

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 26, 2011**

Jerry Pile gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:30 p.m.

In attendance were Council members Bernie Brown, Larry Hatfield, Corky Miller, Faith Portman and Alan Wetzel.

Mayor Ellis stated he appreciated everyone coming to the meeting tonight and showing interest in the Community.

Larry Hatfield made motion to dispense with reading of the minutes from the Regular Council Meeting on September 12, 2011. Corky Miller 2nd. Motion carried 5-0-1 absent.

Faith Portman made motion to dispense with reading of the minutes from the Special Council Meeting on September 15, 2011. Larry Hatfield 2nd. Motion carried 5-0-1 absent.

Larry Hatfield stated to the Mayor that there are some people who spoke at the meeting and he would like them added to the minutes.

Bernie Brown asked to table this tonight and deal with it later because there are a couple other things about the minutes he would like to speak with Tammy about.

Bernie Brown made motion to table approval of the minutes from the September 12, 2011 Regular Meeting. Larry Hatfield 2nd. Motion carried 5-0-1 absent.

Bernie Brown made motion to table approval of the minutes from the September 15, 2011 Special Meeting. Larry Hatfield 2nd. Motion carried 5-0-1 absent.

Mayor Ellis invited everyone to the Community Awareness Day event to be held at First Street Park this Saturday. Faith Portman stated the event time would be 11:00 a.m. to 3:00 p.m. and everything was free. Mayor Ellis stated there was going to be an ugliest woman contest for a calendar plus other events. He urged everyone to attend to make this event a big success for a great cause.

OLD BUSINESS:

City Attorney Wantland had second reading and public hearing on Ordinance 011-087 a request by Steve L. Capps to rezone a lot 95' x 165' located at 748 Highway 44 West from R-1 Residential to B-2 Central Business with a condition. Bernie Brown made motion to approve. Larry Hatfield 2nd. Motion carried 5-0-1 absent.

City Attorney Wantland had second reading of Ordinance 011-088 amending prior Ordinances concerning safety of neighborhoods, defining public nuisance and curfew, imposing responsibility for the conduct of unattended children, within the limits of the City of Shepherdsville. Mayor Ellis asked if there was anyone who would like to speak on this matter. Bonnie Enlow: I gave each of you all a list of prices I got from 2 different cities and what their alarm penalties are. I would just like to ask that you would look those over and maybe table this. Look at other cities and maybe make a consideration before you put such his penalties on the citizens for false alarms that may not be something due to their own fault, that they don't have to pay so much. I agree there needs to be penalties, our police department and fire department's time is valuable, but we've put a lot on them lately and I just think that high of fees is a little excessive. All I ask is that you table

this Ordinance and take a closer look at the fees. Maybe not have to go as low as those cities, I think one is Lexington and the other Cincinnati. I'm just asking that you take a further look at it before you pass it. Mayor Ellis asked for any discussion from the Council. Corky Miller: I would just like to say that I hope the residents in this area; I know the group that came that night and got this Ordinance started; I hope they will also be responsible and considerate. Possibly something on a Friday or Saturday night that the police can't be there in 2 or 3 or 5 minutes, and they are going to have to be a little patient until they get there and I'm sure they'll get there. But sometimes there's other things that are going on more than some type of noise that may be more important than getting there. So, anyway, I just hope they'll be more patient and try to help correct this situation. You know I think the biggest corrective person in this situation would be parents. So I hope they'll take that into consideration. Bernie Brown asked if the Fire and Police Departments if they were okay with this Ordinance. Both stated they were. Larry Hatfield asked why the penalties were different. Fire Chief Layne Troutman answered because of apparatus costs. City Attorney Wantland noted the fire and police chief can waive the first offense and that there is not a charge for Acts of God, Civil Service or abnormal weather conditions. He stated he drafted the Ordinance primarily for curfew to try to keep police on the streets and at the same time have some teeth to control delinquents or children out at night after 10:00. Faith Portman made motion to approve. Corky Miller 2nd. Motion carried 5-0-1 absent.

NEW BUSINESS:

Larry Hatfield made motion to pay sewer bills on list given to Council. Alan Wetzel 2nd. Motion carried 4 approved-1 opposed-1 absent.

Larry Hatfield made motion to pay city bills on list given to Council. Alan Wetzel 2nd. Corky Miller stated he noticed the Speedway gasoline bill was very high. It was pointed out that the \$16,000 figure was for two months. He stated he hoped there is no violation or misuse of take home cars because of the high cost of gas and asked everyone to try and be considerate. Bernie Brown asked for a list of all unpaid bills to be put in the Council's box. Motion carried 5-0-1 absent.

Planning & Zoning update- Daryl Lee reported nothing new for Shepherdsville at this time.

Board of Adjustment update- Duane Price reported nothing new for Shepherdsville at this time.

Sign in speakers:

Ruth Ann Johnson, Lee Street, addressed the Council concerning soliciting on her Street and in Shepherdsville. She stated there were 8 solicitors and none of them had any identification. She feels they are paying attention to who is not home. Mrs. Johnson asked if these people were supposed to come to City Hall. Mayor Ellis stated yes they are supposed to have a business license to solicit in the City; and asked Mrs. Johnson that they next time someone came around to see their business license. Mrs. Johnson stated that none of the companies they said they represented were local and that she just wanted to bring this to the Council's attention. Mayor Ellis stated they could put no soliciting signs on their door; however sometimes that doesn't stop them. He assured Mrs. Johnson we would put our heads together and see what we can come up with. Corky Miller asked Tom Barr, editor of the Pioneer News to put something in the paper about this. Mrs. Johnson asked if they do have a permit from the City it is okay for them to solicit. City Attorney Wantland answered yes. A resident of The Point stated there had been several break ins lately and they do have a sign.

Department Head Reports:

Layne Troutman announced that the fire department would be having a Trunk or Treat at the fire station on Halloween. They are inviting all businesses in the community to come out. There are approximately 100 spots for set up if anyone is interested. Chief Troutman stated it's to get kids off the street into a safe environment and that they were planning on having hot dogs, chili and maybe some pizza. Chief Troutman also stated the fire department is selling shirts promoting Halloween safety and if there is any profit from the sell of these shirts he would like to ask the Council to use that money to buy tee shirts for the fire fighters.

Council Reports:

Faith Portman: Invited everyone to the Community Awareness Day event Saturday at 1st Street Park from 11:00 a.m. to 4:00 p.m.

Corky Miller: It's been several meetings ago somebody got up and asked if we could make the minutes more detailed and I want to commend Tammy because I think she's doing a good job on those. If you want to see it different, I got on the computer today and found all the minutes from 2006 up to now, and I wish you'd look at the minutes that they wrote up to this year. They are very short, not very detailed at all and these are much more detailed and I'd just say good job to Tammy for doing that.

Bernie Brown: Asked if Bonnie had left. She had. He stated he wanted to ask her, I believe two weeks ago, at the last meeting, Jim Enlow promised a copy of a plan on how to pay for the fire department. I haven't gotten it yet and I wanted to ask her if she knew, or would be able to produce it.

Mayor Ellis stated he didn't know if Jim was under the weather because he had sent him a message Saturday asking to meet with him today at City Hall and he did not show up.

City Attorney Joe Wantland: I have one item for open session. We have an apartment complex being developed, Thomas Glen. Our minutes from 2004 and 2007 are scant and I'd like our present minutes to show that property has been properly zoned to R-3. I don't think there's any question, it passed unanimously back in 2004 and I think in 2007 another portion came out, it also passed. Our minutes aren't as good as they should be so we're talking about, and we've already approved, the apartments. There is approximately a 68 acreage tract on Saltwell Road going through and I just want our minutes to reflect that it is in fact zoned R-3. Part of that reason is because the Federal Government is making a commitment, a loan, and they want that property assured to be zoned R-3. I just want that in the minutes. He gave a plat showing it is in fact zoned R-3 to the Clerk and asked for a motion to add this to the minutes. Faith Portman made motion to add plat showing property zoned R-3 to minutes. Corky Miller 2nd. Motion carried 5-0-1 absent.

Bernie Brown asked what the status of this project was.

Mayor Ellis stated he had not heard anything else about it and that he had spoken with Angi Johnston about the status and she is still waiting to hear back from them.

Faith Portman made motion to adjourn to Executive Session to discuss litigation. Corky Miller 2nd. Motion carried 5-0-1 absent.

Faith Portman made motion to return to Regular Session. Alan Wetzel 2nd. Motion carried 5-0-1 absent. City Attorney Wantland reported the Council had directed the City Attorney to file law suits to collect occupational tax for those people who are refusing to pay. It primarily concerns people in public employment where the public administrator, government entity, is refusing to do withholding. So suits will be filed to collect occupational fees. The Mayor has been instructed to follow up with the former City auditors and to make arrangements with them for purposes of having a satisfactory audit report to the City.

Motion to adjourn by Larry Hatfield. Bernie Brown 2nd. Motion carried 5-0-1 absent. Meeting adjourned at 8:30 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk