

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 23, 2013**

Pastor Randy Pace, Family Worship Center gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:34 p.m. and welcomed everyone to the meeting.

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

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 9/9/2013 regular meeting. Jose' Cubero made motion to dispense with reading. Clinton Kline 2nd. Motion carried 4-1-1 absent.

Mayor Ellis called for a motion to approve minutes as written from the 9/9/2013 regular meeting. Clinton Kline made motion to approve. Jose' Cubero 2nd. Motion carried 4-1-1 absent.

Old Business:

City Attorney Joe Wantland had second reading by Summary of Ordinance 013-(number to be assigned) amending Ordinance 013-136 (Civil Service Ordinance). Mayor Ellis called for motion to accept or deny. Dana Bischoff James made motion to accept. Bernie Brown 2nd. Mayor Ellis opened the floor for any discussion. He called Civil Service Commission Chairman Tom Rosselli to the podium to answer any questions. Tom Rosselli: Today I had a meeting with our Counsel, Walt Sholar, who is involved in the Civil Service and we made some forms up, fill in the blank; that will help the clerk immensely in doing her job. But my main reason is that I'd like for the 22nd of October all Department Heads, and if you can make it, Walt Sholar is going to be here, he will explain everything; why we're doing it this way, what it has to be done this way, because it doesn't match the manual. If it doesn't match the manual this comes ahead. This takes priority over the manual. Can any of you guys make it? If you can, the 22nd of October at 10:00 a.m., that's our regular meeting. Tomorrow I'll get with my Clerk and I'll advise her that we're going to have a meeting at 10:00 and this is just to let you know what the right and left hand is doing so you can understand this. The meeting will be right here so it can be on tape. Vote was taken at this time. Motion carried 5-0-1 absent.

New Business:

Mayor Ellis called Public Works Foreman Claude Middleton to the podium to discuss request from Dwayne Brumley to take over Boardwalk Avenue. He stated everyone had received pictures of how the road looks at this time and asked Claude his thoughts on taking this road over. Claude Middleton: No. It's not ready to be taken over by the City. Faith Portman: I went over and looked at it too and I agree with Claude. I make a motion that we reject this request. Bernie Brown 2nd. Dana Bischoff James: Before we take a vote I was going to suggest to table this and find out if it's even a City street at all. Claude Middleton: It's not a City street. Faith Portman: It's never been taken over. Mayor Ellis: My concern would be and I see where Dana's at; if it runs through an apartment we never take over streets that go through apartments. If that's the case we're going to take over Lake Erie, Lake Huron and Ontario Court in Lakeview Gardens Apartments and we've never done that. I have a motion by Faith and a second by Bernie, all in favor? Motion carried 4-1-1 absent.

Mayor Ellis: We have a utility easement here for Wal-Mart. Joe, if you would, explain that more in depth. City Attorney Wantland: Qk4 and Scott Fleming have worked on this, I've worked with them. What you are looking at is a document that basically is about a page and a half, before it was eight pages, Wal-Mart really wanted us to commit that we were going to be completely, totally and absolutely responsible for the sewer line. We've basically now have said we'll be responsible for what we do and no more. Scott Fleming is here, Scott, one of the things that this easement is going to do is we're going into the parking lot, if you will, for this utility easement which is a little bit different so I want the Council to be aware of that. I have spoken with Scott, he believes that we will have more control over the easement by doing it this way and that would

make sense. I just wanted to point out why we're doing that by having it out to the street because there is going to be other businesses in this development tying into this line at the parking lot before it gets to the street. So if the line is put in correctly and I think we're going to have people looking at that, Scott Fleming is recommending to the Council to approve it. I have worked on this; legally I think it's in what I refer to in a "doable" form where before it was not doable. They were asking too much commitment on behalf of the City. We rejected that and had that language removed so at this point we've got it in a position where one, I think it is doable for the City; we put in the language that was really important is that if they move the easement that the City has to approve the relocation. Our position has to be reasonable but I didn't want us to be unduly burdened by the easement; so the way the form of it is right now I think in speaking with Scott, it is what he would like the City to do and it's in a good legal form. Scott Fleming: I just got off the phone with Rob Campbell just verifying what we went over and he's on board with it and I believe we're on board with it. Dana Bischoff James made motion to accept. Faith Portman 2nd. Motion carried 5-0-1 absent.

Daryl Lee: Had nothing to report.

Duane Price: Not present at meeting; no report.

Sign in Speakers:

Bobby Miller, 280 Stevens Drive: I want to thank the Fire Marshal for coming over and taking care of my burn permit. The reason I'm up here tonight, Angel Truck and Trailer Service over in Capps Park. I know every one of you all know about that. I understand that you all gave him a business permit. Mayor Ellis: We gave him the one where he can dispatch his trucks out of there he just can't work on vehicles. Mr. Miller: So if I'm reading the restrictions here in B-2 it says all types of retail sales, service, excluding automotive repair garages, service stations, drive in theaters, drive in restaurants, bait shops. Angel's Truck Repair and Trailer Service, 210 Stevens Drive. If he's not zoned for truck repair, truck repair comes under automobile repair. Mayor Ellis: As long as he's not working on the vehicles on that property. Mr. Miller: My question though is how do you give him a permit at a business address that does not allow automobile repair? Mayor Ellis: If he's not repairing vehicles on that property he can run that business out of there. If he is dispatching his trucks out of there, there is nothing wrong with that. He's listed as B-2, he can run trucks out of there all day long he just can't work on the vehicle there. Mr. Miller: I just don't understand how you can give him a business permit at an address that doesn't allow that is what I'm saying. Mayor Ellis: It does allow it. I'm saying that if he's not working on the vehicles there he can dispatch a truck out of there today. He's not working on a vehicle there. We've actually had officers over there and if they run the tags and it comes back to somebody else, we'll deal with that too. City Attorney Wantland: He's been issued a stop work order for repairing vehicles. Mr. Miller: Another thing, when you pull in and come right around the curb to come back in the subdivision there's a dumpster sitting right there at the edge of the road. That's got a right of way there. Mayor Ellis: Has Mike Miller went over and asked him to move that back to the back. Chief Puckett: Yes he did. Mayor Ellis: We've addressed that. No parking on the street signs will be posted all through there as soon as they come in. Mr. Miller: Is there any kind of Ordinance in the City about how many vehicles can be parked on your property? Mayor Ellis: No, as long as they run. Mr. Miller: If we get pictures of him working on automobiles over there we need to bring them to you? Mayor Ellis: If you see him you have to call the Police Department or call Dispatch and have them send a police officer over there because that crime has to happen in the presence of a police officer, it can't just be a picture. They actually have to see him working on them and run the tag and if the tag comes back to somebody else they can nail him.

Department Reports:

Chief Troutman: I sent an email out to the Council last week about training for the 3 Captains. I just need to know if I can get it approved for the funding to come out of the Mitigation Account to pay for this training. Clinton Kline: What's the Mitigation Account balance? Chief Troutman: \$43,000-45,000. The cost of training is \$1495 for all three. Columbia Southern University is hosting a class for the Company Officers to give them more training on how to run their Companies more cost effectively. Dana Bischoff James made motion to approve. Jose' Cubero 2nd. Motion carried 5-0-1 absent. City Attorney Wantland: I just want everybody to understand that's here tonight that Shepherdsville Fire Department was manning the Mt. Washington Fire Station the other day while Mt. Washington went to Spencer County. It's nice to have people working

together for the betterment and protection of this Community. Mt. Washington had an event near Waterford Road and I know we had vehicles that were assisting Mt. Washington Volunteer Fire Department in its District and that was very nice to see that everybody was working together but everybody needs to remember there is at least one volunteer fire department in this Community that just doesn't want to get along with anybody. That needs to go out, you need to keep reminding your public officials that you vote for that that is a problem and it's costing the taxpayer money but it was nice to see that Shepherdsville and Mt. Washington definitely were working together. In this case people in Spencer County needed some help, they got it. The other night people in the Pleasant Grove area needed some help and they got it. Chief you need to hear once in a while "Thank You". People are noticing that you are out there and doing a good job. Jose' Cubero: Chief I want to throw this in because I think most of us obviously we approved that expenditure but that's what we need to do. If we're going to continue to be on the edge of knowing what's the best procedures and leadership and management that's going to take to keep this City growing, that's the kind of stuff we have to invest in. That's money well spent and I know you've got a good crew but I just wanted to tell you thanks.

Bob Ryan: I sent an email with a revised budget for the Police Department. Any questions on that? A couple things I want to point out here on the Statement for the City for the General Fund City Administration. Under Plan Review, Account 4039, you'll see a \$15,000 negative number there. What happened in January was \$15,000 of sewer money got deposited into the General Fund into this account and recorded as Plan Review money. That in August was corrected, taken out and moved over to the Sewer Fund. So that created this \$15,000 reversal. That's why you see that number as a negative. Under Restaurant Tax Clerical Fee, nothing has been collected for the last two months. It's been my understanding that's now on a Quarterly basis instead of a monthly basis. That's why you don't see the \$1000 a month in there. That will come in every quarter. One number here confirming another number on the Sewer, Connection fees are up and building permits on the City side are up. Other than that there is nothing unusual. On Sewer, Scott Fleming pointed out in looking at his statement, Utilities, Old Ford Road, Account 5450, \$47,000, that's two months. There were some bills that I paid early before I went on vacation and that's why that number is so unusually high. There is two months there, don't look for that in the future. Each month will be about half that.

Council Reports:

Faith Portman: Did we get quotes on the fence at the tow lot? **Scott Fleming:** We've gotten a response from Okolona Fence. We need to pick out the type of fence we'd like to have and then walk thru with the Mayor, Chief and I. **Mayor Ellis:** We're going with Metro, Cardinal and one other company. **Faith Portman:** Everybody is aware that I work at an Elementary School and our Family Resource is going to be cut to three days a week instead of four. I'm encouraging people that live in the Shepherdsville District and Council members and the Mayor to write a letter and you can send it to Shepherdsville or give it to me and I'll get it to Mr. Pate. Without our Family Resource we have a lot of children that are in a lot of need. I can't tell you how much she does for our School. If you want to make a difference write a letter and support our Resource. If you need any more information I can get it to you. I would appreciate anybody that feels like they want to help our kids. All programs are free to the kids and we need to keep her. She's a great resource. **Mayor Ellis:** I want to echo what Faith said. When we started doing the "Shepherdsville Santa" program last year I did the research through all the schools; Shepherdsville Elementary School was at 88.5% free or reduced lunches. It's important that we support this program.

Dana Bischoff James: I just wanted to keep seeing the Community work together. I like to see the partnership between the Fire Department and also some of the local businesses. The Fire Department is getting ready to conduct their Stop, Drop and Roll fire prevention by going into elementary schools and giving out shirts so it's great to see that resource and of course "Shepherdsville Santa" from the Police Department. Also I know that several of the Council members have been working directly with Department Heads trying to find out ways to keep things going in the right direction. I just ask the Department Heads to keep in contact with us and let us know what's working and what's not so we can continue doing our job.

Jose' Cubero: I only have one thing. I know we've had some discussions over the last couple months about things we can do to always improve our City. One of the conversations has been we've talked a little bit about a supervisory role between two of the departments to get them to run in a more efficient way that actually takes care of the taxpayers and I've talked to different ones on the Council and got some feedback. What I'd like to see is we put something out or at least decide what we're going to do. So I'd like to challenge the Council over the next couple weeks, maybe in the next couple meetings, any concerns, we've talked about it but what we're looking at is looking at a position that works with the Sewer and Public Works to run them even more efficiently than they do today. What we're doing is everything we do today is what we're going to do the next 2, 5, 10 years and I think when we look at those two departments they work more in sync on the type of things that coordinate each other, some seasonal things that are opportunities. What I really want to do is over the next couple meetings I'd like to make sure we've talked a little bit about job description, we have it. But I know even Clinton made a comment that we want to keep looking and maybe tweak that, maybe make sure the job description for that position before we present it to the taxpayers. There have been some concerns about the financial part of it. This is actually a person we'd like it to be within the City staff. It's not going to be an additional person so we're talking incremental as far as maybe the pay range where that person is. We've talked to a couple people that we are interested but I think its key that we obviously do things that are always in the best finances because I know a couple have brought up watching the dollars; we do, we want to watch it but we want to continue to do things that improve the way that we run the City. And when you look at Public Works and Sewer I think there is a lot of opportunity the way those two groups work together. I think they both do a good job but I think it can be done even better with somebody that supervised both of those. That's a position we've talked a little bit about along with that tough, when they are running more effectively we're saving the taxpayers money. So financial is not really a concern at this point and obviously we've lost a Public Works person we haven't replaced. So again it goes to you and your group Claude, that you're able to do the kind of job you're doing with one less. It says a lot about what you and your group can do. All I want to do is I want to make sure that the next couple of meetings that we discuss the job description, pay range, and then talk about it; that we do something about having a position, maybe by January 1, I know there's been some concern—let's not do something quick, I agree with not doing anything quick, but I do think we need to spend at least a couple months maybe by January 1 we can have somebody in a position that's going to continue to look at the growth of this City because it's only going to get bigger. I keep saying that at every meeting I come to. I want to make sure people have a vision on what the City can look like. But it's going to take being staffed and being able to serve it from a save community and making sure we offer the best services because we want businesses to come here but we want people to live here. I think that's an important part when we look at things we do up here. I know it sounds like a broken record when we always talk about we have genuine attitudes up here. I just want to make sure that everybody at least thinks that. I know that we've had our conversations so I challenge you guys next couple of meetings that we get something done and we put something out. I'd like to make a motion maybe in the next couple meetings that we think about that position and get it placed and decide to pick the best person for it.

Mayor Ellis: Asked Denise Arnold to give details about her event in the Park on Saturday. She stated it is the Stand for the 2nd Amendment Rally, Saturday at First Street City Park from 11:00 – 2:00. Mayor Ellis: Come out and support these folks they are trying to stand up to make sure that voices are heard not only in Shepherdsville, Bullitt County but all over the Commonwealth and even the National level to protect your right to keep your firearms.

City Attorney Wantland: I know Jose' is doing more and more work in this area and Faith you're getting there too. I grimace when we think about our children in this Community. As I understand it children who get one meal a day are not abused, not neglected. I know you all saw me grimace up here. I'm telling you I see these kids every day and thank you Ms. Portman for bringing it up tonight, thank you Jose' for everything you do because our kids deserve better.

Clinton Kline made motion to adjourn. Bernie Brown 2nd. Motion carried 5-0-1 absent. Meeting adjourned at 7:07 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk