

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, January 12, 2015**

Pastor Mike Miller, Family Day Ministries gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:30 p.m.

Council members present: Ashley Bratcher, Larry Hatfield, Dana Bischoff James, Bernie Brown, Gloria Taft and Randy Hammond.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 11/24/2014 regular meeting. Dana Bischoff James made motion to dispense with reading. Bernie Brown 2nd. Motion carried 5-0-1 abstention.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 12/29/2014 special meeting. Dana Bischoff James 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 12/30/2014 special meeting. Gloria Taft made motion to dispense with reading. Dana Bischoff James 2nd. Motion carried 6-0.

Mayor Ellis asked for a motion to approve minutes as written from the 11/24/2014 regular meeting. Dana Bischoff James made motion to approve 11/24/2014 minutes as written. Bernie Brown 2nd. Motion carried 3-0-3 abstentions.

Mayor Ellis asked for a motion to approve minutes as written from the 12/29/2014 special meeting. Dana Bischoff James made motion to approve 12/29/2014 minutes as written. Gloria Taft 2nd. Motion carried 3-0-3 abstentions.

Mayor Ellis asked for a motion to approve minutes as written from the 12/30/2014 special meeting. Bernie Brown made motion to approve 12/30/2014 minutes as written. Gloria Taft 2nd. Motion carried 6-0.

Mayor Ellis announced that the City of Shepherdsville would be closed Monday, January 19th in observance of Martin Luther King Jr. Day.

Old Business: None

New Business:

Mayor Ellis asked City Attorney Wantland to have first reading of Ordinance 015-(number to be assigned) Amending Ordinance 003-575, 005-668, 011-078 and 014-171 relating to the imposition and administration of an Occupational License requirement, and payment of an Occupational License Tax by persons and business entities conducting businesses, occupations and professions within the City of Shepherdsville, KY. Gloria Taft made motion to table this until Councilperson Hatfield has the time to explain to Council why we need to revisit this and/or until he has time to examine all the documentation that he has just received that explain the needs of the City. Dana Bischoff James 2nd. Larry Hatfield: I wanted it revisited because I didn't like the way it was brought up and read at the end of the year and I don't think it's doing the taxpayers right. It should have been voted on at a regular meeting instead of cramming it in at the end of the year but I know majority rules and if that's the majority of the Council then I'll have to accept that. Vote taken at this time. 3 in favor; 3 opposed. Mayor Ellis: We voted on this once before and it was a 3-3 split and I broke the tie on that. I know I made a lot of people mad but I'm looking out for the betterment of this Community and I'm going to break the tie and vote that we table it. Motion to table carried 4-3. Mayor Ellis: It's a 35 minute reading and I don't think there is any reason to go through a reading when we know how the vote is going to turn out when it gets voted on again.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Jr. Dennison: I feel like a man climbing up a big tall hill. I've been here before; I'm back again. I'll be here until we grow beards again over the problem I'm having next door. I know Joe that it's in Court; but that don't settle a thing because I went through this before. I went to Court over the old chicken coup next door to me the other day. It did me no good to go there because the Judge wouldn't even look at some of the pictures that I've got of that place. And tonight all of you Republicans I want you to look at what I have got and got to live next door too. If you'll grant me that favor I'll pass them out to you. There are two sets of them. This is when they lived in the house and this would be when they moved out. City Attorney Wantland: Mr. Dennison the Judge hasn't made a ruling in this case yet. The Judge did say from the Bench that the house was not suitable for human occupancy and that the property, if I recall, was a public nuisance. So he was sustaining your position of the deplorable condition of the property. What the Judge didn't know and I didn't know approximately a week and a half before this case was tried the property owner transferred it. And that has given the Judge some reservations about whether or not he can order the prior owner to do something when in fact he may not own the property. Now how the Judge is going to rule I don't know but I'm just telling you the judge did make a finding and hopefully you heard that. Mr. Dennison: The only thing I could hear from the Judge was that he wanted more time on it. If you City Council people and your City Code Enforcement, the Fire Chief, all those people way that this place is unfit, naked wars in there; who is the Judge that can sit on that bench and tell people to go on in. City Attorney Wantland: Now that's not fair. Mr. Dennison: Yes it's fair when it is to me Joe. City Attorney Wantland: Circuit Judge said from the Bench the property was not suitable for human occupancy. He called it a public nuisance. The only issue in the Judge's mind is ordering the former property owner to do something when he has transferred that property. I was in Court today and I left it up with the Judge and we'll join the new property owner as part of this lawsuit as well because we've already tried the case so the Judge can order the new person; I think the Judge can order that an injunction be issued and the property has to be cleaned up before it's occupied by humans. It is concerning his about whether or not he can add that with another property owner. They are not part of the lawsuit. But don't say the Judge found something that isn't so. The Judge said from the Bench it's not suitable for human occupancy. Mr. Dennison: It is still not Joe. A place with holes in the floor; you all know I'm telling the truth; because you showed the Judge the pictures Joe, he wouldn't even look at my pictures. City Attorney Wantland: He has rules that he has to follow. Mr. Dennison: I have too; humanity, my family, my neighbors next door. Something is wrong with the law in this town Joe and I'm not laying it on you, but let me tell you people a little story that you don't know. Across the street from me lives an old woman; I've been down there 23 years, she's been there 21 or 22 years by herself. She is what we call the hoarder. Now stay with me because you ain't going to like this cause I don't like it either. She got so bad a shape you can't even get in her home. The other day I missed her; I called Faith Portman and I asked if she could be me a favor and look that woman up and see if we can do something about her. She is going over and sitting on people's porches and you couldn't even stand her she stunk so bad. I'm talking about my porch. We got to looking for this woman the other day; I found her in front of her house blood running out of her mouth. We called 911; here come the Fire Department, they tried to get in the house; and by the way, 2-1/2-3 years no water in the house. She won't even have it turned on. What is she doing for bathroom privileges? Now this story has got to stop somewhere along the line. But it falls not in my face but you people that's making these laws out here. Where is the Board of Health at? Where is everybody at? Do you understand me Mayor, what I'm talking about? Listen, I've got a little bit of dignity. I may be the dumbest man standing up here tonight there is; but I feel sorry for people like that. Anyhow, when we called 911 here come the Fire Department, Police Department, everybody down there. We thought she was dead when we found her down beside of her porch. She couldn't even get on her porch Joe; so much garbage and stuff up there. The ambulance got her; she wasn't dead but the poor old woman I'm not exaggerating one bit, was eat up with body lice and maggots working in and out of her legs. But what kind of people are we here in this great City that I just heard it called that I have to live next door to this junk. That house sold five times last year. It just sold again in December for \$25,000; \$200 someone a month. That's nothing but rental out. Who give permission to go in there and start working on the electrical problems? It's time for some of this

stuff to stop. Larry Hatfield: Is there a lawsuit; is that what I'm hearing? City Attorney Wantland: We are involved in litigation with that piece of property. The County Code Enforcement parties were involved with it as well. The County Electrical Inspector contacted RECC to have the power cut off; the City was there, the County was there. You are correct Mr. Dennison the Board of Health refuses to do anything basically concerning it. Mr. Dennison: Child Protection Agency refuses Joe. City Attorney Wantland: I understand that's not what happened. I understand Child Protective Services removed children; the Board of Health didn't do anything. I did inquire with Child Protective Services and of course that all privilege and you really don't get much out of that. Mr. Dennison: See, that's what I'm trying to tell you. City Attorney Wantland: It went to Court, you had a Circuit Judge tell you from the Bench the property in the condition that we described it and proved it, was not habitable by humans and that it was a public nuisance. The problem he has is what you're alluding to is that now we have a new owner. And the Judge knows he can't order the new owner to do anything because they weren't before the Court. I think the Judge thinks it's awful sneaky that they did that deed the way they did but that's another story. Bernie Brown: Mr. Dennison, there's nobody living there now? Mr. Dennison: Bernie I don't know for sure. They come out of there 5, 6, 7 in the morning. They are in there at night. I have no idea but what I do know Bernie is they are fixing it up; whoever bought it is fixing it up to rent it out. Five times it was sold last year Bernie. Year before last I'm going to say six times. People will make a down payment; this man is getting rich off of this property. I pay \$1000 down; two or three months I can't stand it; sewer backs up on me; no City gas in there. I don't know how in the world they make it. But what I'm here about tonight and I want to ask all of you, if your Code Enforcement Officer, what she did she went down there; they checked the place out, they seen the naked wars and all that; they boarded it up. Do Not Enter By Order Of The Shepherdsville Police Department; plywood over every entrance in it. A man comes down the driveway; he said what are you doing and I said I live here; he said I'm trying to be your neighbor; I said what do you mean being my neighbor; he said this man is crazy. He went back and jerked all the plywood off. He was told to do this. Larry Hatfield: Is electric in the house now? Mr. Dennison: Yes sir. Electric was in the house four or five days after Salt River Electric pulled the meter. You pull the meter on these houses and all you have to do is stick a little brass rod in there and you've got electric. They was too smart to do that. The pulled the meter; went over to the neighbor's yard; cut the lines. Five days later they had it back up. Electric man said I can't understand this to save my soul. But my question is this Larry, why have Myra here trying to do here job and you've got somebody stepping in her face every time she turns around or the Fire Chief. He said the house is unfit to live in. And who has given the man authority to go in there and start working on electrical and stuff like that when it's supposed to be boarded up unfit to live in? Let it go to Court, let the Court say no it's fit to live in. Gloria Taft: Have the new owners pulled any permits to do electrical work or plumbing work? Mayor Ellis: That would have had to go through the County. Larry Hatfield: I can check. What's the address? Code Enforcement Officer Myra Minton: 1412 Highway 44 West. Larry Hatfield: I will check tomorrow and email you all. Gloria Taft: If they are in there working and haven't pulled any permits we have the right to go in there and put up a Stop Work Order. City Attorney Wantland: They may need a building permit. Mayor Ellis: If they are doing any demolition they have to have a Demo Permit through the County and I know they have to have one through the City. Larry Hatfield: I think that just goes through the City. Mr. Dennison: It's everybody's business of course I'm up here I'm going to say a few words I don't care. It's everybody's business what they give for a piece of property. But when we was at Court the other day they said the property had sold. Okay it sold. I got a car I want \$20,000 for Mayor. You give me \$1000 and I'll sign it over in your name. Do I look that stupid? No. Neither is anybody else in town that stupid. So if you see a hole on something how did you sell it? You may have a contract to deed. Was the lights supposed to be turned off. Sure if you pull the meter yes. City Attorney Wantland: Mr. Dennison, it's in litigation. Mr. Dennison: I understand that Joe but I don't want it to litigate out. You see what I'm saying? The other day when we was at the Courthouse you remember me asking you the question I don't know who's on trial here, me or somebody else. I asked the Judge that. I've got respect for him as long as he acts like a Judge. City Attorney Wantland: I think you need to understand the Judge told you what you wanted to hear. Mr. Dennison: I couldn't tell what the Judge was saying to tell you the truth. City Attorney Wantland: He said the house was not suitable for human occupancy. He is going to issue an order if he can that no human occupies that residence. Mr. Dennison: But he also turned around and said how can I ... City Attorney Wantland: He can't tell the new buyer anything because they weren't before the Court. They haven't been summons. He may get an opportunity for him to come; that's what I went to Court today for is to give him an opportunity to have that man come in.

Mr. Dennison: Ok. Everybody hears this now right? Larry Hatfield: Jr. I had the same thing happen to me a month ago where the property was traded the day before we went to trial. And I had to start the case all back over. Mr. Dennison: To tell you the truth Larry I was going to come up here and tell you people what are you going to do if this man changes? The man got up in Court the other day and said I've got 40 pieces of property the same way. You see what we're letting these people do to us. City Attorney Wantland: I think for everybody, the new Council members particularly, Myra Minton is doing a really great job for the City and working with people and trying to have the properties cleaned. Bernie Brown: She has and I will ditto that.

Pastor Mike Miller: Thank you Mr. Mayor. First of all I want to congratulate you on your reelection and to the Council those who were reelected and to those who were newly elected. Officially now I've been retired for a year from the City of Shepherdsville as the Code Enforcement Officer, thank God it sounds like tonight that I'm retired from Code Enforcement. But I want to say this from my heart. This is a great City. It is a great City; obviously all cities have problems. But this is a great City to live, to Pastor a Church as I'm doing now. We've got a great Police Department. I worked in that Police Department under Col. Puckett; he's doing an outstanding job making this one of the best Police Departments in the State of Kentucky. Now when I came out here 7 years ago; Police Officer Layne Troutman was my PTO Officer. I remember riding around with him on late watch and he talked about firefighting more than he did police work and I thought do I have the right guy training me here? So I looked at him one day and said you'll probably be the Fire Chief out here and he said Oh Mike that will never happen. Well he was wrong on that; he's the Fire Chief doing a great job. So I would ask; I've lived in two different Counties, Judge Spainhour was at our Church Sunday morning sitting on the front row and she was talking about the Tribe of Bullitt County and it really stuck with me. I use to live in the Tribe of Jefferson County and sold everything that I had and moved to Bullitt County and I love this County and I absolutely do. And I think Bullitt County is a great run County. I would ask as a Community Leader, no longer a Police Officer, retired; 12 pension checks later I'm a happy man; but I would ask as a Community Leader that you all do the best as leaders to do what's best for the citizens of the Community. Obviously it's not rocket science that we see some division; United We Stand or Divided We Fall. And I want the City of Shepherdsville to be the best City that people can come and get a job, raise a family, and live and work and enjoy the Community that we're in. And I understand that you are not going to make everybody happy in your decisions. It's like being a Pastor; you can feed everybody, cloth them and pay their bills and one little things happens they run out the Church doors and talk bad about you. As I say I love the hell out of them. So with that said I would ask as a Community Leader now that you all; I respect every one of you all, our Church has been praying for you all; the Mayor was in our Church service Sunday and presented our Church with a Five Year Service Award and we're doing our part to help feed the Community, reach the Community, so I would ask at the end of the day that your votes be for the citizens of the Community and no personal motivation; that you all would work together to continue to make this a great City and I want to say thank you all for giving me a great opportunity. I worked in three police agencies; two in Jefferson County and one here and I'm going to tell you by far, the Shepherdsville Police Department was the best one and I think this City is going to move forward and be one of the best cities in the State of Kentucky and I want to say thank you for giving me an opportunity to serve this City and the Community for 7 years.

Larry Clark: I live at 240 Stevens Drive and about last month's meeting on the tax; I'd like to voice my opinion on it which is I disapprove of the way it was rushed through. And it should have been done at this meeting; you should have had your readings and done now the way I feel. But you drew up an Ordinance, I heard the reading of it twice, I even read it in the paper. There's something you left out. There were two articles you left out. One of them was delayed permit to getting a business license and a delayed form of paying your occupational tax. You left that part of it out. And the reason I say that is a letter from City Hall that states that a business next door to me did not have a business license and he hadn't paid occupational tax for three years. And you knew about it for over a year or more. It's been nearly two years now but it started in; I filed a grievance 6/4/13 and at the time Officer Miller checked it out and I think you mentioned that he did not have a business license. Mike Miller: At that time he didn't. Mr. Clark: Okay, again in September of 2013; September 23rd at the meeting my neighbor Bobby Miller brought the subject up at a City Council meeting and he was asked why you give him a license and you said he is permitted to do the

work. Okay, that was June to September that you knew he did not have a business license and he hadn't paid occupational tax. And it went on; the letter was dated 4/10/2014 which was over a year that you let him get by with it. So is the Ordinance enforceable. Mayor Ellis: He is actually caught up. We sent Code Enforcement Officer Myra Minton over there; he came in a paid back business license, back occupational and he's up to date and current and even paid fines. Larry Clark: What I'm getting to is why did you let him go that far without it? Mayor Ellis: I don't keep up with everybody that has a business license in the City. Larry Clark: The application for his business license was dated 2011. I filed a grievance 2013. So he has been operating a business for quite some time without a license and without doing your occupational tax. City Clerk Richmond: He paid for that license when he came in; he had to have or he wouldn't have gotten it. Larry Clark: Well he did do it 4/17/2014. Mayor Ellis: And he paid all the previous taxes that were owed plus penalties. Larry Clark: Yes he did but he delayed payment; why didn't you do something at the time of it is what I'm saying. Mayor Ellis: As soon as we found out we sent Myra Minton out to take care of it. Larry Clark: Well you knew about it when Officer Miller was there; he didn't have a license. Why didn't you do something then? You knew he didn't pay it then and that's the thing. It's not enforceable. And I would like to see some of these where he paid them. City Attorney Wantland: I don't think you'll be able to see those. That's confidential information. Larry Clark: After I read the Ordinance in the paper I realize that. But also in that it says anyone who helps falsify the information which here is the license he back paid and it should have been done in 2010. So it's a problem of you following your own rules with your Ordinance and I would like to know why other than you're just not obeying your own rules. And you can come back to the Ordinance that I'm speaking of is B-2 zoning which excludes automobile repair at that address. Mayor Ellis: But it doesn't exclude him from being dispatched from that address. Larry Clark: Show me in the Ordinance where it says. City Attorney Wantland: Mr. Clark you have every right to sue your neighbor. Larry Clark: Why should I have to sue my neighbor? City Attorney Wantland: Because you're the one evidently that doesn't want to accept the plain reading of that Ordinance where it says he can't repair an automobile. It doesn't mean he can't dispatch. Larry Clark: The Ordinance also says automobile repair business. City Attorney Wantland: Again, if you want to take it up you can take it up. Larry Clark: And also in this in Part F or G talks about parking. Business is supposed to have a parking lot for their trucks and whatever and for their business. He does not have a parking lot and you let him get by with it. Another thing is a dumpster. (Mr. Clark turns to ask Pastor Miller) Was that dumpster sitting on the blacktop in front of his place? Pastor Miller: At one time then he moved it. He complied with that. Larry Clark: He didn't comply to it he moved it off the street but it is still on City right of way in front of his business. Is that where it's supposed to go? Myra Minton: As far as the Ordinance goes as far as a dumpster, because there is not any residential property that borders piece of property ... Larry Clark: Yes there is residential property. Myra Minton: No property that adjoins his property is zoned residential. Larry Clark: Danny Fackler owns the second house next door. Myra Minton: Danny Fackler had that rezoned to B-2. Larry Clark: That was his residence. Myra Minton: He has had that rezoned to B-2 just like your property is rezoned B-2. Larry Clark: But anyhow the dumpster on City right of way. Is that the proper place for a dumpster? Mayor Ellis: It's not harming anything if it is sitting on the edge of the road Larry. Larry Clark: It's on City right of way. Mayor Ellis: Again, it's not harming anything sitting on that area. Larry Clark: But is that the right place for it. Why can't McDonald's or Wally World put theirs out here on the street. Nope. Probably not. City Attorney Wantland: Mr. Clark, you have a problem with your neighbor. Larry Clark: Yes and the City isn't doing a thing about it; you're letting one thing I mentioned parking lot, he should have a least 10 or 12 parking spaces for his vehicles much less for a business and also in that should be a handicap parking for every 20 parking spaces you should have one handicap. And that's a Federal thing of disabilities act. And it seems like all these Ordinances cannot be followed by the Mayor; he's letting all these slide by. Mayor Ellis: You need to have a seat sir, we're done. Gloria Taft: The handicap parking is only for retail stores. He's not a retail store so he doesn't have to comply with that. Larry Hatfield: Does he have any room to take his dumpster off of the City Street? Mayor Ellis: If he takes it all the way down to the garage that he has down there but I don't know how the truck would get down there to empty it. Larry Hatfield: I don't think a dumpster should be on a City right of way myself. Larry Clark: Well there's another thing you just passed an Ordinance of cutting grass; okay, when you come off of 480 on Stevens Drive, and look straight ahead, you will find grass up to your waist. And right off the blacktop which is City property, grass is up there, you don't even take care of your own much less a several acre field in front of you. So like I say you're not even going by your own Ordinances and I'd like to know why all these are taken place. Mayor Ellis: Myra, where are we at on this case with the

Ordinances? Myra Minton: As far as the area there it is all zoned B-2; everything that adjoins Mr. Clark's property; everything in that area as far as 210 Stevens Drive he has complied with everything we have asked him to do at this point and I've found nothing in our Ordinances about parking or anything that would apply to him. So there is not any resolution as far as I'm concerned to assist Mr. Clark in his complaint about his neighbor. Larry Hatfield: Not even the dumpster sitting on a City Street? Myra Minton: I asked Scott Fleming in regards to that, the dumpster is not on the street; the dumpster is on Mr. Weird's property actually. Larry Clark: No it is not. It is on the 18' right of way on each side of the blacktop. Myra Minton: The City may have a right of way but from what I understand that is still his property there. Larry Hatfield: So it's in the grass? Mayor Ellis: Yes it's in the grass. Larry Clark: Back to the Ordinance it mentions that before you start a business have your business license and like I say back in 2010 actually the application I showed had the paper was 2011 but actually was there for 2010. Mayor Ellis: 2010 was before any of us were sitting up here. Larry Clark: But I brought it to your attention and you right over your head. It's also in your Ordinance that you wrote up here that anyone falsifying information is guilty of a Class A Misdemeanor. The Mayor falsified his records from ... Mayor Ellis: That's a heck of an accusation for you to make sir. Larry Clark: Well it shows here, I've got paperwork here that says that he didn't have it and then a year later that you give him a license so somewhere along the line they were falsified. Mayor Ellis: No. I don't believe it was. Have a seat. You're not going to make accusations. Have a seat.

Joseph Wright: I live at 291 Lakes of Dogwood Boulevard. I am the Vice President of the HOA for Lakes of Dogwood and also Dogwood Run Homeowner Association. The HOA represents about 366 homes. I am going to read a letter from the HOA in regards to something that Councilman Hammond posted on our website. Councilman Hammond you posted on our website on January 7th true to my campaign I will be filing a motion in regards to speed bumps illegally installed. The HOA is here tonight because of this post and we have some statements of fact for the Mayor and Council. And a few questions. Statements of fact: Before the speed bumps were installed one child was hit of Reichmuth by a speeding car. Two children were hit on Dogwood Trail by speeding cars. The Board and the residents were calling the Police Department with complaints on speeding on a consistent basis, weekly. I personally made several phone calls. Police Officers were in our neighborhood often sitting in driveways using radar and writing speeding tickets. At our meetings the complaints most often mentioned dealt with how can we stop this. The HOA was informed by City Hall of the process to have speed bumps installed. The HOA in turn informed our residents of this process. Some of our residents walked the street and knocked on doors and spoke with neighbors. They got signatures on petitions to have the speed bumps installed; the process did not cost the City any postage, envelopes, auditing. Since the installation of the speed bumps zero children have been hit by speeding cars. Complaints on speeding cars are down to maybe one a month. This frees up our Police Officers to attend a higher level of crime keeping our City safer. The HOA has received very few complaints other than yours, on the speedbumps. All other calls have been positive. Most of the residents are happy with the bumps being installed due to the fact that there are many children in our neighborhood and this has almost completely eliminated the speeding. The HOA called and stopped by the Police Department requesting statistics on the number of calls previous to the installation versus now however that information was not available. The HOA has mailed out surveys in the past just to find that 90 to 95 percent of them are never returned. Mr. Mayor and Councilpersons the HOA requests that you have Mr. Hammond follow the same procedure our residents had followed. Mr. Hammond since you seem to want the speed bumps removed, you need to walk the streets with a petition knocking on doors and asking for signatures of the residents or you can put an ad in the paper and have a meeting on the subject. The library has a meeting room that can be used for free. You should take the time to do the study to get the statistics on how the speed bumps have helped the neighborhood. Your idea to use taxpayer money to do something you will not do yourself is ridiculous. To pay to have a survey printed, sorted, stuffed, mailed including a return envelope, plus postage, to a separate auditing firm is a waste of hundreds to thousands of dollars. Had you contacted the HOA we could have told you of the 366 ballots mail you could expect 5 – 10 percent. We, the HOA, did not ask the City to place the speedbumps as you implied during your election campaign. Our residents did. We request an apology from you for blaming the HOA on this. Mr. Hammond you have not attended one of our HOA meetings held twice a year at the Lake; you have not attended our meeting held once a year at the Library; you have never called, emailed or talked to the HOA about this. Had you contacted the HOA you would not be wasting time now. Our questions are: Why are you asking the City to

pay to fulfill a campaign promise? Did you or did you not post on our webpage on May 11th everyone works to hard for their tax money to spend without proper process? If you need we have a copy to refresh your memory. Since the residents will not mail back our surveys why do you think they will mail back yours? The Block Watch Captain of the HOA has contacted you twice on your Facebook page only to have his comments deleted. Why have you failed to respond to him or any of the HOA Board Members regarding the speed bumps? Also, why are you saying the speed bumps were illegally installed? We just want questions answered regarding the matter and we want to work to improve the safety of our residents and our neighborhood. Thank you all for your time. Randy Hammond: Well very very quickly I thank you for all your comments, I appreciate the input; nobody wants a child to be hurt on our streets. I do not. But I do know that the process of getting those speedbumps installed also should follow some conversations with the Council. I believe it was possibly brought up at one meeting; no motion, no pass, no vote was ever made. That's where the legality comes in on my part. If it's before the Council and it's a 5-1 vote and it passes then I'm fine with that. The day they were installed I spoke to the Thompson's who are two of the HOA members and they said there were some people coming out; some people wanted them, some people didn't. They were supposed to be on Dogwood Trail and Reichmuth; but Gloria and Scott decided to go ahead and install them everywhere. So then I got to looking in to it, could find no motion, no Ordinance. I'm there, I live at the end of Lakes Edge Drive and I've had several people reach out to me saying they knew nothing about them before they were installed. I knew nothing about them. So that's why I brought it up. I tabled it for tonight. I didn't bring it up because I wanted to speak with everybody; it's the first of the year, get to know some people; have some discussions about them in confidence. See what everybody kind of felt for my direction. But since you're here I will gladly tell you where I came from. Mr. Wright: When we have our meetings we post signs and the same thing. We may get out of 366 homes; a dozen people show up to an HOA meeting. Our theory behind it is it's going to be a waste of money trying to mail something out because they are not going to return it back. They are great now; they may complain to you, you're a Councilperson; but in the years that I've lived there and before I was Vice President, I helped with the Block Watch and everything else, I've gone to every one of the HOA meetings and we don't get the response. People just don't care to show up at the meetings. So now to sit there and say everyone wants speed bumps removed when most of the people that did want them... Randy Hammond: I don't show that it's everyone but if it's 55-45 then the majority should rule. Mr. Wright: We just wanted to let you know also as an HOA we didn't do it. We had a couple residents that decided to do it on those streets; the HOA didn't have any part of it because it's not our street it's a City street. Posting that the HOA did not contact the residents it wasn't our vote; the HOA didn't sit there and say we want to have speed bumps. A couple of residents on each street did and we just told them City Hall said write a petition and give it to City Hall. Mayor Ellis: Actually Randy how that usually works whenever the budget comes up for the MAP/LGEA funds which does paving of the roads and salt, and stuff like that, once that budget is approved; we'll go through and pick different areas, different roads that are being done and have those roads repaired/repaved. The Council will submit different roads that they see around or that they get complaints on. And if you have enough money then you get those roads done. Randy Hammond: Did the Council vote in regards to this issue? Gloria Taft: The Council voted based on the budget and when the budget is passed by Council it's passed. Then it's left to the discretion of the Mayor which projects; the paving where it takes place. Mayor Ellis: Myself and Scott Fleming will meet with the folks from Mago which does the asphaltting on the State Bid price. Tom will come out and meet with us and we'll show him the list of roads that we have received complaints on with either speed humps or pot holes or the road decaying or whatever. You may have one road they say you don't need to do anything on use your money on this one instead as far as blacktopping. When it comes to speed humps if I have people complaining about speeders and children possibly getting him; I'm going to focus on those areas. I've had several people come in my subdivision saying we need speed humps. Larry Hatfield: Do we need an Ordinance? City Attorney Wantland: No. Gloria Taft: No you don't need an Ordinance because it's covered under KRS Chapter 189; not 178; that all traffic devices installed on any road or street after the adoption of the Manual should conform to provision and they can be placed by the person in charge of City streets; which would fall underneath the jurisdiction of the Mayor. It can be placed or erected by the authority of a public body or official having jurisdiction for the purpose of regulating warning or dividing traffic. So the Mayor has discretion and every legal right to install speed bumps wherever he deems fit. If we as a Council feel there is a particular place where speed bumps need to be installed we need to bring it to the Mayor and say during the bidding process we would like this added to the bid from the paving company. Whether there

is the money there or not then it has to come back to the Council to be voted on and then placed in the paving budget. If it's placed in the paving budget the Council voted to pass the budget and that's how the residents got their speed bumps installed. It has also freed up Police Officers to be in other places versus sitting in driveways running radar on people doing 65 mph in a 25 mph zone. Ashley Bratcher: Speeders are bad back there and until speed bumps were installed they were bad and I can vouch for phone calls being made on speeding complaints and children being hit in that neighborhood. All three sections of Dogwood and Lakes of Dogwood Boulevard. I personally don't like driving over speed bumps who does? But it keeps the kids safe and all those neighborhoods are full of kids. The only emergency personnel they may hinder are the large apparatus in the Fire Department because they can tip over if they don't come to a complete stop but the rest of the emergency responders it doesn't hinder any of their response time. Randy Hammond: I wouldn't be bringing it up if it was just myself but I have several people asking; that's why I made it an issue. Gloria Taft: I've sat on Council for two years and I've not been contacted by anybody; and again the residents need to attend the HOA meetings. That is the first step for the residents. The HOA is the first governing body of the neighborhood. We have a young man here tonight saying the HOA has had very few complaints so I don't know why people are coming to you as an individual when they won't go to the HOA, the governing body of the neighborhood. Dana Bischoff James: I have a question, did you say he had posted something on your website and then deleted any response? Mr. Wright: Well what they did is he posted about the speed bumps on his Campaign website and the Block Watch Captain asked him to contact so that the HOA could have some input and it was deleted. Dana Bischoff James: Why would you delete that? Why wouldn't you correspond? Randy Hammond: I don't remember seeing that at all. I may not have known they were the Block Watch Captain. Mr. Wright: We just wanted to make sure you understood that it wasn't the HOA that did it. As an HOA if we can help you walk the streets we just don't want to waste City money to do a survey. Randy Hammond: Like you did the first time. I appreciate that. Gloria Taft: The City wasted no money. They didn't spend any money he just said their residents walked the streets. Randy Hammond: Somebody paid money for those speed bumps to be installed. The City did.

Chrystal Vest: I'd like to congratulate Ms. Bratcher, Ms. James and Mr. Ellis, Bernie and Gloria for your getting back on. What I would like to do because apparently Mr. Hammond has a hard time dodging hard balls on Facebook, I just wanted to know since you're on the Council now and I'm in front of several others my message was deleted as well which I find pretty funny because you had made comments about I believe it was Ms. James in regards to; how many meetings have you been to on FEMA? Mayor Ellis: We're not going to attack. Ms. Vest: I'm just saying how can we trust somebody on the City Council that takes and will delete a message and cannot respond? I'm just saying I have no respect for you and that's all I have to say.

Jim Hatfield: Thank you Mr. Mayor, City Council. Just a couple brief points that I'd like to make. I live at 854 Arrowhead Lane. Both of my comments are regarding the occupational tax and the first point I'd like to make is I think that it was very short sighted of the Council of last year and you Mr. Mayor to project a budget based on funds that you may or may not have had available at the end of the year. That being said the other comment I'd like to make is when elected officials fail to live up to commitments that they make to their constituents, it simply adds to the discontent that already exists from politics in general. That failure of you as Mayor and Council members that voted no to sunset the 1.5% City occupational tax as promised continues to show that your agenda is not in the best interest of your constituents or the City of Shepherdsville as a whole. You and those Council members have done a tremendous disservice not only to the citizens of Shepherdsville but to the offices of Mayor and City Council. Thank you.

Department Reports:

City Controller Bob Ryan: Last year's Sewer Budget there was an amount at the end when all was said and done after the Audit was to be transferred to the Construction Reserve Fund. The projected amount was \$686,000; that was the projected surplus in the Sewer Budget. That surplus has gone down to \$172,000; the difference being the payoff of the \$3.5 million bond. \$3.5 was paid off but to do that only \$2.8 million was borrowed and the rest was paid out of existing funds. So the difference between the two created the reduction from \$600,000 surplus to \$162,000. Of that, each month anticipating the surplus we've been sitting aside \$15,000. So prior to June 30 \$105,000 was set aside in a Construction Reserve Account at Peoples Bank; the difference between the \$105,000 and the current surplus \$67,000. I'm just here to get

the okay to transfer that difference out of the Operating Capital into the Construction Reserve Fund. Bernie Brown: Why don't you give us something in writing giving us these numbers so we can look at them? I would prefer that myself. If you can do that; it may be fine it might be a good thing to do but I'd like to see the numbers. I believe there was \$670,000 of the \$3.5 million that was borrowed for completing the sewer line that was not used. Is that right? Bob Ryan: Yes. Larry Hatfield: Is the Poe money still not been used? Bob Ryan: The Poe money is in a separate account. Larry Hatfield: Can you get me the bonds of what we owe and everything so I can refresh my memory? Bob Ryan: Did you get a copy of last year's Audit? Everything is in there. I'll will get that together and put it in everyone's box.

Council Reports:

Ashley Bratcher: I just want to thank the citizens of Shepherdsville for electing me and letting me represent you for the next two years.

Larry Hatfield: I just want to touch base with Joe on one thing on this occupational tax. We have at the top also says net profits; but we are not charging net profit. City Attorney Wantland: No net profit. Larry Hatfield: I just noticed in here in two or three different places it talks about S Corporations and ... City Attorney Wantland: Part of it in there that you're talking about is for the allocation of taxing those entities that have more than one location. One location might be in the City; one location might be in Jefferson County; one location might be somewhere else. We have that primarily with like Gordon Food Service, UPS; those kind of companies. Larry Hatfield: There is actually nothing in here that says we're not doing that; something that I could read. City Attorney Wantland: We are not taxing any ... Larry Hatfield: I know we're not doing it but there is not actually a line that says we're not doing it. Am I correct or am I wrong? City Clerk Richmond: You are probably right. KOLA came to us several years ago and they were trying to standardize all the cities/counties throughout Kentucky with one occupational ordinance. That's pretty much where most of that wording came from. City Attorney Wantland: I think it was a larger corporate entity in our community but they also had offices and workers in Jefferson County and what they opted to do was put all their earnings into Shepherdsville because our occupational tax was less which made their employees a little bit happier. I think it was 2-3/4 to 1.5 and they were very pleased. Larry Hatfield: The \$2500 fee on the sewers; that's for the entire area of the Beam line. City Attorney Wantland: That is correct. That should have been done in 2008-2009 it was not done; every time I get to thank a corporate entity in our community that works with us and does a good favor for us I like the public to know it. Jim Rice and Jesse Flynn both participated; they paid \$500,000 for 107 acres. You can do the math real quick and its \$5000 an acre that they could have as easily asked for impact fees for that amount. We had a meeting, it was very open and even though they paid \$5000 an acre they agreed to charge the \$2500. Larry Hatfield: My point is it's not just for their part it's for everybody. City Attorney Wantland: Everybody. I'm just saying they paid twice as much than anybody else and they had the ability by that agreement that was drafted in '08 to dictate that fee to us. It was a contract. Larry Hatfield: Yeah I knew they wanted the system development fee. City Attorney Wantland: So after six-seven years we finally got that in place. Mayor Ellis: Larry we were working on this with Angie at one time and we were looking at actual square footage of the building and changing different things around.

Dana Bischoff James: I would like to reiterate our founding fathers United We Stand; Divided We Fall. This Council is starting off to a very rough start. We have a lot of distrust so I just want to make sure that I have clarification so I'm going to ask a few questions and make sure that I have clarification where everybody is. I know new Council members coming in or those who have even been out; there has been a change. There have been a good two years and a lot of changes. So I'm going to start with you Mr. Hatfield because until we can get on the same page we're going to have a really hard time. Have you had an opportunity to review either the end of the year Audit or the budget numbers seeing that we decreased property taxes? Larry Hatfield: I looked at that this afternoon and mine went down so if I offended anyone by saying it was 4% it did go down a little but when I rant the articles I was sitting there is 2011 when they was voted 3-3 and they increased them 4% at that point. In addition to that you had posted that we have known about FEMA since 2011 and we did absolutely nothing or actually said Mayor Ellis did. How do you anticipate us to work with you when you are posting statements that you don't even know? Larry Hatfield: Well for one thing in 2011; I don't have it with me; but I do have the thing where the Division of Water sent this City a letter; as a matter of fact I think it was in 2010 when I was sitting on the Council and nobody told me about it. I dealt with

FEMA when I was Mayor in 1989 and the only way you're going to deal with them is prove them wrong and I don't think we'll be able to do this. Mayor Ellis: We're sure as heck trying but it will be a tough one. Moving on, just because they are issues that have to be resolved. Larry Hatfield: I don't mind talking to you about them. Dana Bischoff James: Randy Hammond you had posted that we implemented a new tax when it was regarding... it says three of your City Council members, Gloria Taft, Dana James, Jose' Cubero, as well as Mayor Ellis voted passing new property tax. What tax are you referring to? Randy Hammond: It was a new tax that was above and beyond all; basically had an open ended limit on it. I'd have to look back to the exact date to know which one it is. All I was doing was posting your results. Posting what you voted. Dana Bischoff James: We didn't implement a new tax and what this was referring to was us renewing an Ordinance we had an Ordinance that we did renew and that was actually set by Council Members some who did not even sit on this Council the Ordinance was already in place. I just want to make sure that you are well educated and prepared to be able to look at the City. Likewise I had responded and tried to give you information and you refused to allow that to be posted. Moving on, I just want to understand your position on lower tax and less government because I asked if you intended to cut jobs and positions and you never responded back. So I want to know exactly what you're looking to do with that. Randy Hammond: The easiest answer for that for the lower taxes I would have let the tax passed two weeks ago sunset so that we could have revisited that idea. Dana Bischoff James: Are you aware of FEMA and the mitigation plans that we have with the City? Randy Hammond: I don't believe that .5% is going to be spent on FEMA because it's already in the 2015 budget. You had already spent it. Dana Bischoff James: We have FEMA and we have roads so I encourage you to meet with the Department Heads and get to know the position that you are in and the reasons that we're voting the way we are before you come in and try to change things or run an anti-truth platform. I want to say that the City is here and we did not run out of money. I want to thank the City and for where we are and looking to try and move forward because until we become together before making important decisions it's going to be a long two years.

Larry Hatfield: Thank you Ms. James. And listen I'm going to forgive you for accusing me of stealing \$150,000 and paying it to George Miller for a \$500 easement. My family did not like that and that never ever happened.

Bernie Brown: I want to change the tone here a little bit. I want to give a little follow up at the meeting on the 24th of November a motion was made for our City Attorney to write a letter outlining some of our concerns about the County subdivision regulations. Mr. Wantland and I met, we talked about it, and he felt like maybe a good thing to do would be to have a meeting with the County Attorney. A letter was prepared and already been sent to the County Attorney asking for a meeting and I think you may know a little more about what's happened from that. City Attorney Wantland: Councilman Brown gave me some instructions. I followed his instructions; met with the County Attorney, he already had the letter and met with me in Court this morning. He wants to meet with those members of the Council who would like to meet with him. He suggested after a regular meeting. I indicated to him we might want to meet before the meeting. He's really really busy. He's getting his feet wet but just the idea he's really busy but he's willing to schedule us time. I would like to have the Council's permission to try to schedule something say at 5:30 before our regular meeting and those people who can attend fine. Larry Hatfield: Are you talking about the subdivision restrictions as far as getting bonding? City Attorney Wantland: Bonding and how we do it; the application processes, how we work better together. We might have to have more than one meeting but I was very pleased that the civil public servant said yes to our request and wants to meet with us. Again he said after the meeting; I was thinking before the meeting on a Monday night but I wanted your input on that before we try to schedule something. Larry Hatfield: Next meeting. City Attorney Wantland: I have to ask Mr. County Attorney to see what his schedule is but I think he's going to try to meet with us. Bernie Brown: I think before the meeting would be a good time. Larry Hatfield: I'm fine with that. City Attorney Wantland: I'll let everybody know. But I think the County Attorney is very genuine and he wants to meet and explore that. I know he's been somewhat disappointed in the past by some of the things that have happened with Planning & Zoning and I think that's one of the reasons why he ran. But he wants to address that and he wants it to be more coherent and cohesive. Bernie Brown: I think a lot of good can come from it. Not only with us meeting with the County Attorney but I know Tammy and Rob Campbell and Brenda have been meeting too. I think this is good because ultimately I think we'll end up better off; the County and the cities, not only

Shepherdsville. I don't look at it as just being a Shepherdsville problem; I think we need to look at it from the standpoint that if it's better for the whole County then we're all better off. City Attorney Wantland: Councilman Brown wanted this Council's input and give me instructions but I would like to meet with the four elected Judges, the two Circuit Judges and the two District Judges about using public community service labor for Parks & Recreation particularly grass cutting, cleaning and get your input on that and then go address them and see what they have to say. I know particularly the people who are participants in Drug Court have as part of their due to society to be in that program is Community Service. Larry Hatfield: I'll start sending my people over here. I get them sometimes. City Attorney Wantland: If you understand what I'm saying. I just want your input say Joe go ahead and talk to them bring in back but this is Councilman Brown's suggestion that we do this and I don't want to take his thunder but I want your input before we see some people out there cutting grass and you say I know they were doing whatever and that would be true but they have to do labor, community service. Larry Hatfield: Do they have to be 18? Mayor Ellis: They are supposed to be over 18. Bernie Brown: I know I talked to Jailer Martha Knox probably three years ago and she is totally okay with doing it. I think it would be helpful to the City and save the taxpayers money. You don't need a motion do you? City Attorney Wantland: Just a direction. Put it in the minutes that you are having me to do that. Out my back window at my office I will tell you I've seen the input of FEMA in our community but there is a lot of green space in our town and we have to keep it mowed, clean and looking fine. It's a tough job with all the open areas that we have. Bernie Brown: I think a lot of the detainees would rather get out and do a little work than sit there where they can't see the sun. Gloria Taft: I would say proceed cautiously but do get more information.

Gloria Taft: I just want to say thank you to the voters for finding it feasible to send me here for another two years. I don't want to see our Council divided. I want to work equally with everyone and in order to do that we need good communication which I don't think we've had very much of yet. So hopefully all the Council has my phone number, you have my email so let's do what we can to work together to heal some of the wounds that a rough campaign and a rough voting time did. They kind of hurt everybody so let's try to come together and get Shepherdsville on the right path to a great future.

Randy Hammond: I just want to say thanks to all the citizens for the opportunity to serve. I'll do my best to keep everybody informed; try to make City Council and City business as open and transparent as I possibly can and I may ruffle some feathers by doing that occasionally but I just want to say thanks to everybody. I do want to work and respect each and every one up here; work well together and keep making this place a better town.

City Attorney Wantland: Presently I'm working with Brad Armstrong's firm; there will be a series of annexations in the corridor that we were discussing with the Salt River Interceptor line and that should be coming forth in the next two or three meetings.

Mayor Ellis asked for a motion to adjourn to Executive Session to discuss litigation/property and invited Fire Chief Layne Troutman to attend. Larry Hatfield made motion to adjourn to Executive Session. Dana Bischoff James 2nd. Motion carried 6-0.

Gloria Taft made motion to return to Regular Session. Dana Bischoff James 2nd. Motion carried 6-0.

City Attorney Joe Wantland: For the audience, Layne Troutman has got specific instructions from the Council; he's going to report directly to them. He will have to do that before our next meeting; but that is what has transpired.

Dana Bischoff James made motion to adjourn. Ashley Bratcher 2nd. Motion carried 6-0. Meeting adjourned at 8:04 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk