officers to execute all documents for the purpose of having the Bullitt County Sheriff collect ad valorem taxes and payment for this service.

Mayor Ellis stated that each year the Red Crow Indian Council holds their PowWow in City Park. This year it's the first week of June. He asked Mr. Keith and Mr. Middleton to explain to the Council what expenses the City incurs each year. Mr. Keith stated that the City pays all expenses and that the Red Crow does charge admission to attend the event. He stated we furnish all garbage bags, water, electric, clean up. Mr. Keith stated last year was the first year they supplied their own dumpster. Mr. Keith suggested charging them a fee such as ones incurred if you go camping. After some discussion the Council asked Mr. Keith to come back to the next meeting with a report of costs to the City. The City can no longer afford to give away services.

Planning & Zoning update- Daryl Lee previously presented Text Amendment to Council on Cell Towers.

Board of Adjustment update- Duane Price reported there was one case for Shepherdsville. Keisha Hillard d/b/a Poofy Pets requested a conditional use permit to allow applicant to operate a pet grooming/indoor pet boarding business at 586 N. Buckman Street. The property is zoned B-2 Central Business.

Sign-in Speakers:

Duane Price also addressed the Council inquiring what assurances taxpayers have that after the City gets through this struggle that hands will be kept out of the kitty. Mr. Price asked that the Council look very hard before making increases to anything. He feels it's not fair for taxpayers to carry the burden for mistakes of the City leaders. He stated he's lost business as has others and the value of his property has also dropped.

Mr. Hatfield stated PVA is getting figures together on how much property values have gone down.

A woman who lives on Cherry Street addressed the Council about drug deals on Cherry Street at all hours of the day and night. She emphatically stated we don't need to get rid of cops – we need more cops. The Mayor asked Sergeant Alton to increase patrol on Cherry Street.

Gaynell Rummage addressed the Council about why the City hired someone outside the City to do payroll when there are companies in the City that can do it. Mr. Hatfield stated we may have to revisit this. Mrs. Rummage also inquired if the City has rescinded pay raises and brought wages down that were over the number in the budget. Mayor Ellis stated that would be taken care of tomorrow. Mrs. Rummage also asked about 1099s not being issued since 1999.

Steve Larimore addressed the Council stating he finds it interesting that his wife had to come get a \$3.50 parade permit for an event in the park and the PowWow gets everything for free. Mr. Larimore urged the Council to stop blaming and start moving forward. He requested a clean break be made today and go forward from here.

Department reports:

Shepherdsville Fire Chief Layne Troutman asked the Council if they were available to have a budget workshop one day this week to work on the fire department budget. Mr. Hatfield stated we would start on the general fund. After some discussion it was decided to hold a special meeting budget workshop on Thursday, 5:30 at City Hall to start fire department, police department and public works budgets.

City Attorney Joe Wantland stated the fire department and police department did a good job with the flood last week. They were very visible and professional. He stated people do not appreciate how much the Shepherdsville Fire Department saves the City. Cities covered by fire districts pay \$0.10 on every dollar in taxes. Mr. Wantland stated the amount of money is phenomenal. He thanked them.

Council reports:

Don Cundiff asked about high grass. City Attorney Wantland asked Mr. Cundiff to get the information to him and he would make sure the City gets paid.

Mr. Cundiff also asked if we could clean out the pipe in front of the Gulf Station where water stands every time it rains. Mayor Ellis stated we would have to get a jetter to have it cleaned out; the City's would not reach that far.

Mr. Cundiff also asked how we were going to address salaries. Mayor Ellis stated he would address tomorrow morning. He stated salaries would go back to 2006 wages.

Bonnie Enlow stated she was also out every night during the flood. She stated the fire and police departments were highly visible and did an excellent job. She stated she knows there were some people concerned about not having the meeting but feels the Mayor made the right decision; endangering people for a meeting is not worth it.

Motion to adjourn by Mr. Cundiff. Mrs. Portman 2nd. Motion carried 6-0. Meeting adjourned at 8:08 p.m.

R. Scott Ellis III, Mayor

Tammy Richmond, City Clerk

