

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, April 14, 2014**

Councilwoman Dana Bischoff James gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:32 p.m.

Council members present: Jose' Cubero, Dana Bischoff James, Faith Portman Clinton Kline and Gloria Taft.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 3/24/2014 regular meeting. Clinton Kline made motion to dispense with reading. Faith Portman 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 3/25/2014, 3/26/2014, 3/31/2014 and 4/2/2014 special meetings. Gloria Taft made motion to dispense with readings. Clinton Kline 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 3/24/2014 regular meeting. Jose' Cubero made motion to approve 3/24/2014 minutes as written. Dana Bischoff James 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 3/25/2014, 3/26/2014, 3/31/2014 and 4/2/2014 special meetings. Gloria Taft made motion to dispense with readings. Clinton Kline 2nd. Motion carried 5-0-1 absent.

Mayor Ellis announced that the garbage appeal hearings will be held on Wednesday at 6:30; we have two. Also, an update on Wal-Mart. We finally received a phone call from them last Thursday. Wal-Mart groundbreaking will be June of this year opening March 2015. What set the Wal-Mart back they are putting in a fuel station and when they first put it out it was going to be an 186,000 square foot store. In putting in the fuel center they had to re-bid. We are also closed Friday in observance of Good Friday. We do have a presentation by Cindy Prestigiacommo from CASA; and Dana Elkins is here as well. Cindy Prestigiacommo: I am the Executive Director for the CASA program for Bullitt County. On behalf of CASA I would like to thank the Shepherdsville City Council for allowing us to speak today; April is Child Abuse Awareness Month so it is important that we get the word out about CASA; what we do for the children here in Bullitt County. CASA stands for Court Appointed Special Advocate and we are a part of a national organization with over 950 programs across the nation. We recruit and train volunteers to advocate and support volunteers in the system that advocate for children who are abuse and neglected. Currently our program has 99 volunteers and at this time we're advocating for 168 children. In 2013 our program served on cases involving 258 abused and neglected children in Bullitt County. Our system has over 400 children in the system due to abuse and neglect. We just checked those numbers with the Clerk's office and what they could tell us is there are over 400 children in the system right now due to abuse and neglect. Kentucky statistics show that child protective services reported approximately 24,000 children last year with substantiated cases of need of services or that were substantiated with abuse and neglect. 164 of these cases came out of Bullitt County. Just because there were 164 cases that were substantiated don't mean that's all there was; that's all that CPS has to prove that the abuse or neglect did happen. However there were many more than that. Like I said we served on 258 cases. At this time there are over 400 children in the Bullitt County system and we're serving about 168 of them at this time. I would also like to note that CASA volunteers also saved the State money and costs the State no money. One month in foster care for a child is \$2100. Statistics report that a child with a CASA will spend less than 7.5 months in foster care compared to a child without a CASA. So if the length of time and out of home care is decreased by 7.5 months for just 100 children, Kentucky would save as much as \$1.5 million. CASA volunteers across the United States save individual states hundreds of millions of dollars in child welfare costs annually by reducing long term placements for children. Jose' Cubero: I just wanted to add one thing. I think a lot of Cindy and Dana and the group that we work

with. I don't know if we just ought to make shirts that says, if not you, who. I think in our community we talk about finances, different things, in our community and each community in the County we have over 400 kids that are displaced like this kid Louie or the kids that you saw in the first video. All I can ask is whether it's a friend, family, neighbor, just please be involved. That's really what we're trying to do, get the word out to folks like you who care about the City and your community you live in that you'll do the kind of things, at least share the word who might need the service or somebody who might be able to volunteer. That's really what we like and Dan, it's not any better than what you said.

Old Business:

Further discussion on Mayor's proposal to use surplus funds to pay off the debt that was presented a couple weeks ago; \$574,473.36. Clinton Kline made motion to approve. Jose' Cubero 2nd. Faith Portman: Is this just the expense or is that everything? Mayor Ellis: It's just the expense at the top. Motion carried 5-0-1 absent.

Further discussion on purchase of two new command vehicles for the Fire Department with funds in the Fire Department budget. Chief Layne Troutman: I assume everyone is already aware of this? We had a vehicle fund that had \$50,000 in it for vehicle payments; as you all know it's easier to pay for the vehicles instead of borrowing and having interest charged to it; so we're coming to you to ask to go ahead and purchase those vehicles. The rest for lights, radios, all the extra equipment that goes on the two vehicles and the additional \$4000 for the vehicles because we missed the window to purchase 2014 models, the total comes to \$18,134.00 out of the Mitigation Account for the two vehicles. The price for both vehicles is \$54,915.00. Dana Bischoff James made motion to accept. Clinton Kline 2nd. Motion carried 5-0-1 absent.

City Attorney Joe Wantland: For the Council we're working on the fire truck that is in Wisconsin and it appears at this juncture that the Chief and I will have to venture to Wisconsin probably in the next 60 days and I just wanted to make you aware of that. The Chief is on board, he's going to contact the people with Seagrave and get everybody prepared and we're going to talk about damages to our fire truck. We're not getting far with the insurance carrier for Ryder. The estimate given by Seagrave is substantially higher than what's being offered by the insurance carrier.

New Business:

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) concerning the solicitation of bids for purchase of materials and equipment under the sum of \$20,000 but more than \$7500. Mayor Ellis stated the second reading would be 4/28/2014.

Discussion on request by Settlers Point Business Park LLC to accept Park Loop Court into the City's street system. Steve Scott was present to answer any questions. Mayor Ellis stated Scott Fleming checked on the road and said that everything is okay on it to take it in. Steve Scott: I went out there today to take some pictures. The streetlights are in; the stop sign is up; the finished asphalt is complete. Clinton Kline made motion to accept. Faith Portman 2nd. Motion carried 5-0-1 absent.

Discussion on terminating the agreement with public-finance.com made in 2011 to work on financial options for the City. Mayor Ellis: The reason for that is we have obtained financing through a local bank for the \$3.5 million and we need to remove the agreement that we have with them so we can go after than funding. Faith Portman: We didn't sign a contract? Mayor Ellis: We didn't sign a contract there was just a vote made by the Council. Faith Portman made motion to terminate agreement with public-finance.com. Jose' Cubero 2nd. Clinton Kline: Have they been billing us anything? Mayor Ellis: No. They have not done anything for us for quite some time now; since they obtained the \$3.5 million. Faith Portman: Bob is the one that takes care of that now right? Mayor Ellis: Yes. And Bob will be able to stand up and talk about the refinance. Motion carried 5-0-1 absent.

Discussion on options to refinance the \$3.5 million Series C General Obligation Note. Bob Ryan: I started the search on the refinancing of the \$3.5 million a couple months ago. My first contact was Ross Sinclair; then Nancy Wylie with KLC brought representatives from another organization that obtains financing for

non-profits and municipalities; and then I went for a third look at a local bank. In all honesty I would have to say that of the three two of them were pretty much boiler plate. They came back with proposals that I have seen throughout my years in working with cities and doing audits of various cities; Republic Bank was the more creative in their structure. The cost of doing the refinancing through Republic of the three was significantly less. They allow for extra pay off on principle each month as you pay down with no penalties. You can pay the note off as fast as you want. It is a 5 year note with a 10 year amortization. What that does is it allows you to have monthly payments that are lower and while these monthly payments are lower that gives you the opportunity to kick in extra principle each month and pay the note down faster. It's doing business again with a bank that is in our community. Faith Portman: Bob what would the monthly payments be on that? Bob Ryan: \$27,000 a month. Like I said the fees are less, the cost is less to refinance through them; and they are local. The numbers just tell the story. Jose' Cubero: I think the opportunity for this Council as we've done before is as we get chances in ten years we can pay off early. We'll have some opportunity with the revenue numbers that we're looking to forecast in the next 5-10 years. It would be nice to pay it off in 5 years but it just depends on the circumstances. Clinton Kline: What kind of interest have we been paying on that money we're borrowed so far? Bob Ryan: It's about 2.5 % on the \$3.5 million. Clinton Kline: We've made it on the full \$3.5? I just want to know how this is going to affect our total cash flow. Bob Ryan: We're not actually refinancing and paying back the \$3.5; the \$600,000 will go against it. The interest was two payments of \$45,000 a year. Faith Portman: Are we going to use tax money or sewer fund. Bob Ryan: Sewer. These funds were raised to pay off construction debts and everything associated with the sewer. City Attorney Wantland: That's a sore spot but the truth of the matter is this Council inherited a prior administration's mess and had to some way come up with a solution. This Council did not have anything to do with the acquisition of this debt. This debt was acquired before this Council. I've seen some things in the paper that would kind of lead you to believe that something else happened but this \$3.5 million was here in 2011 and as I understand the money was for a particular sewer grant and was spent through the General Fund which forced this Council to complete the grant without any money because that money had already been spent by prior administration. So when people comment that somehow you all had something to do with this I want everyone out there to understand that this Council didn't have anything to do with this. This is something that you all walked into. Faith Portman: Bob did we reach out to any other local banks? Bob Ryan: No. City Attorney Wantland: Mr. Ryan your recommendation is to go with Republic Bank. Bob Ryan: Yes sir. Gloria Taft: In looking at what Bob has done; it's going to save the City at a minimum \$50,000-\$150,000 I make a motion that we go with Republic Bank to refinance this. Faith Portman 2nd. Motion carried 5-0-1 absent.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Sarah Salings: Thank you Mayor and Council. My name is Sarah Salings and I appreciate the chance to promote a free event that we're having May 31st. It's going to be at the American Legion Post 157 off of 480. We're going to have a silent auction; and this is all to promote domestic violence awareness. The silent auction will have some one of a kind items; items are from \$5.00 and up. If anybody needs the address to American Legion Post I have it. Post 157 is located off of 480 near Highway 61; the address is Charles Hamilton Way 227 North. Bring the family and join our cause. You will leave with a smile on your face and hopefully with an item of your choice from the auction. If you want to help or have something to donate please contact me. My phone number is listed on the flyer. Again I want to thank you all for letting me stand here and say that and let the public know this is going on. Domestic violence, I don't have statistics on it but I do have a police scanner, and I can guarantee you there are two or more domestic violence related runs that these officers have got to make every week without skipping a day; they don't get holidays off either. If there is anything that you all can do to help support the cause I would love to see everybody there on May 31st from 6:00-9:00 and I appreciate your time.

Department Reports:

Chief Doug Puckett: Everybody should have a surplus list. I'd like for you all to declare this surplus so we can get rid of it. The items will be listed on gov.deals. Clinton Kline made motion to approve. Faith Portman 2nd. Motion carried 5-0-1 absent.

Council Reports:

Faith Portman: I need a list of who the Code Enforcement Officers are. I know O'Donnell takes care of it but the names of the officers that go out. **Chief Puckett:** Sergeant O'Donnell will get that for you. **Faith Portman:** Are we going to start doing work to the park soon; like new playground equipment. I've got some pictures I'd like emailed to the Council and the Mayor. **Mayor Ellis:** We've got some money put in the new budget for it that's going to do some stuff. **Faith Portman:** I've been visiting some playgrounds and there's some really good stuff out there. I think it would be great for our park. **Mayor Ellis:** Come by and I'll give you the Game Time magazine that comes in that has a lot of the playground equipment. You'll also flip your wig when you see how much it is. The new one that we put in at Frank E. Simon, the regular list was \$28,000 and we got it for \$18,000 and had some donations come in for it. **Faith Portman:** We need to look at gearing to another age too. We have a lot for little kids; the swings are kind of geared for certain age. I've got a few ideals on that. **Claude,** when are we going to start planting flowers and stuff in the park? **Mayor Ellis:** I'd say within the next week or so we'll be getting some stuff out. **Faith Portman:** I know we put money in for sidewalks are we going to start on any of them this year? **Mayor Ellis:** I think what we need to do is focus on a lot of them that are broken and try to replace those before we go out and do a whole new project. We can get Claude to start making a list on areas that are broken and getting those fixed. If you see them out there make a note. **Faith Portman:** Across from Bullitt Central is horrible. And somebody from Salt River called and wanted to know when they were going to start on the humps over there. Some streets weren't done. **Mayor Ellis:** The only way they will be done now is after the asphalt plants open up which they have just now done. We'll have to get Mago out there. I know there was one road that didn't get hit and we had told them that it would be this year because they came to us in the fall. **Faith Portman:** I also read in the paper because I didn't get to make the budget workshop on Sewers because of strep throat; but are we raising the sewer rates 1%. **Mayor Ellis:** Yes, it's the CPI across the board per the Ordinance it has to be done.

Dana Bischoff James: Do we have any updates on the fence? **Faith Portman:** I went to Lowe's and they are working up a quote for the City on fencing, and I talked to the guy about bolting it to the big poles and then add a 4x4 in between each one of them. That would probably be great and he's working up the cement, how many we would need. **Mayor Ellis:** As soon as he gets that quote we'll need to look at it again. We need to discuss how we're going to handle this. We didn't receive bids when we put it out in the paper but when we actually called and solicited bids we got three bids that ranged anywhere from \$16,000-\$30,000. We've got to look at something on that. I don't know what we do but we've got to do something. **Jose' Cubero:** That's materials, we do the labor. **Faith Portman:** Yes. I don't see why we can't do the labor.

Jose' Cubero: I just want to reiterate thanks Dana and Cindy for coming out. I appreciate that. Obviously it's good work there but I appreciate you guys coming out.

City Attorney Wantland: Mr. Campbell is not here tonight, he has worked very hard with the Mayor and with me with the Corp of Engineers so it looks like that project is on the go about the design for the Blue Lick Road project. I feel pretty good about it because I indicated to the Corp of Engineers that they were asking the City to sign a blank check and the Corp of Engineers looked at it again and agreed with me that they were asking us to sign a blank check. This past week the YMCA met with the City and County and was talking about the interest in developing an aquatic center for the youth in this community. We're going to be looking at that and seeing what proposals we can bring back to the Council. I also wanted to comment on CASA while they are here; I don't go to that Court very often anymore. I avoid room 203, the second floor of that Courthouse, what they call the DNA docket, dependents neglect and abuse because emotionally I can't take it. It has really just worn me down; my hats off to everyone who works in that Courthouse on Wednesday morning. Those are our children. You cannot believe the abuse neglect that these children have to endure and we want to know what's wrong with these children and why they act the way they do. It's a wonder that they are just not pure heathens savages the way they are treated by their parents. And the people who do the work every day they are so strong to do that and the love they must have is just

phenomenal. Bless you all. Judge Spainhour has been instrumental in the leadership. Judge Burrell is on the Board. You just can't comment enough on Judge Ward, Judge Porter. They don't get paid to do this. They don't get an extra nickel. You just can't believe the violence these children have to live with. The resources put through the County Attorney's office right now has been great; stepped up, you can see it. But it literally takes your heart and just rips it out. Jose' Cubero: I want to add this too, there are four awards they give in the State and Bullitt County won two of them for Judge Spainhour and Scott Wantland.

Mayor Ellis: You'll be getting some information from me, I don't have it yet, from Jim Rice and Jesse Flynn; Arthur and I have come up with a couple different things regarding the FEMA Floodplain issues with them raising the elevation of the City that we're hoping we'll be able to mitigate. Since I don't have the information I really can't share too much on it; but as soon as I get it I'll get it to everybody and we'll be able to discuss it hopefully at the next meeting.

Clinton Kline made motion to adjourn. Jose' Cubero 2nd. Motion carried 5-0-1 absent. Meeting adjourned at 7:42 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk