

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, June 9, 2014**

Pastor Randy Pace, Family Worship Center gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:32 p.m. and welcomed everyone to the meeting.

Council members present: Bernie Brown, 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 5/12/2014 regular meeting. Clinton Kline made motion to dispense with reading. Jose' Cubero 2nd. Motion carried 6-0.

Mayor Ellis asked for a motion to approve minutes as written from the 5/12/2014 regular meeting. Faith Portman made motion to approve 5/12/2014 minutes as written. Gloria Taft 2nd. Motion carried 6-0.

Mayor Ellis announced that Shepherdsville did a really good job with the Crusade; raised over \$35,000, a 32% increase. So when you see a Shepherdsville Firefighter give them a pat on the back. Also, I was going to put it on the Agenda but didn't get a chance to before they went out; we had talked a while back about the Public Utilities Director position. After talking more with Scott I want to offer that position to Scott, he is accepting that position. So at this point in time I'll ask for the Council to approve him being put in that spot. Dana Bischoff James made motion to approve appointment. Jose Cubero 2nd. Motion carried 5-0-1 opposed.

Old Business: None

New Business:

Mayor Ellis called Bob Ryan to the podium to discuss cost to have an independent consulting engineer give a certification on Sewer long term debt agreements. Bob Ryan: After the May meeting I contacted Rob Campbell with Qk4 asking for recommendations of various engineers; he gave me three. I corresponded with all three and received responses from two. Heritage Engineering LLC, located in Louisville, Kentucky and Jeffersonville, Indiana. Their engineer, Mr. Robert L. Woolsey gave me a rather nice detailed response in the procedures he would follow to do his examination of the financial records and the sewer operations and make projections on the needs of the sewer system and the debt retirement. His fee was \$9500.00. Another engineering firm, Strand & Associates also out of Louisville, Kentucky, sent me a one page letter with some explanation of what he would do in order to prepare his certification and his bid was \$3500.00. That's quite a spread between the two. Frankly, with what is involved and the steps that would be taken and the implications that could be incurred with the \$28+ million dollars in debt that's outstanding, that is subject to this certification of a rate reduction, a \$3500.00 report with a one page explanation, that's like do you want to go to the moon on a rocket built with the cheapest bid. When I have the other with a very detailed explanation of what the fellow is going to do but his cost is \$9500.00. If you wanted to proceed with this one. Jose' Cubero: Could we just get more detail? You've got no detail on that one. Bob Ryan: I would sit down with this fellow a little bit more. Clinton Kline: Are they licensed and bonded? Bob Ryan: Yes. These are all professional engineers. Mayor Ellis: Strand has done work for the City before. Clinton Kline: With their certification and licensing and he's bonded, I really think if there was something wrong the liability would fall back on his firm. I don't think they are going to call in the note if we got the certification from a professional engineer. I would like to make a motion; we have what I think is a top and bottom dollar there that we put this out for bid. Faith Portman: Did you say you had three Bob? Bob Ryan: Yes, I did not hear from the other one. Jose' Cubero: I would rather know more instead of just one page. We want to at least find out more. City Attorney Wantland: Point of order, we have a motion that's been made. Faith Portman 2nd. Clinton Kline: Can we advertise in case there are any other firms that weren't on that list of three? We have a ballpark price, I think somewhere between \$5000-\$10,000 is a reasonable fee to pay to see if we can do anything to lower these sewer rates. Mayor Ellis: If we're not able to get one in a 30 day time we can also

set up to have someone from Strand and Heritage come in and explain a little bit about what we want them to do. If it comes down that those are the only two. Bernie Brown: If we go on and get this information from a certified engineer and we find out that Bob's analysis and calculations are accurate and it's in the neighborhood of 105 as opposed to the 120, what are we going to do about it? It would be good to know. Mayor Ellis: At that point in time it becomes the pleasure of the Council of what you do. Dana Bischoff James: My question was similar because if the whole premise is to see if we can technically remove the CPI. I read through our last meeting notes and there were some really good comments brought in; one of the comments was in the past the previous Councils did not hold to the CPI and that's why the Sewer Department is in the financial crunch that they are in now. So do we want to spend money from the sewer to put them in deeper debt just so we can find out that we can't do anything? It's like do we want to put the Sewer Department in more debt to come back and get information that Bob's already researched to say they we shouldn't or can't do this back all the way to a 1982 Ordinance. Do we want to spend more money? Gloria Taft: The worst part is if we find out that we're further behind than we think we are we're facing raising sewer rates further than the 1% on the CPI is now. Dana Bischoff James: This could actually backfire and cost the constituents more money. So if we're in an operational means I don't know that we want to continue to do this. Obviously the Sewer Department is the one Department that we're still working backwards from previous years by things not conducted according to the actual Ordinance. So why do we risk increasing taxes? Faith Portman: If we put it out to bid we don't really even have to do it. Dana Bischoff James: That's bad business though; you don't solicit a job without the intentions of doing it. City Attorney Wantland: We've paid two consultants probably in excess of \$10,000 and the Council didn't follow up on any of the recommendations made as to rates. Dana Bischoff James: I don't want to see us continue to spend money on the Sewer Department trying to bring people where they are paying less on the CPI which was put in there for a purpose and that costing more money in the end. Faith Portman: I wasn't asking to lower the sewer rates, I was asking to take it out automatic and us vote on it. That was our job in the beginning. That was put in to keep the Council from having to raise the sewer rates. That way when you go out and you campaign people say of you raised my sewer rates you can say no I didn't it automatically raised. This is holding us accountable; the people that should be held accountable. That's the only thing; I didn't ask to lower sewer rates; I asked to take it out to where we had to vote on it. That's all I asked for. Everybody has blown this completely out of proportion. But that's okay. Jose' Cubero: One of the prefaces we made on this is the fact that this was probably designed by the institutions that loaned us the money. They had to guarantee some recourse of how they were going to make sure they were going to get paid. That's why they committed having the City make sure that the rates were kept up with; with inflation and they type of things that are going to cost for operation of the Sewer Department. We start flirting with that after just four years of what we've been through; that's what this goes back to. There is not an era of good feeling. We feel pretty good that we're in better shape than we've been in the last four years; and the fact that we're doing the right things as far as paying down debt and paying cash for items that we need to run the City. The problem with now is we're starting to tinker with what's in place; an Ordinance in place to insure just the inflation part of this; so from the basic operations; I agree with Dana, I know we've had these conversations; we're still working from the preface of still sorting things out and making sure that we're running at the level we need to. We have a growth in there. We've got some big plans but we've just got day to day operations that we need to make sure are staying in place. I don't know that we're at this point to be making these kinds of decisions financially. I like where we're at financially especially from four years ago. But I don't know if we're at that position to start tinkering with things like the Sewer Department and what they need to run that thing on a basic operation. We're still talking about things they still need over there. Dana Bischoff James: And looking at the net; I would say that the expenditures are only going to increase as the City and the businesses increase. There is going to be, right now we're looking at a few projects that need to be conducted. I don't personally feel like this is the time to look at removing the CPI and I certainly don't want to take taxpayers money and put the Sewer Department into further debt. Gloria Taft: Approximately what would it cost to have the opportunity advertised? What does that run? City Clerk Richmond: You have to run it three times. Depending on how big the ad is will determine how big the cost is and it can run anywhere from \$500-\$1000 depending on the size of the ad. It is expensive to run the advertisement for bids. Bob Ryan: You would want an ad that has enough information in it so that you would get an offer like this one instead of like this one so they would know this is what we want from you. City Attorney Wantland: Clerk Richmond do you have the person who did the cost study analysis of the sewer

rates and made a presentation to the Council about three years ago. Could you possibly find the study and put it in the Council's box so that they would at least have that type of information for them to follow up on. City Clerk Richmond: It was Caryn Lee with Lee Utility. City Attorney Wantland: There are four Council members who did not hear her presentation and you all might garner some information from that. She did the analysis of our rates and made recommendations. You don't have to accept them. Obviously they were rejected three years ago but there was a lot of information that she did present. Councilman Kline I'm not trying to say not to advertise but that is information that we've already paid for that's available. Clinton Kline: About our rates but not about the legality whether it's contractual for us to do this? City Attorney Wantland: I think there is information that would lend you to believe that the City still is not having an appropriate rate structure to either consider a CPI increase/decrease/or anything else. She was pretty clear. Clinton Kline: I'll withdraw my motion. Faith Portman: I withdraw my second. Clinton Kline: Made motion to table further discussion until the next meeting when we have more information. Faith Portman 2nd. Motion carried 6-0.

City Attorney Wantland to open sealed bids on 21' boom mower and salt storage building. City Clerk Richmond: I did not get any bids on the boom mower and received two on the salt storage building. City Attorney Wantland opened bids on the salt storage building: It's in a sealed envelope, received by the Clerk at 3:55 on June 9th; it does not identify on the outside who the maker of the bid is. This is a bid from Kelsey Construction LLC dated June 6th to the City for a 40 x 32 foundation slab pricing, lays out that the City provides the survey work, it describes what it tends to do, it's not signed, but it says the total price of \$22,246.00. This is a sealed bid received by the Clerk at 2:55 p.m. on June 9th; again it's not identified on the outside. This is a signed proposal by Victor W. Hodge, in the amount of \$19,750 for a 32 x 40 slab with 8' wide 4' or 6" walls to be determined. Clinton Kline made motion to have Scott review the bids and make a recommendation to the Council at the next meeting. Gloria Taft 2nd. Mayor Ellis: We've had both groups do work for the City in the past. Kelsey worked on the sewer line and Victor has taken some driveways that were damaged in the past and fixed those. Both groups do a fine job. Motion carried 6-0. Gloria Taft: Scott if you would write out why you're recommending one over the other if you would please. Mayor Ellis: If anyone has any questions get with Scott as well. He can take you over to the farm and show you where it's going to be located also.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) adopting Text Amendment 2014T-02 schedule of fees and charges to the Bullitt County Joint Planning Commission Zoning regulations within the corporate limits of the City. Mayor Ellis stated the next reading and discussion will be at the next meeting on June 23rd.

Mayor Ellis: We have a Transition Agreement among the City of Shepherdsville and GFS Central States LLC formerly known as Institutional Distributors Inc. (GFS), GFS Holding Inc. (the GFS Bondholder), Shepherdsville RE LLC (Pinnacle) and Shepherdsville Re II LLC (the REIT Bondholder) and we'll open the floor up for any questions. City Attorney Wantland: Gordon Food Service approached the Commonwealth of Kentucky, I think it was Illinois and Indiana that were in competition for that facility and Shepherdsville prevailed. The Department of Revenue I think is now the Financial Cabinet worked with Gordon Food Service and did things to attract this business into our Community. And as part of that the City worked with the Commonwealth of Kentucky as well. The Transition Agreement has two purposes. One purpose is that Gordon Food Service is restructuring their debt structure. Gordon Food Service has, for lack of a better word, has different corporations and they have a holding company. The holding company holds the bond but because of Internal Revenue regulations the building is one type bond issue tax exempt and the equipment is another. So they are taking the one bond issue that they have now and they are going to cut it in half, almost in half, because one of it is for equipment and the other is for the property and that's just because of the Internal Revenue regulations. What the Council should be concerned with is it has no effect on the City's general obligations. What the City has done on this and Ms. Richmond is here, the City collects the rent from the Gordon Food Service and pays it to the Gordon Food Service holding company and we have done that for 6-7 years now. Part of the Transition Agreement, again the numbers, amount of money for me is staggering, but it's a lot of money. Gordon Food Service made a \$90 million investment in to our Community and it's quite substantial. As part of this bonding arrangement the City actually has title to this property. The City can't mortgage it, can't encumber it. We're under an obligation to collect the rents

and turn them over. It's pretty straight forward. Councilwoman Taft and Councilman Brown were present when Gordon Food Service was here two weeks ago. The reason I'm talking about this is that as part of this by being in the name of the City the property becomes tax exempt. What Gordon Food Service has done with the City is develop what they refer to as payment in lieu of taxes. This is all wrapped together and you all ask questions or stop me. But the payment in lieu of taxes is arithmetically, there is a calculation done at this building, this property let's say is \$90 million, I have no idea what it is but it's right there; they literally take the school tax rate multiply and a check for that amount of money goes to the Finance Cabinet which is turned over to the School Board. In other words Gordon Food Service is paying taxes, if you will, in that fashion. Part of the pilot agreement with the State is the City of Shepherdsville foregoes 75% of those monies for a period of time. So the City is getting 25% of that money, 14 cents a hundred, \$90 million, \$100,000 a year. We get 25% of that. They are paying. I don't think the County gets anything; I don't think the State gets anything; the School Board gets 100%; the City gets 25%. Sometime in 2007, 2011 as I understand, Gordon Food Service suspended its rebate of the occupational taxes and as I understand it was on the behest of the City. The City came to Gordon Food Service said we're short some money can you help us out and Gordon Food Service has been paying occupational taxes to the City even though they are entitled to this rebate. So we're doing two or three things now but I'm just trying to get it all together. What Gordon Food Service proposes and they do have a substantial claim; and on an extreme day it could be a million dollars and the way the City looked at it we thought at best it was \$250,000-\$300,000. There's a claim that Gordon Food Service would have with the City. There was something in the paper about \$700,000; I have no idea where that came from. That's not a number that I've heard. What the City and I would like this Council to put in the minutes to approve that we enter into an arrangement with Gordon Food Service. Gordon Food Service is going to recapture \$300,000 of this money. Again the claim might be up to a million; I think it's closer to about half million but you get the idea they are saying \$300,000. The way it's going to be presented is not going to be through occupational taxes recoupment. What Gordon Food Service is proposing is to continue this real estate pilot agreement for three more years and recover that \$300,000 in that fashion. The advantage to the City is that since it is tax exempt property anyway; think what I just told you; is not paying taxes. What really is happening is the City is not losing the \$300,000. It really wouldn't be getting it anyway but Gordon Food Service gets to put the money in their pocket. Gordon Food Service is very happy at this juncture because they are getting the cooperation they want from the Internal Revenue Service; but the bonding issues being tax exempt and all that; and they are getting the benefit through the Finance Cabinet which is what I understand is what they refer to as the big money is what the State is paying them as an incentive. If you have questions I'll try to answer them the best I can. But I'd like to have the Mayor to be authorized to enter into this Transitional Agreement where we can move this along. The Transitional Agreement is primarily for the financing of the Gordon Food Service structure. Part of that is tied into the idea Gordon Food Service is literally waiving about \$300,000 of a tax claim against the City. It's a good partnership. I would encourage the Council to develop it. But I'd like to have something where the Mayor is authorized in our minutes to enter into the Transitional Agreement. Again I will tell the Council we're looking at \$85,000,000. Which I think is an impressive number but that's the kind of money they've invested into this Community. The language that you need to hear; the bond shall not be a general obligation of the issuer, which is the City of Shepherdsville; but limited obligations paid solely from the amounts payable under the GFS Lease Arrangement in the REIT Lease Agreement respectively. In other revenues of the facility. We're not part of that facility technically we're not over there. Neither the issuer, the Commonwealth of Kentucky nor any other political subdivision in the Commonwealth shall be obligated to pay the principal or interest of such bonds. The full faith and credit in taxing part of the issuer is not affected. What we're looking at is directly we can't, even though we have title to the property, we can't mortgage it. Even though we have title to the company we can't take possession of it. In other words it's an operating business. I would like for you all to entertain that. If you have questions, ask them but this is a good working partnership with GFS and I think Councilwoman Taft and Councilman Brown would agree with that. Bernie Brown: I will just say that I was very favorably impressed with Gordon Food Service people and their attorneys. I think they are being very fair to the City. This procedure was something different than I had ever heard of before but apparently its done quite frequently I found out the day we met. I think it's probably the best deal for the City. Gloria Taft: During the meeting with Gordon Food Service they were very happy with the City of Shepherdsville and the partnership that we've had all along and they came to the table with an answer basically in Shepherdsville's favor. They weren't trying to nickel and dime us; they are saying we

want to work with you guys because you've been good to us and here's a very favorable answer to the problem that has been discovered. Joe, I've got the documents here and we are looking at a possible worst case scenario of \$1.28 million that the City would have owed GFS and they came back to us at significantly lower to get this settled. And for a three year option on the lease and the right we're not losing anything because we've never seen that money to begin with. Bernie Brown made motion that we accept this. Gloria Taft 2nd. Motion carried 6-0.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) authorizing the reissuance of \$85,000,000 principal amount of Taxable Industrial Building Revenue Bonds Series 2014. Dana Bischoff James made motion to read by Summary. Faith Portman 2nd. Motion carried 6-0. Mayor Ellis started the second reading will be June 23rd.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) an Ordinance adopting the City of Shepherdsville, Bullitt County, Kentucky, annual Budget for Fiscal Year July 1, 2014 through June 30, 2015, by estimating revenues and resources and appropriating funds for the operation of City Government. Mayor Ellis stated the second reading and public hearing will also be June 23rd. He also stated the Council had received a Budget Message explaining some of the things we're going to be working on over the next budget cycle. He stated he would be more than happy to meet with anyone to discuss between now and the 23rd.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) an Ordinance adopting the City of Shepherdsville, Bullitt County, Kentucky, Sewer Operation and Maintenance Budget for Fiscal Year July 1, 2014 through June 30, 2015, by estimating revenues and resources and appropriating funds for the operation of the Sewer Department. Mayor Ellis stated the second reading and public hearing will also be June 23rd.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Joe Wright: I live at 291 Lakes of Dogwood Boulevard in Lakes of Dogwood and Dogwood Run subdivisions. I am the Block Watch Captain and we just have a couple concerns that I wanted to bring forward to the Council today. You guys did put in some speed bumps which are greatly appreciated. It has slowed down speeders and stuff like that but we have noticed and I don't know if it's directly or indirectly that our number of police patrols has dropped. We are having some issues with property being stolen and thrown into the lake; mailboxes just recently vandalized overnight and there are a couple of us that ride every night and try to help; and we always tell everybody is they see something call Dispatch. I just don't know what we can do further. I've tried to reach out to the Police Department in the past and leave voicemails for an officer to get the Block Watch Program going, but never get any phone calls back. So we just wanted to see what we could do to work with you guys and kind of get the ruffians out of the neighborhood. I know school is out so it's going to be a nice summer of stuff getting thrown in the lake. Faith Portman: It's really like that all over the City. My subdivision is the same way. We're having trouble with speeding and break ins too. I'm not saying that yours is not important, they all are. Chief Puckett: What number did you call? Mr. Wright: I called the main number and talked with Carmen and she would transfer me to a Community Service or Crime Prevention Officer and I've left him like three voicemails but nothing got returned. Chief Puckett: I'll take care of that in the morning. You will get a call back. As far as the patrols, like tonight I've got three officers out. You take three officers in the whole City, they might come through Lakes of Dogwood but you might not see them. I'm not trying to make an excuse. We'll put a directed patrol out there to try to get more officers over there. But when we do that we pull other parts of the City to be able to focus on Lakes of Dogwood. It's a problem we've got in the whole City. When you've got a small department and you've got three people out a night it's hard to cover everywhere and make calls. I'm not trying to make excuses we'll try to do the best we can. Mr. Wright: No, like I said we want to work with you guys and do what we can so you don't have to send an officer around all the time. Just any help you

can give us as far as organizing that because I've got a wife and kids, I don't want to do something that's going to get me hurt but then the other thing I know that silly stuff don't need to have three police cars coming for it. Chief Puckett: You will get a call tomorrow I guarantee it. Mayor Ellis: I do know that Johnson's platoon last week patrolled through there quite a bit because Whittaker made it a point to do it. You'll actually see him come through because he rides through with his spotlights on. Chief Puckett: In the summertime with officer's vacations and schooling, we mandate three per shift, but three people is not a lot for the size of the City. Mr. Wright: Not a problem I'll work with you guys and just some help to get the residents to help. Jose' Cubero: You said something about your Block Watch; do you have one? Mr. Wright: Right now it consists of me and a couple other people that drive around. Jose' Cubero: How does that orchestrate with the police? Do they actually come in? Chief Puckett: We'll set one up if you don't have a formal one we'll work with you. Jose' Cubero: I think that as much as anything else. Obviously between the two cooperating and you guys are willing to do that; maybe stepping up and getting more people because it's like Faith said about her neighborhood it's in every neighborhood you've got guys out and hopefully they help police make expedite catching some of these folks. When you start catching a few the word gets out too.

Department Reports:

Chief Puckett: I don't have anything other than I think everybody should have a letter I sent to the Mayor about what the Resource Officers have done for the short period of time they've been in the schools. I think it's pretty impressive.

Claude Middleton: I'd like to ask about the tractor; what are we going to do. Mayor Ellis: We didn't get anything back on the boom. Dana Bischoff James: Claude I will say that I spoke to the John Deere dealer on Bardstown Road and the guy who is telling you all that he is the only one that does the State bids; any John Deere dealer can give you the State contract price. And in my opinion if you've got a guy, I don't like people lying to me, I would rather go to somebody that's closer versus further away plus if you have something go down or wrong with it the warranty work is a lot closer. Scott Fleming: The bid for the tractor was actually from John Deere itself; not a dealership. Dana Bischoff James: It's a State bid but any of the dealers can do it. I would like to see us the closer to local that we use the better especially if we have warranty work and I would rather see it go closer because if something goes down on a tractor especially if you need it you need to have a back-up one. I personally would like to see us look at the local tractor dealers that are closer for warranty work. Jose' Cubero: What is the closest? Scott Fleming: A company out of Bowling Green. Dana Bischoff James: I spoke to both the sales guys in Louisville. They said that any John Deere dealer will be you the State contract price but I would rather go local and be able to deal with local people especially on warranty work because if something goes down you all need the parts and equipment as soon as possible. Jose' Cubero: We're way behind the eight ball on this. We need to get that taken care of. I know we've talked about it and the last meeting so we're back again where we're at. What do we need to do to make that happen? City Attorney Wantland: The boom? Somebody needs to make a motion that we enter into negotiations to acquire a boom. Jose' Cubero: I make that motion. Clinton Kline 2nd. Dana as far as the warranty work, you'll be able to take it to any dealer. City Attorney Wantland: We're going to put in the motion that we solicited sealed bids and received none. Jose' Cubero: We need to get this done. Mayor Ellis: They are working on the big ponds behind Amazon off 480 and there are areas they could really use it to get down in there. Bernie Brown: Is that on State contract? Scott Fleming: The mower is on State contract, the boom is not. Mayor Ellis: We have a motion and a second to negotiate to get the boom and the tractor. Hopefully somebody that we're going to buy this tractor from will give us a good deal on a boom. We can probably get the dealer to sell both. Scott Fleming: I've spoken to the guy in Bowling Green but I haven't spoken with the dealership here. Mayor Ellis: Let's get him on the phone tomorrow and see what we can do with him. Bernie Brown: I think it needs to be done as soon as possible. Summer will soon be over. Motion carried 5-0-1 opposed.

Council Reports:

Bernie Brown: I just want to thank you, Mayor and the Council and employees for the flower arrangement that was sent last week to the funeral; my step granddaughter. I appreciate it very much.

Jose' Cubero: I just want to say congratulations to the Fire Department. That was really cool what you guys did. I think the water challenges were a blast. It was a great job; great cause but I think that was a lot of fun.

Dana Bischoff James: Something that I want to make clear as I sit on the Council, part of our job is to investigate. Whether that's current issues, past issues, if a constituent brings something to us it is our job that we should look in to things and I just want to make that clear is that we should be researching anything that is brought to us and asking questions. Anyone likewise that has any questions whether that's somebody from the City, from the Community, an employee here at Shepherdsville, if it's anybody sitting on Council if anybody has a question for me I encourage you to come ask. I am open to answer anything and if I don't have the answer I will try to get back with you; I'll find somebody that does. But ask questions and I encourage it. On a happy note I want to commend the newspaper article. It's nice to see happy newspaper articles and ads written on the front page where some of our students took the trip and things that they were able to experience so it's good to see positive things in the paper so thank you for that. Next I want to speak about, the City is growing; I see that from this letter that's laid before me. As our City grows we need to ensure that we have resources that are available as we had someone from the City come tonight who has concerns with their neighborhood, and we have three officers. These are things that we need to be thinking about. Having forward thinking, how are we going to budget to have the resources needed to take care of the City? Whether that's more firefighters, police officers, public works, wherever it is, Sewer Department, whatever the needs are we need to be resourceful enough and be looking at that and then likewise I've already stated at the last meeting I just want to make sure everybody is prepared whenever it does come out be researching because it's time that we start moving on to our other Departments and start looking at those Departments and say what do we need to do to make this a good place to work, live and play?

Faith Portman: I also want to congratulate the Fire Department, great job. I wanted to bring up a few issues that people are calling me about and one is basketball goals in the park. I know and I've explained to them that they got tore up and they explained to me that they pay taxes and they should be there for them to go and play. And I have to agree. Mayor Ellis: We had explored at one time putting the metal chain nets up there; people lose fingers on those when they are dunking on them. We put a nylon one up there. Faith Portman: The net is not really that important as long as they have the goal that they can play. Mayor Ellis: Are the goals gone from up there? Faith Portman: I went and looked. The goals are not there; the backboard is but there is no rim. Mayor Ellis: Then we need to go to Hibbitts and get some goals. Mayor Ellis: I'm talking about the one at First Street, not at Frank E. Simon. There is a concrete pad when you first go in that use to have a goal there. The pole is still there and the backboard is but that's it. Mayor Ellis: Let's go get one for that and a net. I thought that was already gone. Faith Portman: Another thing would be cameras in the Park. I know the cameras are messed up and we had some damage at the park today. I happened to ride through on my way through to work and seen it. Port-A-Pots were tipped over; a couple electric outlets were broken; trash everywhere. Mayor Ellis: Let's pull that in the morning and see what we can come up with. Faith Portman: I was told that the cameras there were not working very well. Mayor Ellis: They are working. We're putting in a couple new ones. Faith Portman: That's another thing, there are several elderly people that walk there and they're concerned; when we took the Port-A-Cans out a few years back because of money, down by where the football players and baseball players practice; if they are walking and are at the other end and they need to go they have to walk all the way back up front, which I understand. I wanted to see if maybe we can get another Port-A-Can put back down there where it used to be and I'm also going to talk to Jim Reading about straps. Is there any type of straps that can go on them? Mayor Ellis: There is a tie down system that they are using; that would be something we need to look at and something that we may actually need to do is put them on the grassy areas instead of on the asphalt because I don't know that you can anchor them to the asphalt. We can definitely get something. We'll call them in the morning and have them deliver another one down on that end. Faith Portman: Do we have cameras all the way around because I know at one time, because I stopped and talked to a couple of the employees and one of them told me that the bathrooms are being left unlocked over at Frank E. Simon and at least once a week he has to go in and clean because the water's left running; so he said if we're paying the water bill our water bill is probably outrageous. Mayor Ellis: Actually the YMCA pays that water bill. Faith Portman: Who is supposed to keep it locked? Are we supposed to lock it at night or are they supposed to

lock it? Mayor Ellis: When they're not using it we'll actually lock them. But when they are using them they will lock them at night. Let's make sure the officers go up and check those doors and lock them when they are locking up the park as well. Faith Portman: Another issue I have had tons of calls and the Police Department knows this, Mr. O'Donnell gets calls from me at least once a week on mowing or junk. So I talked to Joe and I'm going to meet with him tomorrow; we're going to try and look at the Ordinance because I can give you some addresses to go look at them. This Ordinance is not tight enough to have a Police Officer write a citation to these people. Are we also charging for when we are mowing or putting liens on property? City Attorney Wantland: I have in the past. I don't know what we're doing right now. Mayor Ellis: We're sending bills on them, yes. Faith Portman: One property I know we mowed all last summer and we've already started this summer and the owner of that house lives a street over. I called the Police Department and they turned it over to Claude so he assumed it was supposed to be mowed. Mayor Ellis: We need to go after that guy. Faith Portman: The grass was almost as tall as me and snakes are really bad there. Mayor Ellis: The guy next door has some exotic grass and apparently our guys got in to it and he called raising Cain about it. Faith Portman: But he's not the only neighbor that lives there. It hurts the whole neighborhood. The person who lives on the other side was happy we mowed it. I'm getting calls every day about grass and I just wanted to see if we were charging for it. Mayor Ellis: We charge but that's not saying they are paying. We do put liens on property. City Attorney Wantland: I would like to be sure that we put it on the tax bill. We can work with the Sheriff's office to actually code the bills. When you talk about putting liens on; a lot of times the people have a mortgage that exceeds the value of the property so another lien is a lot of work to not collect anything. If we get it on the bill and it goes before the mortgage company after a while you train the mortgage company that they are going to pay for it if they don't do it themselves. Faith Portman: I think that would be a great idea. Something has to be done. Bernie Brown: There is a major problem there. I have had calls and I've been over there and looked at it too. Faith is right. We'll get with you Mr. Wantland. Mayor Ellis: Get with Joe tomorrow and bring it back to us and if we have to we'll rewrite this Ordinance. Faith Portman: I think we need to look at it. Mayor Ellis: I don't agree with the Ordinance anyway I think we need to rewrite it. That's my thought. It's an old Ordinance. So meet with him report back to us and we'll go from there.

Gloria Taft: We discussed the drainage ditch behind River Oaks subdivision; got a call about the part of Salt Well Drive that the City doesn't own so I tried to explain that to the person that called; there is going to be a BMX Bike and Skate Park in Mt. Washington within the next year, so that's a place the kids are going to be able to go and ride their bikes and skateboards to keep them off the streets; I had a garage sale and the Beech Grove Bypass came up about five or six times so I was able to let the public know that it's in the hands of the Department of Transportation, Division 5 and call them, email them; I gave them the guys phone number and mowing again so that's my list!

City Attorney Wantland: The Department of Transportation is working with the City as we speak as for the Bypass. There are some issues the State wishes to handle differently, we're going to work with them to correct whatever they need, I think the State wants additional right of way and we're going to assist with that but evidently it's coming up and it's got a green light and it's a go. But as of right now the State has contacted me, they do want additional right of way.

Mayor Ellis: What was brought to my attention today was in the wordage when the easements were originally signed it said sewer right of way; the State said they want to change that language, correct them, have them rewritten, presented again and that's where they are on that. As far as I know there is not going to be a Wal-Mart groundbreaking; they will just do a ribbon cutting when they open. I've been down there several times to find out; so that's why nobody knows anything about a groundbreaking because they already broke ground basically. It looks totally different down there today than it did Tuesday of last week.

Faith Portman: I received five phone calls from people that live by the Sewer Plant and they said to tell all the Council thank you very much for the fence. It looks awesome.

Clinton Kline made motion to adjourn. Jose' Cubero 2nd. Motion carried 6-0. Meeting adjourned at 7:43 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk