

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY AUGUST 8, 2011**

Brother Mike Miller, Family Day Ministries gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:31 p.m.

In attendance were Council members Bernie Brown, Don Cundiff, Bonnie Enlow, Larry Hatfield, Faith Portman and Alan Wetzel.

Don Cundiff made motion to dispense with reading of the minutes from the Regular Council Meeting on July 25, 2011. Bonnie Enlow 2nd. Motion carried 6-0.

Bernie Brown made motion to bring off the table the minutes from the July 11, 2011 Regular Meeting. Bonnie Enlow 2nd. Motion carried 6-0. Bonnie Enlow made motion to approve the minutes from the July 11, 2011 Regular Meeting. Alan Wetzel 2nd. Motion carried 6-0.

Bonnie Enlow made motion to approve minutes from the 7/25/11 Regular Meeting. Don Cundiff 2nd. Motion carried 5-1 against. Mr. Hatfield stated he felt there were some false and misleading accusations in the minutes against him and he would not vote on them.

OLD BUSINESS:

Larry Hatfield made motion to bring off the table further discussion on fixing sidewalks in Oak Grove and several other areas in the City. Bonnie Enlow 2nd. Motion carried 6-0. WWTP Superintendent Chuck Keith stated he had only received one bid from Nick's Concrete in the amount of \$1500. He stated the City would buy the concrete at approximately \$65.00/yard and four yards were needed. Bonnie Enlow made motion to approve bid from Nick's Concrete to fix every area on Beech Grove Road. Larry Hatfield 2nd. Motion carried 6-0.

Mr. Hatfield stated he had spoken with Mr. Staples regarding his son's injuries on the sidewalk in Oak Grove. Mr. Staples is asking the City to pay the doctor bills incurred. City Attorney Wantland stated Mr. Staples would have to sign a release upon receiving payment. Bernie Brown made motion to reimburse Mr. Staples for the doctor bills for his son's injuries. Alan Wetzel 2nd. Motion carried 6-0.

Mayor Ellis stated that he and several Council members had met with Bob Ryan, a CPA who is interested in doing the City's audit. Mayor Ellis introduced Mr. Ryan to the Council who proceeded to ask him several questions regarding different aspects of the audit. During the discussion Mr. Ryan suggested the City adopt a Resolution accepting the audit as written without an opinion. Bernie Brown made motion to authorize the Mayor to sign an engagement letter to Mr. Ryan to conduct the City's audit. Alan Wetzel 2nd. Motion carried 6-0. Mayor Ellis stated he appreciated the hard work Mr. Brown did in bringing Mr. Ryan to the City. Mr. Brown stated he was not hard at all.

Larry Hatfield made motion to table discussion on Controller qualifications until more information can be collected. Bernie Brown 2nd. Motion carried 6-0. City Clerk Tammy Richmond stated she had contacted the Kentucky Municipal Clerks Association and asked that any City with a Controller send their job descriptions to her.

NEW BUSINESS:

City Attorney Wantland presented the Council with a boundary survey to look at on the Mooney property. He stated this had been prepared twice and is still not correct. Mr. Wantland stated this incorporates an ally

closure and puts all closures together as one. He asked that this plat be put with the record and made part of the official record of the City. Bonnie Enlow made motion to approve alley closure. Faith Portman 2nd. Motion carried 6-0.

Marty Brown with Public-Finance.com was present to update Council of Phase II of the finance plan. He stated after consulting with Angi with Qk4 he feels he has everything for a General Obligation Note of \$3.5 million. He stated he would like to the note deal done by the end of August.

Bernie Brown stated that he has been hearing a lot of rumors that the City has borrowed \$7 million. This is untrue, the actual number is \$2.6 million borrowed this year.

Mr. Hatfield asked Marty Brown his thoughts on a controller. Mr. Brown stated you could recruit for the position; use a finance recruiter to get candidates already screened. Mr. Hatfield asked if the City should contract or hire a controller. Mr. Brown asked what the City needs, two different kinds of people, what is goal of the City; who is boss, Mayor alone or the whole crew? Bonnie Enlow stated she would like to hire on contract. Mr. Brown stated to hire on contract and see how it goes. Mr. Hatfield stated he is ready to advertise. Mr. Cundiff stated he would like to wait and see what KMCA sends. Bernie Brown asked Marty Brown is the audit was going to be a big issue. Marty Brown stated he didn't know.

City Attorney Wantland stated he had prepared a release for 206 4th Avenue (Hatfield) on the ten year forgivable loan the City entered into when administering the CDBG grant. Mayor Ellis signed the release.

Steve Poe addressed the Council on his Thomas Glen Apartment project. Mrs. Enlow asked if updating the road was a part of that project. Mr. Poe answered yes when the project was complete the road would be fixed. Mr. Poe stated there would be 192, one, two and some three bedroom apartments. Angi Johnston stated the interceptor line would not be used by this project's sewer customers. Mr. Poe stated he was ready to pay fees in September and start construction in October.

Discussion followed on Brad Armstrong's survey quote for Shawnee Acres. Mr. Hatfield stated this line in Shawnee Acres has already flooded one home and has the potential to flood more. Mr. Brown asked if he had the money. City Clerk Richmond stated yes. Larry Hatfield made motion to accept quote in the amount of \$4500 from Brad Armstrong for Shawnee Acres project. Bonnie Enlow 2nd. Motion carried 6-0.

Faith Portman made motion to bring discussion on text amendment to add Sections 10.00 thru 10.800 on the regulation of cell towers in Bullitt County off the table. Don Cundiff 2nd. Motion carried 6-0. Mr. Hatfield asked if this was for the property on 245. The City's appointee to the Planning Commission Daryl Lee answered no. The Public Service Commission regulated all cell towers. The Court said that Counties could have some control so the Commission wrote this amendment. He stated Hillview and Pioneer Village has adopted. Faith Portman made motion to adopt Text Amendment on Cell Towers to be built in Bullitt County. Bonnie Enlow 2nd. Motion carried 6-0.

Larry Hatfield stated that the County was interested in buying the rubber tire loader from the City for \$60,000. He stated it does need a little bit of work. Angi Johnston with Qk4 stated she contacted Larry Gray with Public-Finance.com for appraisal for Bond Counsel. The tire loader was bought in 2006. After some discussion it was decided to have all the equipment appraised and discuss further at the next meeting. Mr. Hatfield stated the County needs to know in the next 30 days on the City's decision.

Paulita Keith addressed the Council on a Parade Permit for 9/11. She stated she would like to close Buckman from 2:00-4:00 p.m. She stated she has spoken with the businesses and churches along Buckman and none have a problem with the idea. She stated there would be a small ceremony in Publishers Printing parking lot and then proceed to First Street Park. Bonnie Enlow made motion to approve permit. Faith Portman 2nd.

Motion carried 6-0. Police Chief Doug Puckett told Mrs. Keith to contact Kentucky Transportation Cabinet District 5 to close Buckman as it is a State road.

Bonnie Enlow made motion to approve 10/1/11 Parade Permit for Paulette Anguay for Community Awareness Day in City Park. Faith Portman detailed some of the events that were going to happen in the park. Don Cundiff 2nd. Motion carried 5-0-1 abstain.

Bonnie Enlow made motion to approve payment of the Sewer bills on list. Don Cundiff 2nd. Motion carried 6-0.

Planning & Zoning update- Daryl Lee stated there was nothing new to report.

Board of Adjustment update- Duane Price stated there was nothing new to report.

Sign in speakers:

Buddy McCubbins addressed the Council still asking about getting the money back the Council took away. Larry Hatfield made motion to give money back to employees until the policy changes are done with back pay. Bernie Brown 2nd. Motion carried 6-0.

Steve Larimore addressed the Council stating with the Cedar Grove widening he would like the Council to have the Chief put someone out there three times a day. He stated he is really concerned about the kids with school ready to start. Chief Puckett stated he does not have manpower to do this and they have never done Cedar Grove.

Department Head Reports:

Police Chief Doug Puckett stated he's going to be stressed trying to get anybody at schools but he will do his best.

Fire Chief Layne Troutman gave the Council a handout. He stated in the last four months the Fire Department has brought in \$10,425 and expects another \$10,359.37 for hazmat runs on the Interstate. Chief Troutman stated he would like to propose using that money to buy fire equipment and to send two firefighters to Maryland to a swift water class so that when they return they can teach the class which would bring money into the City by being able to teach other departments swift water rescue. Bonnie Enlow made motion to approve both requests. Faith Portman 2nd. Motion failed 2-4.

WWTP Superintendent Chuck Keith addressed the Mayor and Council stating that they had found a new problem at the Blue Lick lift station. What they thought was I&I was found to be a 15 hp pump pulling against a 40 hp pump. He stated they were going to be a pressure test the next day. He also stated added flow coming into the station will cause a big problem. He also stated Creekview and Blue Ash were not keeping up. They are going from 5 hp to 7 hp. The price to fix is \$9500 for both pumps and to update panel. He also stated he had found a fail seal and heat sensor had been unhooked.

Council Reports:

Faith Portman asked if anyone had been to 305 Circle Drive. She stated Cedarview is still holding a lot of water. Mayor Ellis stated he and Angi were going to look at several houses and that was one of them.

Larry Hatfield stated he had found a petition to put speed humps on 6th Avenue. He also stated we need to take a look at the sewer billing ordinance to amend; Louisville Water Company cannot enforce what was passed.

City Attorney Wantland stated we can go to bottom and see what it costs to treat a gallon of sewage. He stated maybe we need to charge by gallon.

Bernie Brown stated he has asked Angi to look at sewer rates and tap on fees. He feels they need to be looked at. He again stated there was a bad place in the road where Louisville Water Company was working. He also again stated that the turning lanes on Adam Shepherd and 44 need to be re-stripped. Mr. Brown also stated again that it is not true that the City has borrowed \$7+ million.

Larry Hatfield stated that he was absent last week and he would like to tell the Council, Mayor and Counsel that if they feel he's done something misleading to bring to public tonight. He asked that they be honest. He asked that next time wait for him and take it up with him.

Don Cundiff stated that whoever got the mowing done at Shell on 44 that it looks good and thanked them. He also stated he talked to Angi and has asked her to help the Council to prioritize. He feels we are going in to many directions and we need to focus on only one thing at a time.

Joe Wantland stated that Angi had presented him with a Clean Water Ordinance for the City to pass. He will have ready by next meeting. Mr. Wantland also reported he had met with the Tourism Commission on delinquent restaurant taxes and that they will pay the fee and costs to collect delinquents for the City.

Connie Rice addressed the Council stating that she had contacted Tom Barr with the *Pioneer News* about printing a retraction to a story he had written about the amount of money she had brought in to the City. She also reported that several people had given her names of businesses to check on whether or not they had a Business License that she has contacted. She also stated she would like to go to the Flea Market to check on whether or not those vendors have a license. She stated she could draft a letter first then go and visit them. City Attorney Wantland told her to start with the owners, get a list and start there. Bonnie Enlow stated it would be difficult to regulate outside vendors. City Attorney Wantland stated to treat everyone the same; buy a month to month license or buy a full year.

Motion to adjourn by Larry Hatfield. Faith Portman 2nd. Motion carried 6-0. Meeting adjourned at 9:03 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk