

**CITY OF SHEPHERDSVILLE  
REGULAR COUNCIL MEETING MINUTES  
TUESDAY, OCTOBER 11, 2016**

Pastor Tom Elbert, Divine Savior Lutheran Church delivered the invocation  
The Pledge of Allegiance was recited

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

Mayor Hockenbury called the meeting to order at 6:33 p.m.

Mayor Hockenbury asked for a motion to dispense with reading of the minutes from the 9/27/2016 Regular Meeting. Larry Hatfield made motion. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0.

Mayor Hockenbury asked for a motion to approve the minutes from the 9/27/2016 Regular Meeting. Ashley Bratcher made motion. Dana Bischoff James 2<sup>nd</sup>. Motion carried 6-0.

Eric Farris addressed the Mayor, Ladies and Gentlemen of the Council, Madam Clerk thank you for the opportunity to be here. I am here on behalf of Browning of Indianapolis and to talk a little bit about the progress that has been made on the project known as Velocity 65 which is the new industrial development currently under construction at KY 480 and I65. I want to express on behalf of Browning our appreciation to so many many people who are involved; if I tried to name them individually I would miss a number because there are so many and you have seen and heard from them before; among them of course Representative Linda Belcher, John Snider, Nicki Rapier, and members of this Council and those who sit on the Alpha Way Committee itself, the engineers, attorneys and many people that have worked to bring this project to the point where it is now breaking ground. The official ground breaking was a week ago Monday; and we are excited to say that that 721,000 square foot building number one is well underway and that the construction of Alpha Way is well underway thanks to the leadership of Mrs. Taft and the others on that Committee. Part of that project; of course we included an agreement that provided for the construction of the roadway at the same time that that first building was to be done. As we sat in on the latest Alpha Way Committee meeting it was determined that the completion of Alpha Way should occur in the spring. It will actually have its rough coat applied before the end of the year and the final coat will be put on later after the State has had a chance to review and accept it. I'm here to tell you on behalf of Browning that time schedule to try to have it done during that second quarter of the year does in fact work for their schedule for the bringing that new building out of the ground; they hope to have that up and attended in there by that time and that is consistent with the Agreement between Browning and the City of Shepherdsville. And we appreciate everybody's efforts to make that happen. In addition part of that project includes a connection of Bison Court to Alpha Way close to Cedar Grove Road. That connection is going to be memorialized by an Agreement that has been drafted and I have the Agreement of the parties that are primarily involved; that being Browning and the McGruder family doing business as Rolling Acres Farm. What will happen is that upon such time as Browning is able to acquire that portion of the property Browning will contribute \$100,000 toward the construction of that connector road. In addition McGruder and Rolling Acres Farm will contribute the deed to that right of way over to the City at this time so that the City is able to continue with the ongoing construction that is taking place there. As we know that will help the people and businesses that can be served by Bison Court to get in and out of that new Alpha Way entrance and will also help the college which is a significant factor. I think that brings us up to date on where we are. The whole project is a \$175 million project with nearly 4 million square feet of space. The key of course once again to making this project as successful as quickly as possible and to relieving the congestion that faces our other industries that are along Cedar Grove Road and the residents who are affected by that, not to mention a little elementary school back that road would be the completion of the anticipated interchange that is planned to come in right south of the Cedar Grove Road interchange. The right of way for that interchange on the east side of Interstate 65 has been committed; the right of way on the west side of I-65 is still being negotiated. Anything that you all can do as a Council to encourage that development of that right of way of the west side so that

interchange can be completed with the anticipated date of 2018; anything you all can do on that would be greatly appreciated. I know by Browning and certainly by everyone affected by the traffic on that roadway. We've all worked for a long time on this; we haven't always been able to support every aspect of the project and may not have been sure about certain parts of it but even those of you who may have felt that way have been part of this project and we truly mean that when we say that because when you ask the hard questions and you make us think about it you debt the project properly, you make everybody stand back and say okay is this really the right way to go and are we approaching it in the best way. So everyone has contributed to get to this point. It really was an historical day to have that groundbreaking and we really appreciate it and I'm happy to answer any other questions that anyone may have. Bernie Brown: Mr. Farris did I understand you to say that interchange should be completed in 2018 or started? Eric Farris: My understanding is if the right of way could be acquired within the next six months that it could actually be ready in that time or at least enough to get on to the Interstate from the east side. That is my understanding. Now schedules are always subject to change. The key is accessing that right of way and getting everybody to cooperate. Gloria Taft: That was the last update from EDA that the State has given EDA the authority to negotiate on their behalf on the west side. The east side is already done; we just need to get that west side easement from I65 to Highway 61 in writing. The State would like to see it by the end of the year but definitely no later than six months and then the 2018 completion date is still a target. Larry Hatfield: Did you say that we don't have the easements on the east side either? Eric Farris: We do on the east. Larry Hatfield: Could they put in the east side ramps if we don't have the west side easement? Eric Farris: I suppose it physically could be done but it's not economical because when you mobilize everything you get that project underway it's best to mobilize everywhere. Larry Hatfield: Again I'm concerned if we don't get some way out of there we're going to be in more trouble than we are in. Eric Farris: It will get done it's just getting it done quickly. That's the key. Bernie Brown: Do they have to have all the easements before work starts getting moved at all? Eric Farris: I think that they would prefer too but I don't think they have too. There are ways to do it in phases but we're trying to satisfy their requirements because it's a huge commitment from the State and Federal Government and we're very proud that they have agreed to do it and it's carried over from a Democratic to the Republican Administration and that's a big thing. Gloria Taft: And the State realizes that it's multi millions of dollars; it can pay for itself in five years. Their \$27 million investment will pay for itself in five years and they are trying now to make anybody mad by just condemning and taking land because that's now the right way to do things. We're trying to all work together to get this done quickly. I think everybody up here knows who owns the property on the west side so anything we can do to help this person come to an agreement with EDA would be great. Eric Farris: In fairness I think they are in discussions with them. They are actively participating. We look forward to working with Mayor Hockenbury and Walt and I think we're going to meet soon and talk some more about this and answer any questions you may have.

**Gloria Taft:** Mr. Mayor can we continue on Alpha Way? There are some updates and some individuals here that would like to speak about Alpha Way or would you like me to wait until later on? Mayor Hockenbury: We could, I got your email about you wanted to touch on that. Gloria Taft: Before Mr. Farris leaves. The easy one is I've got three quotes from trappers because we have a couple beavers, two or four that have moved in, and they are damming up the stream there and they are causing delays in construction. The Committee has expressed hiring the one person that is \$165 for set up and \$100 per animal. I would like the Council's approval to go ahead and hire this trapper to remove the nuisance wildlife so that the area where we're trying to build a road will actually dry out. The construction company has removed the habitat and beavers get in there and just rebuild it again the next night and it's still flooding. I would like to ask Council for permission. Larry Hatfield: Is it the time of year we can do that? Gloria Taft: No you have to hire special trappers; the season is not until November 14<sup>th</sup> but State licensed individuals are the ones that I called and they are all authorized by Fish and Wildlife to do this year round. One individual said \$500 set up, \$100 per animal; and the third individual I spoke to said \$250 per animal. Larry Hatfield: The reason I brought that up is they wouldn't let us do that on the interceptor line; would they Rob and the Indiana Bats? They wouldn't allow us to remove trees. Gloria Taft: Bats are different than beavers. The trees you can't. That's completely different. The three names I got from Fish and Wildlife are ready to start as soon as Council gives permission. Dana Bischoff James made motion to go with the lowest bid who is a Shepherdsville person. Randy Hammond 2<sup>nd</sup>. Motion carried 6-0. Gloria Taft: I will call him and I will call Qk4 and they will get set up; they believe they should have the animals removed this weekend. The second part of this is the

connection to the cul-de-sac from what is currently known as Buffalo Run to where we are building Alpha Way. The College has expressed a great interest in this because of the number of youth, 17, and 18 that go to the college. Valero and Mr. Sharp's establishment that has the coffee shop and Bullitt Chamber have also expressed an interest in making sure that this connection road is built before the end of the year. The estimate only by Qk4 is \$125,000. We currently have up to \$100,000 donated by Browning. So for approximately \$25,000 the City can build this road and send all the traffic off Buffalo Run to the new light on Alpha Way thus stopping the left turns out of Buffalo Run. Ms. Miller if you would please approach the Council. I asked Ms. Miller to come and give some facts about how many youth in and out of that intersection; she herself was a victim of an auto accident that ended her car in the ditch and it's the best time to do it because it's not ever going to be cheaper; it's just going to go up in price and I would like the Council's permission to continue moving on with this additional piece of Alpha Way. Ms. Miller: I'm the Dean of Jefferson Community and Technical College and one of my service areas in the Bullitt County Campus. In fact I spend nine years developing that campus and establishing it on Buffalo Run Road and it's very dear to me, I'm very passionate about bringing higher education into Bullitt County. We have several hundred students; almost 700 students who are college students who attend the campus this fall. We have an additional 350 adult Ed students who attend our campus and that is a critical piece of getting people moved in and out of Buffalo Run. As Mrs. Taft said on the Friday before Memorial weekend when I first started working at the Buffalo Run campus I was hit head on by a tractor trailer truck sitting at that stop sign. They surged across 480; they were motion through, they were hit by a car going an excessive rate of speed and when they did that they pushed that truck head on into me and it literally spun my vehicle all the way around and attached to the wheels of the 18-wheeler and it drug me towards what use to be a ditch there and literally we were hanging on the precipice there attached to this 18 wheeler and it was the most frightening thing that ever happened to me and I've been in car wrecks before but it was overwhelming. You can imagine what it would feel like to be 17 years old and trying to navigate in and out of there. It's overwhelming for some of our young people who are college students. The average age on our campus is 21 years old and you know by the time you are 21 you really just don't have a lot of driving experience to handle that kind of traffic pattern. So I just appreciate everything you all have done to transform that area; you've taken an enormously buffet in developing our work force and support the education that we've brought there; but we're just literally this close to having a perfect solution to getting our students in and out. I know it's a lot of money and I know that sometimes it's hard just to put that extra little bit but that is the lynchpin for us to be able to stay there. We want to stay in Bullitt County; it's our most successful campus but we can't be there if the kids can't come in and out safely. So I just really appreciate being able to talk with you all and to ask you for this opportunity to stay. Bernie Brown: When did it become known that this strip of road was going to be needed? That wasn't foreseen and planned in the project? Gloria Taft: It was not. Mr. Sharp and Ms. Miller approached the Committee I'd say about two weeks before our original start date, if I'm correct and wanted to know how we were going to get people moved off of Buffalo Run when the State makes that a right in right out only. Isiah Sharp: In the original when *the Pioneer News* had printed the plan up for everybody it showed the access point off Bison Court. So we felt like everything was good and fine and we sat back and waited a little bit but then later on we had talked with Gloria and we found out that due to I guess the engineers looking at it they felt like it was a little bit harder so they left off our access point. So all of our 13 businesses we have, the Valero and the School and everybody else were out in the dark. We started talking to Gloria and Gloria has jumped on it and helped us get a solution and Browning said they would help out and a lot of pieces came in. That's how it all came about. Mayor Hockenbury: I can speak for everybody; we're all concerned about the traffic in Shepherdsville. We're all concerned about that; as I made my way to 1702 doors they conveyed to me that this traffic was a problem; we're working on a traffic study also of the area. Some of you have addressed concerns about striping or fixing the roadway, I don't want to throw off that traffic study if I put my people out there wherever they can it's going to throw off that traffic study; if I put the directional lines in there and we get to the study it won't be completed that's why we're holding up on some of that stuff. Dana Bischoff James: On this word, the new Alpha Way project, we're looking at the first quarter for completion. The beauty of this project is that we will be able to utilize this road very quickly so this is something that will also help carry the Christmas peak season for everybody hiring additional people so this will be another avenue to disperse and get traffic flowing in a good direction. Gloria Taft: What I passed out to you is a quick spreadsheet that I put together showing that even with this total cost of \$125,000 and the gracious donation of up to \$100,000 from Browning, we are still within our

original budgets on Alpha Way. So even with this addition we are not going over budget but I'm going to ask the Council if you'll approve this connector road. I met with Qk4 and Hinkle today and they said that right now the new completion date will be worse case scenario June 1, 2017 for the entirety of the project because of the asphalt and gutter they would like to wait; have two base coats put on and then wait for the final base coat and the gutter at the beginning of asphalt season next year and that is best for the road longevity and it is best at the request of the State that we not put a finish coat on there if we're not going to have everything else done. It also gives the City a couple more months to gather the funding since we are paying cash for everything creating no new debt over this road. To put the cul-de-sac connection to Alpha Way I would like a favorable opinion of the Council to go ahead and do this so that we can move our traffic off of Buffalo Run over to the new light on Alpha Way. Gloria Taft made motion the Council authorize the new road. Randy Hammond: With the amount do we need to put this back out to bid? Gloria Taft: No it goes in as a change order. Larry Hatfield: How much money is it? Gloria Taft: Right now the estimate is \$125,000; Browning has put up to \$100,000 so it would be \$25,000 of the City's money in the end. Larry Hatfield: Won't that cul-de-sac have to come out if the interchange goes in? Gloria Taft: The interchange is at the other end of Alpha Way. The cul-de-sac is right by the coffee shop. Dana Bischoff James 2<sup>nd</sup>. Gloria Taft: I just want everybody to know what all is going on. I'm trying to give you updates as best I can. Bernie Brown: Has Browning indicated when they would come up with the \$100,000? Gloria Taft: Is Mr. Farris here? Eric Farris: That's to be upon acquisition of that tract in the phase process. I don't know the precise date but it would be at such time they acquire that front tract and right now they are further back along Alpha Way; the next building would be right behind that one; this would be the third or fourth building. Bernie Brown: So that would be some time off in the future? Eric Farris: Yes. It wouldn't be an immediate infusion; I'll make that clear it would just be committee at such time as they do acquire that. Mayor Hockenbury: is this something we need to do right now for a time limit for the holiday traffic? Dana Bischoff James: If we're going to try to have it so it helps disburse traffic I would say the sooner the better. Motion carried 6-0.

#### **Old Business:**

City Attorney Walt Sholar: If I may just a moment Mayor I'd like to apologize to everybody for my tardiness and explain to you the reason for that and the reason for my lack of being dressed appropriately is because I just came from Richmond. I've been in a two week class up there and I let the Mayor know but the Mayor and I both felt it was important for me to try to be here for this first meeting and so I hightailed it from up there; I left Richmond at 5:00. City Attorney Sholar then had the second reading of Ordinance 016-(number to be assigned) providing for the closure of a right of way known as "Minerva Alley" approximately 30 foot wide, more or less, on property owned by Francis Miller. Bernie Brown made motion to adopt. Larry Hatfield 2<sup>nd</sup>. Larry Hatfield: There are two more streets on this property; Johnny is not here is he. We have to have an Ordinance to close those too don't we Walt? Walt Sholar: Yes sir you need an Ordinance to close any City streets. Dana Bischoff James: Are you talking about there are two additional streets; I thought they were going to put it all in one, am I mistaken that at the last time that the gentleman was here because you stated that you don't have problem shutting them down. Didn't you say you didn't have a problem shutting them down? Larry Hatfield: No I didn't that's why I'm saying these two there has never been a vehicle on them that I know of but this one is the one we are closing. But if we can't close these two until he comes back with another Ordinance so we'll just close the one. Motion carried 6-0.

City Attorney Sholar had second reading of Ordinance 016-(number to be assigned) on rezoning request from Jerry R. Gaskill for 1.15 acres, more or less, located on the East side of Hoot Owl Camp Road, listed in the PVA Office on map #s 045-C00-01-003 & 045-C00-01-004 from R-2 Residential to R-3 Residential. Larry Hatfield made motion to approve with the recommendation of the Planning and Zoning Commission; no apartments. Gloria Taft 2<sup>nd</sup>. Dana Bischoff James: You stated that the County did put the restrictions no apartments; are there any other restrictions? Tammy Baker: No that was it. And there was no opposition present at the meeting either. That's all they asked for. City Attorney Sholar: Let me check and see; I believe Ms. Baker will agree with me that in the event that you all want that restriction to be nailed down you may want to add it in as well and have it be an agreement between the City and Mr. Gaskill. He's going to need to agree to it. Otherwise he's already agreed to it with the County; but in the future if the County Planning and Zoning Commission determines to lift that restriction that would leave you all out on a limb.

Tammy Baker: I have authority to speak on his behalf and he'll agree. City Attorney Sholar: So my point is if you all want that restriction it needs to be there. If you don't really care one way or the other don't worry about it. Dana Bischoff James: I want to make sure that restriction is in there. Tammy Baker: The part that is buildable is very small. I think it would be difficult to finagle an apartment building in there anyway but he'll definitely agree. There were no other comments. Motion carried 6-0.

City Attorney Sholar had second reading by Summary of Ordinance 016-(number to be assigned) establishing a Code Enforcement Board to abate nuisance, provide remedies, impose fines and generally enforce Ordinances concerning enforcement of existing and future City Ordinances concerning the conditions of property within the City. Bernie Brown: This complies with the regular statute? It goes into effect the 1st of January? Gloria Taft: Yes. City Attorney Sholar: Generally speaking under Roberts Rules of Order actually there should be a motion made and seconded before the discussion of a particular matter. That way if there is no second then it dies for lack of a second and everybody can move on to other business. Randy Hammond made motion to accept. Ashley Bratcher 2<sup>nd</sup>. Dana Bischoff James: As far as the enforcement proceedings it doesn't really give any room for a warning or anything; just a violation or fine; is there something that we can include that says there should be some type of warning. City Attorney Sholar: I don't have a great deal of familiarity with this particular document, I did not prepare it, didn't draw it up, Mr. Wantland did that prior to my coming on board. I will tell you though that generally speaking with regard to the law the fact that once the citation is issued this comes into play. Now prior to that if whoever the enforcement officer is he goes by and tells somebody look you've got to straighten this up; that's the warning. Dana Bischoff James: The spirit of the law not necessarily the letter of the law. Gloria Taft: This is establishing the Board; the Board will take action after the Code Enforcement Officer has been nice and issued the warning, second warning; this is the creation of the Board after the warnings come if they choose not to do what they've been asked to do. Mayor Hockenbury: What we normally did in other cities you go talk to the person about the junk car, that's your verbal warning to them; I'd go back the second time and I'd write them a ticket/citation of the Ordinance with the Ordinance number on it and there would be 1:00 court date. You can give a verbal before we write a citation. Gloria Taft: My concern is in here the Board is receiving compensation and if we have three people received compensation that is going to run \$3600 a year with these fines being so low, like \$10 for weeds, you can't get your weeds cut for \$10. I sent an email out saying in my opinion I think these fines on some of them should be a little heftier; that way, we want the homeowner to take care of their mess themselves. We don't want our ladies and gentlemen that are employed by the City out there doing it and I think if you motivate the homeowner by saying if you don't do this yourself it's going to cost you a great sum of money I think that will motivate the homeowner to do it themselves and that way they don't come in front of the Board and if we don't have our fines hefty enough the compensation is going to have to come out of the General Fund Budget instead of this Board being paid for by the fines that they create because people won't keep their yards clean. Dana Bischoff James: Do we need to make an adjustment or amendment to our budget prior to voting this is if we've going to put in positions that also are stated that they receive compensation. So before we go further should we make an adjustment to our budget? City Attorney Sholar: It would be my belief that no you don't have to do it ahead of time but there will have to be some line item changes to your budget once this is done do that you have the funds in the right places to pay for it. I would defer to Tammy and Mr. Ryan to their expertise; if they disagree I'd be happy to listen to what they have to say. Gloria Taft: I would like to see these fines go up because then it would almost be self-sustaining. Randy Hammond: Especially the garbage and weeds, they are extremely low. Bernie Brown: These penalties are for each incident or event right, not days that a violation occurs. Mayor Hockenbury: The penalty is enhanceable right; second and third offense it goes up higher right? So it's an enhanceable penalty. Gloria Taft: So if you've got all others which is a third offense at \$50; we can't mow their yard for \$50. It costs the City exceptionally more than that just to go out and cut grass. Dana Bischoff James: I feel like we need to reflect to Mr. Fleming's expertise as well as Mr. Ryan's expertise because I feel like we haven't gathered... I'm in favor of what this document does but at the same time we don't quite have it to the area that it should be. Mayor Hockenbury: Do we need to table this then and go through it. The Council sets the fine in the Ordinance. Ashley Bratcher: I think we need an average of how many violations we actually have in a year. How many first and second offenses do we have in a year? I can get with Myra and ask her next week. Gloria Taft: With the garbage alone we have people that haven't paid their garbage bill in years. If you want to do \$10 for the first offense that's not even covering

one month of garbage bill. Mayor Hockenbury: Let's table this and we'll move on. Larry Hatfield: How are you going to enforce a structure code in the City of Shepherdsville or a building code in the City of Shepherdsville, we have nobody authorized to do that? Dana Bischoff James: Are these conditions we need to look at then? Larry Hatfield: That's a question I think Walt is going to have to answer because we do not do our building inspections. City Attorney Sholar: I apologize for my lack of familiarity with this; again it's a document I didn't draw up but here is the situation I think you've got. This Ordinance appears to be creating the Code Enforcement Board. Whatever your code is this is not the code. So if there is an Ordinance out here; if we're looking at creating an Ordinance that will establish that you can't let your grass grow up past 18" high and if you do that's a violation. That Ordinance is what will establish the violation and whether it's a violation that is repeated that every day is a new violation or not this is creating something it can't set the penalty for that code violation is unless it is the code itself. Gloria Taft: This one creates the Board and the second one creates the new code enforcement ordinance. Dana Bischoff James: I guess my recommendation would be go back to the first and second withdrawn so that we can table it. Mayor Hockenbury: We can table this and Walt can rework this. Randy Hammond withdrew his motion. Ashley Bratcher withdrew her 2<sup>nd</sup>. Mayor Hockenbury: We are going to table this and rework it. Ashley Bratcher made motion to table. Dana Bischoff James 2<sup>nd</sup>. Motion carried 6-0.

Mayor Hockenbury: The next item on the Agenda was tabled at the last meeting. We will need a motion to bring it off the table to discuss. Dana Bischoff James: If Walt is not familiar with this I recommend we leave it on the table. City Attorney Sholar: I'm familiar with what I've read, only the minutes from the last meeting that you all had. I've not seen any of the documents. Bernie Brown made motion to hold up taking off the table until Mr. Sholar can review.

#### **New Business:**

Mayor Hockenbury: We have a Parade Permit for the Toys For Tots to be held on November 6<sup>th</sup> that we've got to approve. Ashley Bratcher made motion to approve. Gloria Taft 2<sup>nd</sup>. Dana Bischoff James would like to add to application where the Police Department and Fire Department has reviewed. Motion carried 6-0.

City Attorney Sholar read Resolution 2016-13 changing names on bank accounts at PBI Bank. Dana Bischoff James made motion to approve. Bernie Brown 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Sholar read Resolution 2016-14 changing names on bank accounts at Your Community Bank. Dana Bischoff James made motion to approve. Larry Hatfield 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Sholar read Resolution 2016-15 changing names on bank accounts at Stock Yards Bank. Gloria Taft made motion to approve. Randy Hammond 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Sholar read Resolution 2016-16 changing names on bank accounts at First Harrison Bank. I do not know why some of these have just two signatures and some are two signatures one of which must be the Mayor. City Clerk: That should be on all of those. All will be changed to reflect that wording. Larry Hatfield made motion to approve with changes. Ashley Bratcher 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Sholar read Resolution 2016-17 changing names on bank accounts at Republic Bank. Dana Bischoff James made motion to approve. Ashley Bratcher 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Sholar read Resolution 2016-18 authorizing the Mayor to open a restricted bank account to hold funds to be used as collateral against draws made on line of credit (LOC) necessary to fund the Alpha Way Road Project. Larry Hatfield made motion to approve. Dana Bischoff James 2<sup>nd</sup>. Motion carried 6-0.

Mayor Hockenbury reappointed Debbie Hawkins to the Civil Service Commission and City Attorney Sholar swore her in.

Discussion on recapture agreement for sewer lines for Heritage Hill subdivision. Mayor Hockenbury asked Scott Fleming and Qk4's Rob Campbell and Steve Emily. Scott Fleming: As you know there has been some

discussions about extending the sewer line on out to Heritage Hill. Larry the Mayor and I are to meet on Friday taking about a possible recapture agreement to make that happen on any potential developer that may come in. As far as the Sewer Department is concerned we would be for that agreement as long as we were able to retain the interceptor fee as well as the capacity fee and in lew of that whatever developer comes in to do that they would recapture the tap fees as people tie on to that line. Larry Hatfield: What we were talking about is Walt, Mayor, the people that I met with 8-9 months ago is out of Colorado. I know First Harrison Bank has an interest in it and what I was going to ask the Council to do and Rob I think agreed with me and Scott, is try and go ahead and acquire the easements to get to Heritage Hills. I'm talking about three properties; but not leave the sewer, we'll get into that later but we will not go at a 32 feet depth, we and raise the lineup and save the developer a lot of money because theoretically when that went to 32 feet deep the City was hoping that in the long scheme of things that there would be a plant at West Point which would be the best thing to ever happen to Shepherdsville and Mt. Washington and Shepherdsville could all gravity feed all the way to West Point. That didn't happen. Long story short we got the interceptor to Best Western and to get back to Heritage Hill to pick it up on the original plans we would have to have a right of way that we do not have all the way to Heritage Hill. So I was going to suggest that maybe we could start the ball rolling by having a motion to go ahead and at least acquire getting the right o ways appraised, try to get the acquired and at least get the right of way to Heritage Hill. Then the new Council can decide as to whether or not to go on. That's about it in a nutshell isn't it? Rob Campbell: I think the City committed previously to buying those easements and was in the process of purchasing back in 2005 and 2006, I think is when most of them were purchased. Then of course the money was obviously not going to be there to build the rest of it the efforts to purchase the remaining easements ceased. That effort was previously underway anyway so it's not a real stretch the City was doing that previously. Larry Hatfield: I think we've got them all the way to the east side of the McGruder property. So there would be three properties that we would have to go through to get and in doing that if the new Council decides that they are going to run that line then you would be taking off 3-4 lift stations. Scott Fleming: There would be 2 right now. Larry Hatfield: Any time you can take a lift station off you're doing good. Scott Fleming: Both of those stations were planned to be temporary stations anyway. They were never intended for long term use. Dana Bischoff James: So we need to get approximately three pieces of property evaluated so that we know their market value? Scott Fleming: Yes. Gloria Taft: Any chance of property owners making a donation to the City? Scott Fleming: I have no idea. Larry Hatfield: That's where you start. That's Rob Campbell's expertise. Larry Hatfield made motion that we start acquiring easements and draw up some type of agreement that the developer would have to sign a recapture agreement that the City would not be out any money as far as installation due to a recapture agreement with whoever the developer is. Dana Bischoff James: So this will not cost the City anything? Larry Hatfield: It may cost the City on the easements but as far as the actual installation of the line we would do it the same way we did with Flynn Brothers Construction. Dana Bischoff James: Do we have a ballpark number? Rob Campbell: It's about a mile of interceptor so depending on how deep it is; it's in the million dollar range but it depends on how much rock we're taking out; there are a number of variables. Scott Fleming: I don't have a number on the cost of the easements right now. Dana Bischoff James: Can you explain the recapture agreement? Scott Fleming: It's similar to what we're doing with Flynn right now. We would retain the interceptor fee and the capacity charge and whatever tap on fees that are required would be reimbursed to the builder or whoever installed the line. 300-800 lost is what I have heard so far. Gloria Taft: That's something that we need to nail them down on before we enter in to any agreement is how many homes are they building. Larry Hatfield: You can't do that until you get easements. Dana Bischoff James: Is there a real big rush because I want full understanding of this. Scott Fleming: This is just opening a discussion. Dana Bischoff James: I'm just not comfortable with and this isn't my area of expertise in any capacity but I want to research before we go making deals or even spending a dollar blindly without going through the proper channels. Not knowing, I just don't want to write a blank check. Scott Fleming: What we would like to do is get some estimates on these easements before we do anything then we'll come back to you guys with that. Dana Bischoff James: What dollar amount are we looking at? Scott Fleming: I have no idea. City Attorney Sholar: You're the engineer correct? Rob Campbell: Yes. City Attorney Sholar: Aren't you going to be in a position to where you're going to be able to come back and give a ballpark estimate from your people as to what the easements are going to look at costing before a penny is spent. Rob Campbell: We're going to make some sort of value estimate of the easement and people like LouAnn Moore who really know that. So we'll go consult with somebody who knows the real

estate values to come to that answer. City Attorney Sholar: Then you'll be able to report that back to the Mayor and/or Mrs. James and hopefully satisfy whatever concerns they have about buying a pig in a poke and spending money that they don't know what they are spending on. Rob Campbell: Just to summarize the circumstances say the developer has made a deal with the bank and they are going to purchase the property and they are going to move forward with 300-800 homes; they don't know for sure, they are going to work with their engineer to work out what's going to put them in the best position to make some money. Then they are going to have to decide what size sewer they need and then they are going to come to the City and say we need, just for discussion purposes, a 12" line to serve our development and the City may need actually a 15 or 18" line to serve the whole watershed over time. The one thing that doesn't change is the developer will not be able to go buy those three easements because they don't have the right amount of eminent domain as you're well aware so I think the discussion tonight which you all are talking about is whether or not the City is willing to go ahead and start the process which would identify the value. Dana Bischoff James: I don't want to sign a blank check. Rob Campbell: I don't think you're doing that. Dana Bischoff James: We don't know at all. Rob Campbell: In order to make those purchases I guess if they are under the Mayor's purview you can vote on Council motion but there is a process it has to go through so it wouldn't be anything happen in a hurry. Dana Bischoff James: So we can wait until the next meeting. I would feel so much better than to push forward without having adequate knowledge. Larry Hatfield: We can go ahead and give them permission tonight to start the process. Try to get LouAnn involved and start the appraisal work. Gloria Taft: I would like them to see first see if the landowner will donate before we go to the expense of getting someone to appraise it. Granted it has to be appraised so we know what their donation is. But approach them because we've been given land before. It's easy to ask that question Rob Campbell: Another important thing to add to that back in 2004 or 2005 when they were buying these easements they had determined the alignment of the sewer based on the current design. The alignments may be good; we need to take a step back and take a look at if we go shallow is there a potential that a different alignment makes more sense for those final three properties, I don't know. There is a couple of bigger hurdles you have to cross; we've got a whole new group of people at the City too so we need to take a look at that before we go charging ahead because you've got to define the location of that easement and obviously make sure you have that right before you go blind. Larry Hatfield: Are we going to look at that. That's what I'm asking. Rob Campbell: You're just saying start the process and I think there's definitely some groundwork that has to go forward. Mayor Hockenbury: Would it cost us anything to start the process? Rob Campbell: You are already paying us to work with you. Steve Plenge: Our family was the original developers of Heritage Hill. First Harrison Bank is the owner now but the City committed 11 years ago to do this. This is not something new. It's gone on long enough folks. The City handled it poorly back then. Long story short instead of bidding the job out and it would have been completed the City decided to do it itself. They started construction without easements in place; it gets better; instead of going ahead and acquiring all the easements they just got the ones as they were building it. The City committed to build that sewer a 11 years ago and I don't think it's asking too much to go ahead and at least get the right of way acquired and to give the Mayor the authority to negotiate the recapture agreement. The development is dead in the water until it gets sewers. Larry Hatfield: That's the problem they ran into Walt is the developers can't get an answer; is the City going to commit to at least getting the easements there so that they can develop that property. And there have been a lot of people look at this lot here. Steve Plenge: There were other developers that passed on the property because nobody could give them an answer on sewers. Bernie Brown: Mayor, Larry made a motion, was that 2<sup>nd</sup>. Mayor Hockenbury: No second, it's still there. Larry Hatfield: I want to rescind my motion and start over that we at least have Rob look at getting our cost and at least get started and see what it's going to cost us and then we'll make our decision whether to move forward, will that make everybody feel better? I can tell you right now that the people I've met with, developers, until we commit and you can't blame them, they don't have eminent domain where they can go in there and run a sewer line. You come out in front of that property. The only way that property is going to get developed and that's a lot of money would be the interceptor fee, with the tap ons, with the capacity fees, then you enter in to a recapture agreement of your all's liking with that developer whoever it may be; the same thing we've done before. Dana Bischoff James: You say we're already paying you so this wouldn't be any extra then? Rob Campbell: We have an ongoing hourly rate. Dana Bischoff James: How much would this cost? That's my bottom line. What is the dollar amount that we're looking at? Rob Campbell: To be honest with you I'd have to think about it a little bit because it would depend on the amount of time it

would take to research the work that's been done and then go out and take a look at it with Scott. Dana Bischoff James: So no offense but I do not want to sign a blank check tonight. I don't feel comfortable. Gloria Taft: Who could we authorize to get a discussion going with the three landowners? Dana Bischoff James: I like the idea to see if they are willing to work with us. This might just bypass all of the research. Rob Campbell: Over the years the City has done a number of things on an hourly basis. Bernie Brown: Let me ask you Mayor, I don't know how you feel Larry about it, but how about you and somebody here, Scott, see what you all can do about getting some easements first. Scott Fleming: We know what pieces of property we need for the easements; basically where we're at right now is what's that going to cost to get those easements and as far as the alignment possibly changing that's going to be a cost to us. Dana Bischoff James: If they need a tax write off of some sort and they are willing to donate the land for the easement. Gloria Taft second Larry's motion to start the process and get the ball rolling to acquire easements. City Attorney Sholar: Mr. Fleming has emailed me and said that he had some projects that he would like to sit down and talk to me but I've been up in Richmond and he hasn't had the opportunity to do that. I'll be back in the office last Tuesday or Wednesday of next week and hopefully if you would Scott go ahead and give my office a call tomorrow or Thursday and go ahead and get them to schedule a time for us to sit down and chat because I'm ignorant about this. I don't know what's going on; I don't know whether we're getting ready to run into a buzz saw or whether we're going to run in to something that is going to be smooth sailing. I just don't know and I think it would be much more appropriate and efficient for us to sit down and take a look at what we have and if you have an estimate; if you can estimate before what the cost of paying you would be for you to take and be able to provide back to the Mayor a general idea what these easements are going to be worth to that we can then look at one, if somebody is willing to give it, great, that's wonderful but if they are not is it going to be better to take and pay more money or compare that to what the cost of the litigation would be to file a condemnation. And as I'm sure you recall if you do choose to get to a point to where the public good you need to take ground from someone you can take the ground once we have an official appraisals done and we have to pay the money into court; then we can fight for it if need to we can have a court proceeding however long it would take in a trial and so forth to determine the value of the property but getting a rough idea that I hope you can let someone know pretty quick what you think it's going to cost the City to pay you for you to come back and say here's what we think it would be; a real dollar and cents value of what we would be taking. Gloria Taft: Why are we not using Economic Development to negotiate this? That's what they do. That's what he does for a living and it's not going to cost the City any money. Larry Hatfield: I don't think they've ever done that for the City of Shepherdsville. Steve Plenge: The City had a \$6 million grant to build this line. The money was given to the City to build this line. Dana Bischoff James: What happened to that? Steve Plenge: That's a good question. But as far as the cost involved to get the easement acquired; this is something that the City will be getting money; it's not like the City is going to dump this money in a hole and never see it again. You're going to be getting the capacity fees and property taxes on 800-900 homes up there. But the project cannot move until those easements are acquired. Mayor Hockenbury: Larry made the motion; as far as Walt said does that change your motion? Larry Hatfield: No, as far as pursuing it that's fine. Gloria Taft: We need to start the discussion/conversation. Larry Hatfield: Rob I'll work with you if the Mayor don't mind. Mayor Hockenbury: I don't mind. We have a motion and a 2<sup>nd</sup>. 5 in favor; 1 opposed.

**Daryl Lee:** No report.

**Duane Price:** Our meeting is Thursday but I'd like to say something if you don't mind. I want to apologize for my phone ringing first. I want to welcome you here new Mayor. I've known you for 30+ years, good guy; I've known Walt forever, another good guy. I really feel good about what's going to happen to the City now moving forward and I think we've got a good crowd; all the employees, great people. I like the Council, I hate to see you all go but I guess you decided you didn't want to run again but more than anything I want to welcome both of you two here.

**Sign In Speakers:**

**Faith Portman:** Good evening guys. Thank you for allowing me to speak. Welcome to Curtis and Walt. I've got a couple questions. The first question is it was in the newspaper that you were going to ask for a forensic audit. Are you still going to do that? Larry Hatfield: Yes. Faith Portman: What's that going to cost,

do you know. I've been researching it. Larry Hatfield: The auditor that I talked to would start it for \$10,000-\$15,000 to go back 2-3 years to look through what has been reported. First of all he's sitting down with us next week to meet with us as a Committee if the Mayor decides he wants it and the Council decided they want to vote on it and I'm not saying that there is anything illegally done or point fingers but I think it would be very good for the taxpayers to clear the air. They are not related to anybody in the City. I got their number through the State auditing people in Frankfort. They do not recommend anybody but they did give me some numbers to call. Faith Portman: They do start out with a retainer fee of \$10,000-\$20,000 and then they charge per hour. Larry Hatfield: If it gets in to a whole lot of money there's something wrong. Dana Bischoff James: If I may interrupt, are you really seriously looking at that; we need to go back 11 years when the City was really bankrupt and see what happened. If you're going to do it we need to go way back. Faith Portman: My question to the Council are we going to have enough money; with Publisher's leaving and were losing \$391,000 a year in occupational tax alone and what we've spent in the last year for two Mayors; and whatever else we've spent on, can the City taxpayers foot this bill again? I think you need to reach out to the community and ask the Community if they want this because if nothing is going to happen and nobody is going to be held responsible what's the purpose. Gloria Taft: Are you saying you're going to spend more than what you may find, I agree. Faith Portman: I think the taxpayers should have an input on that because we've spent a lot of money this year. The taxpayers are paying my salary. You're taking this out of my salary every two weeks and I know it don't seem like a lot of money to you all but when you have a disabled husband and you're trying to make a living on your own with his little pension it does make a big difference and there are a lot of people in this community that is does affect; and losing almost \$400,000 a year; that's a lot of money. Larry Hatfield: You don't think the City should do it? Faith Portman: No, I'm saying that you should reach out to everybody in this Community and let the people make that choice. There's been a lot of money spent this year, don't you agree? Larry Hatfield: We spend money on everything else. Gloria Taft: What if we put together a Committee of Council people and a couple of highly educated citizens and let's look at the books and see if there is a need for an audit that is going to cost a minimum of \$15,000-\$20,000. Faith Portman: Why don't you just have a night and have the Community speak on it, that's my opinion. You all have an audit every year. Larry Hatfield: I'm making a motion that we have a forensic audit done. Bernie Brown 2<sup>nd</sup>. Faith Portman: I didn't want to open it up I just wanted to ask questions because I think that you're spending \$20,000 probably you'll spend \$40,000-\$50,000 I bet you. Especially if you go back 11 years because they are going to charge \$300-\$500 per hour. I've been researching it. That's a lot of money. Larry Hatfield: That's not what he tells me because he says if you're going back that far it's time to bring the Attorney General in there. Faith Portman: Wouldn't that be cheaper? Larry Hatfield: That's not going to cost the taxpayers nothing because the Attorney General is going to be in here. Faith Portman: Right, that would be a lot cheaper do it that way. Larry Hatfield: That's exactly what we would do. Faith Portman: Instead of costing the taxpayers more money. Dana Bischoff James: Do you want to bring the Attorney General in? Larry Hatfield: Only if they find fraud. Faith Portman: Have you all seen that in any of your audits in the past 4-5 years? Larry Hatfield: I don't even know who appointed our Auditor in Bardstown. Gloria Taft: Audits have all been clean with the exception of a clause they would prefer to see us not backdate items to the previous month. But that is a standard accounting practice so it wasn't a flaw or a bad mark it was a simple suggestion. And I think if we go with this audit we're spending a lot of money and we're going to find absolutely nothing. Faith Portman: Well if we do I want to know is somebody going to be held responsible. Over the years nothing has happened. Larry Hatfield: I don't ever remember having a forensic audit. Faith Portman: No but we've asked for audits over the years.

Steve Plenge: Let me just make one more thing clear, I do not represent the bank or the developer. We were the ones that started the project and I just wanted to see it through.

Larry Hatfield: We have a motion and a second to have a forensic audit. Dana Bischoff James: How much do they charge per hour? Larry Hatfield: I do not have that answer. Dana Bischoff James: I'm not going to sign a blank check. Larry Hatfield: You all didn't have a problem giving raises out here a while back. Mayor Hockenbury: Let me say something. I am very concerned about taxpayer money. You all know that. If you don't know that about me you will. I am very concerned. That's your money. That money belongs to you guys. And there's a shaky transition here that some accusations that Fox 41 came out; we don't know what happened do we? We don't want to accuse nobody but really was credit cards used where they shouldn't

have been used? I don't know so if it's going to uncover something that's for the benefit of the people. If it costs a little bit of taxpayer money that's your money. You deserve to know if something was done wrong and it will tell us how we do our POs, how we spend our money, instead of just passing a budget we don't follow this money; that's taxpayer money. We don't want an outlandish lifestyle in this City. No more. That's gone. That's your money. I'm not accusing anybody of wrongdoing; it's up to the Council here I can only break a tie. Gloria Taft: The Council gets monthly reports. Who wrote a check, etc. we get those reports every month. And we can go over them every month. And if there was something wrong why wasn't it already caught by the Council by reading the reports that we get. Dana Bischoff James: Mr. Brown, our current Controller, Mr. Bob Ryan, six years ago was he not the person that you recommended to the Council to audit the City of Shepherdsville who then later became our Controller? Did you recommend his six years ago? Bernie Brown: I went to another City to find out who they used because there was a big question about who we could get. There was talk about putting an ad in some kind of a national magazine and my belief and position then was there are people in this area that do it. I talked to another Mayor; they told me who they used and gave me the name and phone number and I contacted Mr. Bob Ryan. Dana Bischoff James: So could we do something like that so that we're not looking at spending however many thousand dollars; I'm okay with getting whomever is recommended I'm just saying if someone is going to charge us \$500 an hour our whole budget is going to be shot. Ashley Bratcher: On behalf of Faith's suggestion for the citizens who are here who is in favor of a forensic audit? Gloria Taft: And who is not? Ashley Bratcher: Citizens vote. Mayor Hockenbury: Here's what I think. You can almost have a free ballot out here; I can have a giant shoe box at City Hall. You can come up here to City Hall and I'm going to put a free ballot out there. You don't have to show your ID; do we want to pass this no smoking ordinance or do we want an audit. Then you put your name on it. There you go; I get 100 of them and 75 say they want to see where their tax money is spent. I told people when I went to 1702 doors that are voters and vote in every election; and they brought that to my attention that there are questionable spending habits. You wouldn't have to have it very often; it would give you recommendations on how to do your POs, if you get a PO and it sits on the Mayor's desk for \$1500 for pencils and hats now what's that look like? It will tell you how to should do things... but that's up to the Council right now. We've got a motion and a second. Dana Bischoff James: I would like to make a final comment; I'm not in disagreement with an audit. I'm not in disagreement with someone coming in and taking all of the books and looking at them; but I am in disagreement signing a blank check to somebody with an unknown amount attached to it. Ashley Bratcher: The motion was for us to look in to having a forensic audit right? Larry Hatfield: I will make the motion that we meet with this gentleman to have a forensic audit done and have him go back and give us a rough estimate but that we will meet with him and we will hire him to do it. Evidently I'm not making myself clear enough because for some reason somebody doesn't want this to happen. I make a motion that we have a forensic audit done. Bernie Brown 2<sup>nd</sup>. Motion carried 4 in favor; 2 against. Gloria Taft: I want the record to show that I'm voting no because we don't know who we're hiring and we don't know how much money it's going to entail. If a forensic audit needs to be done we need to get bids because anything over \$20,000 is supposed to be bid out. Larry Hatfield: Not on professional services. Gloria Hockenbury: When are you meeting? Mayor Hockenbury: This doesn't have to be bid out. What we'll do, I will get the input like I told these council members and I will keep them involved and will try to utilize them to the best of their ability like no Mayor has used them before. When we get these numbers in we will try to work with that keep your money in mind to try to see if some recommendations for any wrong doing. Larry Hatfield: Mayor I'd like to also make a motion for you to appoint a committee. Bernie Brown: 2<sup>nd</sup>. Gloria Taft: A Committee for what? Larry Hatfield: A committee to meet with this guy. Motion carried 6-0. Larry Hatfield: You don't have to do it tonight if you want to think about it. Mayor Hockenbury: I want to think about it because I think I want some people out here; some taxpayers.

**Frank Cramer:** First I'd like to welcome you and Mr. Sholar to the Shepherdsville government. First thing I'd like to address is and I've looked at the announcements, I don't know if you all are going to talk about this in Executive Session because it wasn't mentioned in the announcement what the Executive Session is going to be about which actually should be. But the situation on the City Attorney and the Council are they going to appeal the decision of Judge Burress on the Standing issue? It was signed September 16<sup>th</sup> and it's a 30 day time period which would make it October 16<sup>th</sup> which is actually a Sunday. Ashley Bratcher: Appeal what? Frank Cramer: The decision of Judge Burress that granted Standing to our group in as far as the

lawsuit over annexation. Gloria Taft: That's litigation and probably should not be discussed. Frank Cramer: That's why I asked if it was going to be discussed in Executive Session; it's not mentioned. City Attorney Sholar: If I may, with regard to Executive Session, the Agenda sets out a spot in the meeting where if an appropriate matter that needs to be discussed in Executive Session comes up that's the time that Council would go into Executive Session. By law it wouldn't matter whether they put it in the Agenda or in the announcement we're going to go into Executive Session on this because this is a regular meeting. Now if they were to have called a special meeting to do that then we would have to put that out; publicize it ahead of time. But in a regular meeting as different items come up before the Council can go into Executive Session they have to announce to the audience that is here what they are going into Executive Session to discuss in some fashion. That's not the specifics of it but if they determine to go into Executive Session to discuss litigation they have to announce that. Frank Cramer: I understand that and I brought this to the attention of the previous Counsel prior to you all that they were going into Executive Session without letting anybody know what it was about. That was addressed at that time. I just wanted to ask the question and if you all are going to discuss that I guess we'll hear about that in a second. The other thing that I have is we have a problem with Chapeze Lane and semi-tractor trailers. It's not all the time but it is some time. Under the NTA which is National Truck Network there is a list of roads that are allowed to be used by semi-tractor trailers. Chapeze Lane is not on that list. I do know that they are allowed to travel 15 miles from the Interstate to a location if they are making deliveries or otherwise. Chapeze has nowhere really to make these deliveries. There are a couple of places that would be legitimate but these tractor trailers that have been coming through there they are not there to make deliveries; they are making short cuts, they are going through there when there is traffic jams, and they are cutting through there. Now off of Chapeze the main road is Tanglewood. On that road they have a sign saying no semi-tractor trailers back here back here because the road doesn't connect to where they thought based on GPS. We would like to see about signs being put on the entrance of 61 to Chapeze and the entrance to 245 to Chapeze to let them know they have no business there unless they are actually making a delivery. Mayor Hockenbury: Mr. Cramer those are state roads. Frank Cramer: No you all annexed Chapeze. No no this City Council annexed Chapeze, oh yes they did. You annexed a portion of Chapeze which gets me to my next question. Are you all going to cut the grass there, are you going to keep the ice and snow off the road. You all wanted the road and with that road come responsibilities. And we'd like to know where you all stand on it. Mayor Hockenbury: If a property owner on Chapeze if a tractor trailer runs off their road guess who is going to do that report. The Bullitt County Sheriff's Department. Frank Cramer: Well then why did you annex the road. I'm not speaking specifically to you but the road was annexed. And this was a big issue in the court case about they had the right to annex it. As far as Mr. Wantland was concerned he could annex all the way down to Alabama. Dana Bischoff James: Highway 44, that's a state road; the City owns both sides of it where the road itself is still State road. Does that make sense? Even though the City owns everything on both sides of 44 the road in itself is still a State road. Frank Cramer: That is not what was discussed at the hearing. The hearing that we had in court, Mr. Wantland said that the City annexed a section of Chapeze Road. And my question is if it's been annexed which it's been claimed; there are court documents to show this, are you all going to maintain the road? Or are you going to make the State do it or whoever. City Attorney Sholar: The answer is no. The City is not going to maintain that State road because the State is going to continue to maintain that road. As Mrs. James was pointing out it's no different than Highway 44 and Highway 61. Although that rides within the City of Shepherdsville the City of Shepherdsville does not maintain Highway 61 Buckman Street the State does. The City of Shepherdsville does not maintain Highway 44 the State does. And the City does not maintain Chapeze the State will continue to maintain that even though the City has annexed it. Now County roads are a little bit different; actually they are a lot different, they are like totally different. I fought that case up at the Supreme Court and won and that is when a City annexes a County road the City must begin maintaining that road. But that does not work that way with a State road. Mayor Hockenbury: Mr. Cramer your time is up. You keep them and come back next time and get on the list and we'll finish up.

Report from Police Chief Doug Puckett on Police Department activities: First off we just had our inspection a month or so ago from the Kentucky League of Cities Insurance; we scored 100% again this year. We've scored 100% every year since 2009 and we're only one of six agencies that have been able to achieve that. I think that's pretty good and it also give us a 10% discount on our insurance. So it saves the taxpayers a little money. Next this is we had the *Shepherdsville Santa* Car Show Sunday; it was another success, we

made \$3868; this will go toward the other donations we've got to be able to do the *Shepherdsville Santa* gift baskets again this year. We give coats to children a food basket and toys for the kids each Christmas; it kind of helps out a lot of needy families in our area. Next we're going to start giving the Council a report every month on the activities the Police Department has as far as accidents, arrests, citations, code enforcement and calls for service. You'll have everything up to August; September we don't have the data yet because Paula Johnson at the 911 Dispatch Center is on vacation; she'll be back this week so at the November meeting I'll have September and October added to this. I'll be giving this to you every month; it will give you an idea of what the Department is doing as far as arrests. Councilman Hatfield mentioned about the arrest; we had a hold up at the Dollar General Store, the guy didn't get anything so he went next door to Rite Aid; robbed them, he left the store and as he was coming out Sgt. Paulley was pulling in; the guy saw him and took off running back toward Hester Street. About five minutes after the holdup Major O'Donnell, Major Johnson and Assistant Chief Patchin actually caught the man in the woods, arrested him and cleared the case. We recovered the gun and the money. They did a great job. We had probably 6 or 8 of our officers and we have 2 or 3 County Sheriff's out there; we worked together, the whole County. We had a lot of Police presence out there. We made an arrest and nobody was hurt.

City Attorney Sholar: Along those lines at this time in regard to the Police Department I'd like to point out I've been up at Richmond now for the last seven days at a class with the Department of Criminal Justice Training and the City of Shepherdsville was brought up up there and held out as an example of really really good work regarding an incident that happened a while back and the Department of Criminal Justice Training up there they were advocating that these other Departments that are involved in this class that I'm in get in touch with the City of Shepherdsville to look at its protocols because they were touting them as being just outstanding. So be proud! That made me very proud to hear them say that.

I didn't get a chance to sign in, my name is Mark (can't hear last name); I was interested in the old City water plant back behind Kart Kountry. I'm interested in possibly buying it. I would like to build a house out of it. Mayor Hockenbury: You can come see me tomorrow.

Report from Fire Chief Layne Troutman of Fire Department activities: If I could to save on paper can I just email every month the report? The Fire Department the month of September responded to 70 calls of service; 28 emergency medical calls, and what that is, I know a lot of people in the Community doesn't realize that throughout the day Bullitt County's EMS service is put under major strain and they run out of EMS units to send to the public throughout the day all day long. So we respond on a medical basis to ride triage until EMS can arrive. All of our career staff are EMTs and we carry all the equipment we need, AEDs and medical equipment; we also responded to 18 motor vehicle accidents, that ranges from us doing a cleanup on a roadway to popping a door or extricating someone from the vehicle, packaging the patient for EMS, we had 8 responses to fire alarms which range from a smoke detector sounding in someone's home all the way up to a fire alarm going off at a hotel or one of the businesses here in town; all those turned out to be false alarms. We had 5 woods fires which also pertain to controlled burns; if somebody is burning something they are not supposed to and we get called on it and we had 11 responses to downed power lines when we have the last big storm we stayed pretty busy throughout that. We also had our 90 year and Fire Expo all on the same day. Due to bad weather we feel like we didn't have the turnout we thought we were going to but we appreciate and want to thank everyone that did come out. It was a nice event and we also have our Trunk or Treat coming up on October 31<sup>st</sup> from 5:00-8:00 p.m. here at the Government Center. It's a really good event for kids; we usually have about 2500 people that attend. We invite everybody to come out and have a good time. I would also like to go into Executive Session to talk about land acquisition. Larry Hatfield: How many jaws of life do we have? Chief Troutman: We have four sets with one of them being a 1979 set. They date way back on come on up.

Mayor Hockenbury would like to take a recess for about five minutes.

Upon return from recess Mayor Hockenbury called for the report from Public Works Foreman Tom Lafollette.

Public Works Foreman Tom Lafollette on Public Works Department activities: Public Works has three projects we've been working on; the parking lot on Second Street, we are in the early stages of design on this project and would like to see it go to bid before the end of the year. Drainage issue on Stevens Drive; the design of this project has been completed and will be ready to go to bid within 30 days; Shepherds Glen, the design of this project is nearing completion and should be ready to put before the Council within the next 90 days.

Report from WWTP Superintendent Chuck Keith on Sewer Department activities (Chuck had to leave due to a family emergency.)

Report from Public Works Director Scott Fleming: Jim Rice has requested that the City allow them to move our entrance to the Bardstown Junction Lift Station. It is advantageous for the City to allow this. I recommend allowing them to continue based on an approved design for the entrance. I put a copy of the first draft of the traffic study in each of your boxes. I am requesting that you go over the study and give us suggestions on what you would like to see done. We recently did a feasibility study with the Corp of Engineers on the Blue Lick Storm Water project and need input on the direction you would like to go on this project. We also need to come up with a funding mechanism for the project. I have left a set of plans for each of you to review.

Report from City Controller Bob Ryan on City/Sewer Finances: The financial statements will be in your boxes next week. I will send an email when they are in your boxes. Also Jason will be back next week to complete the Fiscal Year End June 30, 2016 Audit. Dana Bischoff James asked about the Auditor's report of the City's Financial Statements. Mr. Ryan explained that the auditor reports on the basic financial statements, but before an opinion can be explained a review of internal controls is done so that the auditor has confidence in the system that creates the financial statements on which the auditor is giving an opinion. If you have any questions or concerns my door is always open.

Report from ABC Officer Jerry Pile (spoke with Mayor earlier in the day and didn't have anything to report).

Report from Civil Service Commission Chairman Tom Rosselli: Thanked the Council and Mayor for Debbie Hawkins' reappointment.

**Gloria Taft:** I asked Chief Puckett to have more police patrol on Buffalo Run and Bison Court to get rid of truckers sleeping on the roads; I have received complaints. The Lakes of Dogwood HOA contacted me to inquire about getting the speed bumps painted in the Lakes of Dogwood/Dogwood Run subdivisions; Scott Fleming could you check into that please. I asked if the Traffic Committee had met yet. Bernie Brown replied no; he and Larry were trying to set up a meeting.

**Bernie Brown:** Looking forward to sitting down and discussing several issues with Walt.

**Dana Bischoff James:** I know a lot of people have already left but I do want to acknowledge anyone who is running for a political office because I think it is important to see those who are here so if you are running for an office in the upcoming election I'd like for you all to stand so people can see who you are and to be able to meet you. And of course Mrs. Gloria Taft and I are also running. I do think it is important to see who is running and to be able to meet with those people; ask questions, get to know them and start praying for those individuals. Also it's October so I'm in pink for Breast Cancer Awareness but not only breast cancer but also all cancer. Your health is something that once it diminishes there is nothing that will replace it. And those things are important.

**Ashley Bratcher:** I love seeing the Department Heads coming up and giving positive reports. It is very heartwarming to hear and see. I know a lot of people don't get to hear and see work behind their closed vehicles or closed office doors or anything like that. Secondly Officer Rocco as most people know him, he had a successful surgery yesterday. He is home and recovering; I'm making a delivery of food and goodies

to him tomorrow if anybody else wants to contribute before I drop off tomorrow. I'll make another one next week when he gets back to Shepherdsville.

**Larry Hatfield:** I'd like to go in to Executive Session.

Mayor Hockenbury asked for a motion to go into Executive Session. Larry Hatfield made motion to adjourn to Executive Session to discuss land acquisition, potential and current litigation. Randy Hammond 2<sup>nd</sup>. City Attorney Sholar: If I may let me suggest we also need to talk about some current litigation while we are in there. Motion carried 6-0. (Bernie left before Executive Session was over.)

Gloria Taft made motion to return to Regular Session. Randy Hammond 2<sup>nd</sup>. Motion carried 5-0.

Gloria Taft made motion authorizing the Mayor to negotiate possible property purchase with the advisement of legal counsel. Dana Bischoff James 2<sup>nd</sup>. Motion carried 5-0.

Dana Bischoff James made motion to Adjourn. Larry Hatfield 2<sup>nd</sup>. Motion carried 5-0. Meeting adjourned at 10:20 p.m.

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Curtis Hockenbury, Mayor

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Tammy Richmond, City Clerk