

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
TUESDAY, January 12, 2016**

Pastor Mike Miller, Family Day Ministries gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:32 p.m.

Council members present: 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 12/22/2015 Regular Meeting. Dana Bischoff James made motion to dispense with reading. Gloria Taft 2nd. Motion carried 4-0-2 absent.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 1/4/2016 Special Meeting. Randy Hammond made motion to dispense with reading. Bernie Brown 2nd. Motion carried 3 in favor-1 abstained-1 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 12/22/2015 Regular Meeting. Gloria Taft made motion to approve 12/22/2015 minutes as written. Dana Bischoff James 2nd. Motion carried 4-0-2 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 1/4/2016 Special Meeting. Bernie Brown made motion to approve 1/4/2016 minutes as written. Randy Hammond 2nd. Motion carried 3 in favor-1 abstained-1 absent.

Mayor Ellis announced City Hall would be closed Monday, January 18th in observance of MLK Day.

New Business:

Dana Bischoff James made motion to bring off the table. Bernie Brown 2nd. Motion carried 4-0-2 absent. City Attorney Wantland had first reading of Ordinance 016-(number to be assigned) concerning request from No Wood Investment, LLC to rezone 0.85 acres (+,-) from R-2 Residential to B-1 Highway Business located at the Northwest corner of Highway 44 East and Hoot Owl Camp Road and listed as parcel #045-C00-010-001. Comprehensive Plan: Commercial. It received a favorable recommendation from Planning & Zoning. Mayor Ellis: The second reading and public comment will be January 26th. Tammy Baker is present on behalf of the applicant. Tammy Baker: Just in case you had any questions; I can save my comments for the second reading.

City Attorney Wantland had first reading of Ordinance 016-(number to be assigned) concerning request from Bobby Roution and Hazel Roution to rezone a 65' x 140' more or less lot from R-3 Residential to B-2 Central Business located at 230 Highway 44 West listed as Parcel #036-SE0-03-011. Mayor Ellis: Second reading and public comment will be January 26th as well. Mr. Edison is here for the applicant but did not need to speak unless Council had questions.

City Attorney Wantland read Proclamation 2016-01 proclaiming January as School Board Member Recognition Month. Dana Bischoff James made motion to accept. Randy Hammond 2nd. Motion carried 4-0-2 absent.

Mayor Ellis: Mrs. Sheri Webber resigned from the Civil Service Board so I spoke with Tom Rosselli the Chairman and ask if he had anyone in mind and he suggested Mr. Bill Duffy. Mr. Duffy lives in Heritage Hill so he is a resident of the City; I talked with him yesterday and he is interested in being on the Commission. So I would like to recommend Bill Duffy to take the place for the remainder of Sheri Webber's term on the

Civil Service Commission. Gloria Taft made motion to approve Bill Duffy. Bernie Brown 2nd. Motion carried 4-0-2 absent. City Attorney Wantland administered the oath to Mr. Duffy.

Mayor Ellis asked Rob Campbell from Qk4 to come up and report of the bid results and give a recommendation for the Joe B. Hall Avenue sidewalk project. Rob Campbell: We had seven bids received for the sidewalks on Joe B. Hall starting at 44 going along the east and southerly side of Joe B. Hall all the way to Kart Kountry in the areas that are not already paved. That's a total of about 2,860 square feet of sidewalk. The low bid contractor was Seven Seas Construction. We reviewed their bid and recommended to the Mayor that the project be awarded to Seven Seas. They do currently do work for Louisville Metro and MSD so we had some references there. I have not had an opportunity to work with them in the past so I don't have personal experience with them. However given the scope of the project and the competitive nature of the bids we did go ahead and recommend the award. This is basically a bid on the quantity of sidewalk for a four foot wide sidewalk so prices varied from that low bid of \$11.02 per square foot to \$19.60 per square foot. The three lowest bids were all within a dollar of each other so you have competitive bids. With that we are recommending the Council approve this award to Seven Seas. Dana Bischoff James: You did say Seven Seas was the lowest received? What type of time frame are we looking at? Rob Campbell: Since we're awarding it at a tough time of year to get this work done we're probably going to need to be a little flexible on the schedule but it's not a huge quantity of sidewalk. We basically need to get it awarded, sit down with them and see what they are looking at and I'm thinking March-April we ought to have them out there for sure. Dana Bischoff James made recommendation we accept Seven Seas. Bernie Brown: How long will it take to complete? Did they give you any kind of estimate; will they do this in the spring? Rob Campbell: No not necessarily, you can definitely do the concrete work in the winter it's just we have to have a little break of good weather so it might get done in pieces; that's why I'm hesitant to give you an exact time frame because they may be able to work for a little while and then we may get some snow cover for a while and delay it. So sometime in the realm of 30 days if they can work non-stop. Bernie Brown: This would be on the south side? Rob Campbell: Essentially on the south side, that's correct. Bernie Brown 2nd. Motion carried 4-0-2 absent. Bernie Brown: Another question, since we're talking about sidewalks; I would like for us to come up with a plan to do sidewalks on Conestoga Parkway. It is hazardous the way it is. People walk along the road and at night you can hardly see them. It's dangerous. What can we do to get a plan underway. Mayor Ellis: It sounds to me like we have a motion from a Council Member to direct you to go ahead and start doing a study. Bernie Brown: Rob and I talked about this before and he said the original plan was as the lots were sold whoever develops puts in a sidewalk; well that could go on for years and it piece meals it and the sidewalks are needed now. Rob Campbell: Sidewalks are absolutely needed; I think everybody would agree with that. The bigger picture needs to be considered here though because of the significant traffic problem that we have in this area. The sidewalks are a party to the road so if there is going to be any significant changes to the roadway; roadway striping; roadway signalization; and the path that you would want people to take to get to the sidewalks, you really need to consider the whole big picture. It's definitely our recommendation that the City take on a traffic study in this area and that study consider pedestrian movements also so that your signalization, striping, and the roadway are all working together with the sidewalk. I would totally agree with you that sidewalks are necessary and it's a safety concern. You are right on both counts. But I think you have to for the sake of the City, prudently spending money I think you want to take on a study to give the public input, to give you as a Council a chance to give input and to take a look at what engineers are coming up with in terms of modeling the pedestrian and vehicular traffic. You have a big empty building here next to Lowes that is going to be full at some point and that is going to add additional traffic load. There are other properties to be developed so there are a lot of reasons that you're right and I just say that a traffic study and pedestrian movement study, that's all the right next step. Bernie Brown: I make a motion we do that. Let's do the study and come up with some kind of plan and we need to take a look at the cost and how it's going to be paid for but I think we need to get something rolling on that. Gloria Taft 2nd. Motion carried 4-0-2 absent. Dana Bischoff James: Mr. Brown, I would like to say as we're building on Alpha Way that is something in the road meetings that we are looking at every aspect so that we're forward thinking so we're not building a road then going back and implement things later.

Mayor Ellis: At the last meeting we had the Command Staff's from the Fire and Police Departments come in Executive Session to talk about the wages of the Command Staff on both agencies. We're bringing the

discussion out here tonight so that this time I'd like to call LTC Patching and Chief Troutman to the podium so we can discuss this matter further in depth. LTC Patchin. Let me give you some history. This has been an issue that has been raised for about two years now. The City Council became aware of it about 13-14 months ago and it's an issue that's ongoing. On the Police side when the Council voted several years ago to do the pay scales for the sergeants and patrolmen we did not address Staff Officer level positions. By doing that, we now have several people that are paid or close to being paid exactly what they would be paid as a sergeant and we want the staff level officers for their salaries to be commensurate with the demands of their jobs and the levels of authority, duty and responsibility that they have to the City. We have put forth a plan to the Council that basically is 4% incremental difference between what a 20 year sergeant makes in this Department to a Major, 4% above that for the Assistant Chief, then 4% above that for the Chief. We have calculated that it will cost the rest of this Fiscal Year it will cost \$19,344. Mr. Ryan, the City Controller, has looked at our wages and the first six months of this budget year and also projected our wages in the next six months and at this time he is projecting us to be about \$192,000 under budget. Bernie Brown: Does that \$19,000 include all benefits, retirement, etc. LTC Patchin: No, Based on this it only has the gross pay, hourly rate; it doesn't have the retirement and FICA in there. Bernie Brown: So you will have to add 35% roughly? LTC Patchin: Yes sir. Bernie Brown: Does this matter if this is settled tonight or could we do it in two weeks? Dana Bischoff James: I would like to resolve it. At the end of November I brought it back up and I did speak with Bob in a follow up meeting. I would have liked to at the time when we had an officer who ended up with a decrease in position and increase in pay; I wanted to resolve it the following that and in November I brought it up again so in two years we've been aware of it for 13-14 months I think it's time we correct this. Roughly I did a quick calculation we're looking at about \$6,700 for the benefits to that. LTC Patchin: No, that wouldn't be correct. If we take \$19,000 and add 35% that is a more accurate number. It will bring the total to \$25,650. Bernie Brown: The issue has got to be resolved I totally agree with that. And this might be fine; I just now got the numbers here and haven't had time to look them over and digest them a little bit which I'd like to do. What difference would it make if we made a decision tonight or did it in two weeks? Gloria Taft: Because it's two weeks more of these gentlemen's pay. Chief Troutman have you been able to hire an Assistant Chief yet or a Major as we discussed in the budget talks. Chief Troutman: I was able to hire a Major as of right now. This week I plan on hiring the Assistant Chief. Gloria Taft: Did this person come from within your ranks? Chief Troutman: No. Gloria Taft: What is the reason you had to go outside of your ranks to hire personnel? Chief Troutman: Basically anyone on the Department that was qualified at the time it would be a cut in pay for them to take the position. Gloria Taft: A cut in pay to move up? Chief Troutman: Yes. They would make less if they moved up in rank. Gloria Taft: That's why we need to settle this now. We've had a lot of these figures and emails for over a week. Bernie Brown: I haven't had these numbers until a few minutes ago. Gloria Taft: Some no, but the one that showed it was only going to be 20,000 plus \$10.00/hour. Chief Troutman: Mr. Brown just to answer a question I think you're looking at there is where he took the numbers from and showed that we have the money in our budgets already to advance up; the areas that you are asking about that he didn't take it out of, the money that is in the top part is in the lower sections of our budget also to cover for those. Bernie Brown: It will all be covered by the budget. Chief Troutman: Yes. Dana Bischoff James made motion to accept and resolve this tonight. Gloria Taft 2nd. Randy Hammond: As far as the Fire Department breakdown, are they roughly the same that we discussed a few weeks ago? Chief Troutman: Yes. Motion carried 4-0-2 absent.

Daryl Lee: No report.

Duane Price: No report.

Sign In Speakers:

Brother Mike Miller: Thank you Mr. Mayor, City Council, Honorable Joe Wantland, and Sister Tammy; back on September 29th I lost my dad suddenly. Dad was a faithful member at Family Day Ministries, he sat on the front row at Church. He gave a lot of money through the Church to help a lot of people in the Community. I'm here tonight just to say on behalf of my family how much I appreciate what the City did. Obviously I've been retired now for two years and as I was sitting there my doorbell rang; I was grieving, like most people do and I told my son be careful before you open the door it's a big box; I didn't know if it was a bomb or what it was! I asked my son who is it and he said there is a man out here with a box. I said hold on

for a second. We got up and I, my wife and my son went to the door and received a gift in memory of my dad; it was some wind chimes. I'm going to hold back my tears tonight but as I began to weep I just wanted to say how much I appreciate what you all did. It was to me a way from God saying he was very thankful for what my dad had done to help a lot of people in the Community. We're not the only Church, there are many great churches but we're doing our part to reach out and to help as many people as we can. I want to say thank you from the bottom of my heart how much I appreciate that and how much my family and my mother appreciate you all doing that. You know I had the great honor to work at a couple cities, Louisville Metro for 15 years in law enforcement and to work in this City; and I can tell you I have no desire to ever go back to work for Louisville Metro Department. This is a good City, we've got good employees and I want to say thank you for giving our law enforcement and fire fighters raises. These people work hard; I know I did this job for 20 years; especially with what is going on in law enforcement and some of the bad situations that they are getting I really appreciate what you all have done to stand with our law enforcement officers. Now being a community leader here now for two years full time and having a Church here for six years I was so impressed by the letter that I got from our Chief of Police that I read it to our congregation. For the sake of time I don't have time to read the whole letter that the Chief sent but I did highlight some things in my office this week that I think that you all need to be aware of. It was just really a blessing. It says "thank you for your support of the *Shepherdsville Santa* program. This Christmas we were able to provide food, coats and toys to 450 people in the Community because of your support." It says "this program purchased 230 coats for children in the Community and provided food boxes to 180 families." Now let me give you a little highlight here; I'm founder of a homeless Ministry in Metro Louisville called River City ? ? . I know firsthand how much money it takes to purchase this type stuff; and I think it's overwhelming that we live in a Community that was able to raise that much money through the Police Department and through you all to be able to reach out and touch citizens in time of need. The Chief put in here "while all of us are susceptible to hard times children are the most at risk and they are the ones that we serve during this time." So I stand here as a Community leader telling you that this is what the citizens look at and are very appreciative that when you all do stuff like this that you really do care. And I want to let you all know as a Community leader that at our Church that we pray for all of you all. We're not a one certain person side that we pray for the Mayor, the Council and we pray for you that God will give you wisdom to continue to take this City in the right direction. I always tell people if you don't think this is a good City just go north; you'll be glad to come back this way. So I want to say Thank You from the bottom of my heart as a Community leader, as a retired employee, that I'm very thankful for what you all are doing in this Community to reach out and not only build our City financially but also reaching out spiritually and physically and helping people that need it. And believe me it goes a long way. I'm just here to say thank you and God Bless you for your hard work and continued hard work.

LTC Patchin: We placed in each of your mailboxes today a memo outlining the code enforcement ordinances and what ordinances that need to be repealed with a singular ordinance that addresses all the issues that the Council had brought up over the last 12 months or so. We identified some of the areas that we feel need to be defined by the Council and City Attorney; we also identified those areas in which we need some clarification as to what type of enforcement, what constitutes enforcement for whatever the issued may be which is listed on page two. What we're recommending to facilitate this because we want to make sure we get a singular ordinance that covers all the issues that all the Council members have is we would like one or two Council members to sit down with us and go over and make sure that we have all of your concerns and all the issues you want covered in a code enforcement ordinance so ideally we only have to do this once and move forward. City Attorney Wantland: I think in part and I really appreciate your hard work, that's the first thing. Part of the learning process in trying to have an ordinance to apply to every situation all the time is quite difficult. So if the Council wants to participate the Council may but I would like to have you and Mrs. Minton participate and start with that because I think we really need to have people who have the hands and eyes and the doing with these situations and then present it to the Council. Then maybe invite a Council person to come in and discuss it. I can work up something that we think is more cohesive and comprehensive than what we have now. LTC Patchin: Our concern was that when we went through the Ordinances that are attached to the document we provided those for you; when we went through that and we're going back through our memories going what issues have Council members brought up that aren't covered by the ordinances, essentially we want to make sure when we talk about Council

involvement and the creation of this ordinance we want to make sure that we haven't left out any issues that anyone has brought up because we can't remember everything. City Attorney Wantland: I think we're going to have difficulty writing up something to cover all the bases. I don't think we're going to get all but if we can get 99% then we're doing pretty good. Every time we turn around we get something new. Bernie Brown: Does commercial code enforcement need to be separate or can it be combined? City Attorney Wantland: We have one code enforcement officer so I think we'll probably work with Dan and Myra first. For the audience, this year with the help of Circuit Court I think we raised three properties and we filled in a spontaneous swimming pool in a residential area. The need for code enforcement is tremendous and people do not understand that if property is ever raised many times these vacant properties are invitations to the people to use those for hangouts, sleeping quarters for their drug usage. It makes the police work a little harder, makes our Community a little more dangerous when we have these dilapidated properties in our Community. It's expensive and it is a lot of hard work to have people clean up their property and keep it in a safe and orderly manner.

Chief Layne Troutman: I sent out an email last week and put a bid in your box on designing and development of the first stations. I need a little guidance from you because it's right at \$19,500 to get the architectural work done and for the blueprints of the electrical it's another \$4500. So that puts the whole project over \$20,000. It's from two different companies but the one is contracted out by the other. I just need some guidance; if you all would feel better if we bid it out. Dana Bischoff James: I would like to see it bid out. Bernie Brown: It needs to be bid. Chief Troutman: That's what I wanted to find out for sure so we know what steps to take to move forward. I'll get that out and try to have it by the second meeting next month.

Dana Bischoff James: I just want to reiterate a little bit of what Pastor Mike Miller stated. I recently spent some of our holiday season attending three funerals and while I was participating at one funeral there were about 28 police officers that went past; a Shively officer was shot and the last I heard he was doing well but I just encourage everybody, you never know when the last day is; what somebody is doing, what somebody is going through so I just want to encourage everybody to edify and tell people thank you especially those who serve in first responder positions. Also if anybody is looking for a good book to read Brother Pastor Mike Miller wrote an excellent book; it is all about family and I think that's America starts getting back on track is if we can correct some of the problems within the family then our government, our schools, everything else will become so much stronger.

Gloria Taft: At the special meeting I led the prayer and I used the words "Bible Belt". A particular individual of our Community sent me an email saying that this person felt that the use of the word Bible Belt excluded certain religious beliefs and if anybody else felt that way I want to publicly apologize. My opinion is Bible Belt means that this part of the Country still believe in Bible, prayer and attending church; it's all inclusive. On a second note I want to wish Dan Cline happy 50th birthday tomorrow.

Mayor Ellis: I do want to go into Executive Session; we have two personnel issues and we would like to bring Chief Troutman back for the first one and I want to give an update on the second one. **City Attorney Wantland:** I would ask that we also talk about property acquisition.

Randy Hammond made motion to adjourn to Executive Session to discuss personnel and property acquisition. Gloria Taft 2nd. Motion carried 4-0-2.

Dana Bischoff James made motion to return to Regular Session. Randy Hammond 2nd. Motion carried 4-0-2 absent. City Attorney Wantland: Council discussed various issues; the one issue concerning land acquisition that the Council has asked the Mayor to do more investigation and make a report back to Council hopefully at the next meeting.

Dana Bischoff James made motion to adjourn. Randy Hammond 2nd. Motion carried 4-0-2 absent. Meeting adjourned at 7:30 p.m.

R. Scott Ellis III, Mayor

Tammy Richmond, City Clerk