

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, September 22, 2014**

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

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

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 9/8/2014 regular meeting. Faith Portman made motion to dispense with reading. Gloria Taft 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 9/10/2014 special meeting. Jose' Cubero made motion to dispense with reading. Dana Bischoff James 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 9/8/2014 regular meeting. Jose' Cubero made motion to approve 9/8/2014 minutes as written. Gloria Taft 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 9/10/2014 special meeting. Gloria Taft made motion to approve 9/10/2014 minutes as written. Jose' Cubero 2nd. Motion carried 5-0-1 absent.

Mayor Ellis announced that the City had recently purchased new chairs and a chair rack for the Community Center and would like a motion to surplus the old broken ones so they can be discarded. Faith Portman made motion to surplus. Jose' Cubero 2nd. Motion carried 5-0-1 absent.

Old Business: None

New Business:

City Attorney Joe Wantland had first reading of Ordinance 014-(number to be assigned) amending Sewer Use Ordinance #992-275. Mayor Ellis stated the second reading will be on October 13th.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) on request from John & Harriet Elmore to rezone 1.3 acres, more or less, from R-2 Residential to R-3 Residential for property located at 210 & 230 W Blue Lick Road. Mayor Ellis stated the second reading and public hearing will be October 13th.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) amending Ordinance 014-157 concerning maintenance of neighborhoods. Mayor Ellis stated the second reading will be October 13th and stated the reason that sentence was being struck from the Ordinance is it says the person is only responsible for 30 feet off the roadway and this is changing it so they are responsible to cut their whole piece of property. That is the only change. Gloria Taft: Since we're making a change to this I would like to get with Joe and have him add a second change about giving the officers the ability to hand deliver a citation versus the mailing only. City Attorney Wantland: The mailing only is for the abatement. The officer is giving a citation if he finds a violation did occur; a criminal penalty and a civil remedy.

Next item was discussion on hiring an appraiser to do an appraisal on all the property on Frank E. Simon to see what the property value is. We haven't had that done in a long time to see if we're interested in putting it up for sale. Faith Portman: Didn't we do that three or four years ago or did we not get anybody to go ahead with it. Mayor Ellis: We chose not to do it at that time. It will be nice to know exactly what that property over there is worth. Faith Portman: There's not any plans right now are there? Mayor Ellis: No. It would just be nice to talk about it and hire somebody to do the appraisal and see what it's worth. Faith Portman: Are you

going to look for somebody within the City? Mayor Ellis? Yes, we'll go with probably Jack Porter or somebody like that. Jose' Cubero: The property is part of our assets anyway. How do they calculate that as far as the City's assets with this property? Has it been done so long ago that they use the same numbers; it's the City's property so there's a number to it somewhere. Mayor Ellis: The numbers that we saw the other day had the old City Hall and Fire Station at a half million dollars and the Public Works building cited at a half million dollars and the old Police Station at \$300,000. So we definitely need to have them looked at. That way we know where we're at. Those numbers when Tammy brought them to me were kind of staggering. Faith Portman: How much do you think they will charge to do an appraisal? Mayor Ellis: At one time when we had talked about it with Jack it was \$3800.00. We can also talk to LouAnn; she can do it as well. Actually I'm going to call several and see if they will give me an estimate on it. Faith Portman: I would like to keep it in the Community. Mayor Ellis: Absolutely. I would like a vote on it to at least talk to some of these folks to give us some numbers. Jose' Cubero made motion to get bids on appraisal of property on Frank Simon. Gloria Taft 2nd. Motion carried 5-0-1 absent.

In the meantime we have a Lease Renewal for 170 Frank E. Simon Avenue; that's Probation and Parole and may be the last Lease Renewal we have because I hear they are looking at another piece of property in Shepherdsville so that tenant may be gone after this renewal if we choose to renew. There are no changes from last year. Faith Portman made motion to approve renewal. Jose' Cubero 2nd. Motion carried 5-0-1 absent.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Gary Board: Good afternoon. I attended the last meeting of the Bullitt County Economic Development Authority and in their minutes they said that John Snider met with the Shepherdsville City Council on 8/25 of this year regarding 480 and other issues. Can anybody elaborate what was discussed about 480? Mayor Ellis: No; that was in closed session.

William Dennison: I ain't gonna be able to say much because I've got an answer since I been here. My case is supposed to go to Court in January but I want the Council to know why I'm here. I got a chicken coop next door to me that was sold four or five times last year. It's already been sold three times this year. It's unfit to live in. They are down there working on it now trying to get it back together to where they can move somebody in. There is not a soul sitting in this room right now that would move in there rent free. When they move in they are either dope heads or somebody like that. I've been down there 23 years and this keeps happening over and over and over and over. I'm so sick of it that I don't know what to do but I want to do something. I'm either going to go to Frankfort; I'm giving fair warning I'll do anything to stop this. What I can't understand is when you board a house up and put DO NO ENTER by order of the Shepherdsville Police Department and they come right straight and tear it off just like it ain't nothing and go right on in the house. The reason why they put it up is because for a few days it was empty when they had to get the people to move out with little kids. Mold inside the house on the wall, this is all on Facebook what I'm telling you. I've got pictures. Mattresses out in the backyard seven at a time; couches, all kinds of stuff out there. I am sick of it. Bernie Brown: Who took the boarding down and entered? Mayor Ellis: That would be the property owner. Bernie Brown: Did they have permission? Mayor Ellis: We put it up there, actually took the Police Chief, Myra Minton, the Fire Chief and Fire Marshal went out with the County and pulled the meter and actually cut the electric to it and the County said that we had no authority to do that. Since electrical code enforcement falls under the County that's going to be a County jurisdiction and we were told we had no authority to do that. Bernie Brown: Can we get Court authorization? Mayor Ellis: That's what we're working on with Joe now is to get a Court Order that says no one is allowed in there. City Attorney Wantland: The property owner is denying the assertions that are being made here. The property owner has a right for his day in Court. Bernie Brown: How about the Code Enforcement Officer monitoring it too and taking pictures and documenting. Mayor Ellis: We'll have her on it looking at it too. She's been doing that but if Mr. Dennison sees something back there we also want him to inform us of what's going on. City

Attorney Wantland: The Health Department refuses to go inside or do anything about the inside of the property. Mayor Ellis: The reason the children were moved out, CPS came in because one of the schools called and had them moved so that group is gone. When we came in and started doing things the grandparents found a place in one of the trailer parks here. We put the boards up and of course we have no authority according to the County to cut the power off and keep somebody out of there. Jose' Cubero: Mr. Dennison you made a comment kind of insinuating about the Council; I think the Mayor and Council are doing everything we can and you've got a January court date. Know that we are going to continue to look at this, monitor it with Chief Puckett. We're doing what we can at this point. Our hands are tied if the County said that. City Attorney Wantland: Mr. Dennison take your comments about the mold to the County Judge and ask her why the County had the electric turned back on. The City didn't do it. Mr. Dennison: I've already done that. I went to Melanie Roberts to start off with. She pushes the button. It goes from one to the other one. Guy sits on my front porch and says I'd like to help you Junior but that's in the City. Why did Melanie Roberts call Larry Hatfield and he comes to Junior's house and says "it ain't mine I'm in the County". Faith Portman: I'll call her and ask her. Mr. Dennison: It won't do no good. I've been there to talk to her twice. She's got that broom; she'll sweep you out the door. She'll sit and talk to you but that's as far as it goes. I've tried everything. I don't enjoy coming up and talking to you people like this. City Attorney Wantland: Believe it or not the City is taking the property owner to Court. There is going to be a trial concerning having an injunction that we cannot continue to have this happen.

Department Reports:

Police Chief Doug Puckett: Five years ago we became the first and only accredited Police Department in Bullitt County. On September 13th we had our second inspection and passed it with no discrepancies so now we're still the first and only accredited Police Department in Bullitt County. I didn't do it but everybody in the Police Department has done a great job and I think all the citizens should be aware that they have a fine Police Department.

City Controller Bob Ryan: Last Wednesday, Thursday and Friday, Scott Fleming and I attended a three day seminar in Indianapolis. It was put on by the American Water Works Association. It was on rate structuring across the utility industry; water, sewer, electric, and it was the quality of seminar that the Arizona and Colorado utility people were there; two guys came in from Hawaii; there was a lady from the Country of Belize and several from Indiana and one from Danville. It was a first class seminar really stressing the complexity of coming up with utility rates and the different levels that you has to go through. Three words kept coming up during that seminar, arbitrary, capricious and defensible. One of those three, defensible, is what you want your rates to be; not arbitrary, capricious. It was three days, part of it dealt with impact fees, which we call tap on fees. I'm just letting Council know that if you want to know anything else about how these rates are really structured, the different levels that you have to go through, and the information that is required to come up with a good rate structure, one that is defensible, does not show any favoritism toward any particular resident, business, commercial industry, I'm just inviting you to come by the office and we can sit down and talk about it.

Council Reports:

Gloria Taft: I think it would be advantageous for everybody here to know that we're having a really good forum tomorrow here for the pros and cons of legalize or not legalize marijuana. So if you can attend it would be a good thing to attend so that we get educated on this and I hope to see you here. It's at 6:00 tomorrow.

Faith Portman: I wanted to thank Public Works and the Sewer Department for cleaning the ditch out by El Nopal. Thank you to the Fire Department for the display over 65 that was very touching to a lot of people.

Dana Bischoff James: I love to see so much participation here because it's been bare a lot of nights. It's good to see people here. It's really good to see the Departments when they come together and work together. I do want to recommend the Police Department because the Chief was very modest. He failed to mention that the Department, and correct me if I'm wrong, but you all did not have any recommendations whatsoever. Is that correctly stated? Chief Puckett: That's correct. Dana Bischoff James: That is non-

existent with a Department. They could not even come up with one recommendation for our Police Department. We've got a great group of people working for the City in all areas; all Departments and we are moving in the right direction. I'm excited to see Shepherdsville, what it becomes and how it grows because you put the right people in the right positions and if we are successful giving them the tools and resources there is no telling where this City will end up. It's a good place to work, live and play as Jose' says often.

Jose Cubero: Not to piggyback, Chief Puckett, congratulations. Chief Troutman in our last meeting we made a motion to bring you new technology to help you guys service the City and it goes back to talking about commitment to the Police Department and the Fire Department. If we give you the tools and resources to work with you're going to be that successful for our City in the 21st Century. We talk a lot about our growth so congratulations. We do anything we can do to help you guys to keep moving forward.

Bernie Brown: I think a couple meetings ago we made a motion to have our City Attorney proceed with getting some legal Court approval. I was thinking that applied to the three specific places that we had been discussing; Beech Grove Road, two of them on Circle Drive and I understand Mr. Wantland you believe it was just talking about Beech Grove Road and 242 Circle Drive. I would like to see the same thing done with 208 Circle Drive. And if you need a motion I'll make a motion that you proceed. Faith Portman 2nd. Motion carried 5-0-1 absent. Jose' Cubero: Just to add to what Bernie is saying. Do we have like maybe an updated list; a list of progress on the different addresses we're working on? Something you can just put in our box with updates. That way we always know what we're doing and the status of each. Mayor Ellis: I can get Myra to do that. Bernie Brown: Let the minutes show then that 208 Circle Drive and you will proceed with getting Court approval. There are so many nightmare stories about what could be inside the interior of that house. I think it's time that we find out. Scott Fleming: We actually entered 208 and it's not what we expected. It's in a lot better shape that what we originally thought. Bernie Brown: Could we have some documentation to that effect? Mayor Ellis: We'll let Myra deal with that. City Attorney Wantland: So we'll hold up until we get back with Myra? Jose' Cubero: Because we have a few properties now that we're discussing. We've got some that are pressing that we've got moved already in the legal system. The rest of these we just want to make sure we're looking at them and continue to talk about them since we made a big commitment to make sure that we are cleaning up these properties so at least we always know where we are at with some of these. I think that would help everybody here. Faith Portman: I agree with Bernie because last year I had calls on both of those places every time you turn around and we don't need to keep doing that we don't need to keep mowing people's lawns before it ends up people start saying I'm not going to mow mine the City will come mow it for free. The neighbors around there are pretty upset about it. Jose' Cubero: I do want to go back to something Joe had mentioned about this. Just the expense we're talking about in keeping our City clean. That's going to be an expense so we need to always continue to look at that because we're not getting any help from anybody and we're going to take the initiative of getting it cleaned up. Bernie Brown: Also, the old Melton property on Maple, there is still a lot of weeds growing up around there; grass across the front of the building and weeds on the side, two and three feet high. Mayor Ellis: I know as of last Wednesday or Thursday they finally received the signature card from their Certified Letter so their ten days starts from the date they received that. Bernie Brown: They did and it certainly looks better but what I'm saying is they did not do everything that should have been done in my opinion according to the Ordinance. Mayor Ellis: We'll send her back out there when she gets back from school and serve them another letter.

Mayor Ellis: We do need to go into Executive Session to discuss property acquisition and I will ask Chief Layne Troutman to join us. Gloria Taft made motion to adjourn to Executive Session. Jose' Cubero 2nd. Motion carried 5-0-1 absent.

Faith Portman made motion to return to Regular Session. Gloria Taft 2nd. Motion carried 5-0-1 absent. City Attorney Wantland: The consensus of the Council was that no action be taken at this time.

Dana Bischoff James made motion to adjourn. Jose' Cubero 2nd. Motion carried 5-0-1 absent. Meeting adjourned at 7:36 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk