

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, March 13, 2017**

Pastor Mike Miller, Family Day Ministries delivered the invocation.

The Pledge of Allegiance was recited.

Council members present: Gloria Taft, Mike Hibbard Sr., Lisa Carter, Donna Burke, Stacey Cline and Bonnie Enlow.

Mayor Hockenbury called the meeting to order at 6:35 p.m.

ANNOUNCEMENTS:

Mayor Hockenbury announced effective March 20, 2017 office hours for City Hall would be Monday-Thursday 8:00 a.m.-5:00 p.m.; Friday 8:00 a.m.-noon. Extending our hours will better serve the Citizens by having access to City Hall services longer through the week. We'll see how it works and if it doesn't we'll go back.

Mayor Hockenbury asked for a motion to dispense with reading of the minutes from the 2/27/2017 Regular Meeting. Donna Burke made motion. Stacey Cline 2nd. Motion carried 6-0.

Mayor Hockenbury asked for a motion to approve the minutes as written from the 2/27/2017 Regular Meeting. Gloria Taft made motion. Lisa Carter 2nd. Motion carried 6-0.

Old Business: Donna Burke, Traffic Committee Chair reported that the Traffic Committee has had several meetings; we had one earlier this evening and we are seeking approval from the Council to move forward with the Committee's suggestions that we procure Qk4 to provide an RFP for our traffic priorities that we have set up. Priorities 1 & 2 from the study that they gave us will be indicated on that study; priority 1 & 2 has a minimum of \$420,000 plus a lane, the priority includes Keystone right in right out and adding a lane to the intersection at 44 and Adam Shepherd and tightening that corner so we don't have everybody coming around the corner and priority 2 & 3 which involves Conestoga coming around Keystone and going around; we had several priorities but these were the main thing was that 44 and Adam Shepherd and Keystone the right in will alleviate some of what we found in that area. Again, we're asking for the Council to approve us going forward with Qk4 designing an RFP and we will have meetings once that is designed. We're meeting again next Monday night. Gloria Taft made motion to authorize Traffic Committee to move forward with design of the RFP. Bonnie Enlow 2nd. Motion carried 6-0.

Daryl Lee: Council will be receiving a couple requests for zoning changes. One is at the corner of Abbott and 44, the property is owned by Bruce Thomason and he's asking that be rezoned Commercial. His application has no claims. The Planning Commission asked him to dedicate 10 foot right of way for future expansion in case 44 ever is widened. The next request you will be from Thomas Givhan, the location is 258 W Blue Lick. He applied to rezone the rest of his property there between Mt. Zion Church down to the school. He indicated he wanted to put in a mini storage. Mike Hibbard asked how many acres was Mr. Givhan asking to rezone. Mr. Lee: What he's rezoning is 2.5 acres (+,-); he's got about a five-acre tract altogether but the rest of it is already zoned Commercial. Mike Hibbard: Does that sit on the other side of that singular ... there's a brick home there. Mr. Lee: It will go all the way around it. Mr. Hibbard: So, it will go from the church, include the home and ... Mr. Lee: Not the home. Mr. Hibbard: Is it in between the church and the home or the other side of the home? Mr. Lee: It's in between the church and school, the home is a little I that somebody else owns. Stacey Cline: Isn't that in the Floodplain? Mr. Lee: Everything in Shepherdsville is in the Floodplain.

Duane Price: Not present.

Sign in Speakers:

Frank Cramer: I'm here on the Chapeze annexation again. I was here in January and I talked about the land where they annexed Chapeze Lane and I talked about the problem we are having there with people staying there at night drinking, about the garbage and everything and you all had said that the Officer who handles Code violations was going to look in to it and I was wondering what has become of that? Nothing has changed at the house but I know it's a process and sometimes you have to serve papers. Mayor Hockenbury: Have you given us the actual address? Mr. Cramer: That lady who was here that night had it, she knew where the property was. I don't have the exact address with me. Mayor Hockenbury: I'll check with Myra. Mr. Cramer: I know it's in your hands about the annexation. I've heard two different stories over the last month and a half; one was that you all were talking and our attorney told us we would be pleased with what was said. Then there was a two-week period where nothing was done. Then last week we got a call saying that Graddie had spoken with Mr. Sholar and you all were thinking about rescinding the annexation. I would like to know where that stands because this is dragging out now and we've come to the point where we're going to request a court date and also look into damages and injury. I was wondering if you all had made any decision yet or whether you all would be getting in touch with our attorney in regards to that. This is dragging out for a long long time now. City Attorney Sholar: If you have questions about that lawsuit you need to talk with your lawyer. And I would advise the City to say nothing more about it. Mr. Cramer: Okay, then we shall see what happens by the end of this week and then we're going to proceed with what we need to do.

Charles Long: What I would like to speak to you all tonight is a great challenge but I've faced challenges before. What I want to talk to you about tonight I've talked with other groups about and they've been favorable in giving me a Resolution when I ask for them. I've met with the Board of Education, the City Council of Hillview, and tonight Shepherdsville. All of you are aware of the fact that the County donated 45 acres, more or less, out on I-65 & 245 to the Veterans Administration if they wish to build a hospital. That was passed by Fiscal Court. Right now, I don't know where we are because there is a lot of people that are against it being built in Bullitt County. Ironically out of the six locations that have been made available this is the only location in the Commonwealth of Kentucky and also most likely in the nation that will provide the following benefits for Veterans that cannot be provided by others; by virtue of being located on an Interstate system the Department of Transportation has the highest priority on clearing that in bad weather; in addition to that there are another bunch of reasons that it would be more beneficial to Veterans than any place in the United States. The Department of Transportation says there are 30,000 vehicles that pass that daily of which 20-25% are Veterans. If they are involved in an accident or a heart attack they get immediate care. Also, enough ground was offered to the Veterans Administration that would allow the construction of a helipad. If there is a Veteran there that needs to be transported for specialty treatment anywhere in the nation within minutes there will be a helicopter there to pick him up and take him. From a personal standpoint, my big desire for it is I'm working for Active Heroes as a volunteer 5-6 hours a day and we bought 144 acres and built a retreat on Cedar Grove Road. If we have a Veteran at that retreat that has a major heart attack or gets injured and needs medical care it's within less than 15 minutes. Nowhere in the nation is that offered. The stalemate that I'm faced with now the Veterans Administration under the prior Presidential Administration bought a piece of property in Louisville which it turns out it only benefits the doctors who live close to the hospital that practice there, nobody else. There are other locations being considered including West End Louisville; with the hospital out here a Veteran from the West End Louisville can drive to this hospital get ingress and egress in less time than he can go to the existing hospital in Louisville. We have a new Secretary of Veterans Affairs who has just been appointed and approved, his name is Dan Shakit. I look for a lot of changes to take place with how the Veterans affairs functions. So, there is a possibility that irrespective of what we do and how hard we try that there be no more Veterans Hospitals built in the nation. I want the hospital here but personally from the business standpoint I think that the Secretary of Veterans Affairs should do whatever he needs to do to actually sell every existing Veterans Hospital in the United States; let other hospitals buy them and then let Veterans choose where they want to get their care instead of being told where they are going to get their care or how long they are going to wait. What I would respectfully request is that you all consider this and if you could follow the others that I've spoken to and pass a Resolution supporting it I would certainly appreciate it. If you can see your way fit to pass a Resolution; Walt, I'd further request that a copy of it be forwarded to Bullitt County Fiscal Court.

Police Chief Rick McCubbin: I put the monthly report in your boxes. I hope you noticed that in one month we are about 160 less calls last month than we did in January; with some of our changes that has put a lot more officers out on the street. I hope that trend continues but I don't want to flatter myself because February only had 28 days and January has 31 so I'm hoping that's not the reason but we have cut out a lot of the busy work calls and put people back out on the street. I hope you're recognizing that and seeing them out.

City Controller/CPA Bob Ryan: I need some direction from the Council on how to proceed on a certain project. As you know as one of the recommendations from the previous Auditor was to upgrade the Accounting System for the City. What I need from the Council is some direction on whether or not to proceed. I have been in contact with two software companies; I'm getting a quote tomorrow from a third one and the numbers are shocking to say the least. One man that I spoke to said this is the range and you need to find out whether it's worthwhile proceeding with it. The one company was Software Solutions and his quote was \$70,000-\$100,000. The other was from a company called Tyler, they have a software called New World. I got two quotes on that; one is if the City buys the software and the other is if the City has access to the software on the internet. We don't own it the City pays an annual licensing fee. One is \$117,000 and the other is 113,000. With the one that you would buy that's assuming the hardware that we have can handle the software. That does not include a possible hardware upgrade. My question to the Council, this company New World, their software Tyler, I had a two-hour demonstration and the lady was going to bring in four of their software people out of Minneapolis this week and I told them no wait. We need to see if this is worth proceeding. You can get the software for \$60,000 or \$50,000 but that doesn't include any of the payroll packages or software that comes with an HR Department so you're going to have to either continue using QuickBooks payroll or some other payroll company; you don't want to use a payroll processing company because the City has had some very bad experiences with various other companies that process payroll. That's the direction I'm asking for. With these numbers should I contact people and say let's proceed, let's talk, show him what we've got. The company that has the range of \$70,000-\$100,000 has put the software in Bardstown and he's given me the name of the lady down there that is the CFO to go look at what they are using and they are in the process of installing it in Frankfort. Henderson has the software from this other company along with a couple cities in Northern Kentucky. Bob answered questions from the Council regarding this request. Bonnie suggested that Bob and Gayla go to Bardstown to look at the software. Bob: It's a big bullet to bite. If you buy the system, the license cost is \$20,600; if you just use their software online right now there is an annual fee of \$12,602 in addition to all the other costs involved. Mayor and Council feels Bob needs to gather more information. Bob: I wanted to find out if this is worth pursuing before everybody got involved and they said no we can't write a check like that. City Attorney Sholar: It sound like by the numbers you are talking it is over \$20,000 so this will have to be bid out unless it meets with some exception contained in KRS 424.260(1) which would be if it's a lawyer, physician, engineer or something of that nature and I don't think this is it. I don't know for sure but I suspect the Attorney General has not opined that computer software qualifies as a professional service or that it's a one source item so what I would suggest that you need to think about doing is determine what you want a system to do so you're creating the specifications for what you want and then solicit bids for it. Bob: Any system here is going to run well in excess of \$20,000. So, my question to the Council is knowing it's going to be substantially more than that do you want to proceed or do you want to work with what is already in place and make modified changes in it? I'm not talking about bidding anything or acquiring anything ... City Attorney Sholar: If you go having these meetings with folks from Minneapolis and you have these meetings with people from wherever and you're sitting down with them and they are explaining to you how all their systems work and you've not put anything out to bid you're tarnishing the bid process so when we award that bid to somebody who came down and spent 5 hours with you before anything ever got going and somebody else who wants a piece of that \$80,000 and they are mad because they didn't get it and they file a lawsuit and they take your deposition and they find out that you sat at the desk with a rep from Minneapolis without having solicited bids on this you're creating a problem for the City and for me. Bob: How about I ask the people in Bardstown how they went about doing it. City Attorney Sholar: I think that is a fine idea but I would strongly urge you to determine what you want the system to do and then look at advertising it for bids. Then if someone from Minneapolis sends you something great and if they don't they stay in Minneapolis. Mayor Hockenbury: Go to Bardstown and see what they and if you say that's what I want we can bid it. Bob: I just

want to know am I going to Bardstown. That's a lot of money no matter how you look at it. I'm educating myself on what is out there. Council all agreed Bob and Gayla should go to Bardstown and look at their system.

Stacey Cline: On the new hours, this is just for City Hall; it's not for Public Works or anyone else? Mayor Hockenbury: No just the Admin side of City Hall. Stacey: What is our busiest day of the week here at City Hall? City Clerk Richmond: It all depends on what day of the month it is. Stacey: The slowest day is Friday you think? City Clerk Richmond: Yes. Stacey: Are we closing for lunch for 30 minutes? City Clerk Richmond: No, she answers the phone and the window. Stacey: At my office we were not getting it and you need to close every day for 30 minutes. It doesn't matter if you close but you need to rotate. Everybody needs a 30-minute lunch; it's mandatory. City Clerk Richmond: I've told her to leave the phone in her office and let someone else get the window. Stacey: Does everybody have a designated time to go to lunch? City Clerk Richmond: We really don't have a designated time but we do go to lunch.

Donna Burke: The Forensic Audit Committee got an email and were provided the audit; we were asked to provide questions and he indicated once he got those he was going to be getting us some further notification at the end of this week. John Snider was in the other day and we are still discussing the possibility of getting Transit out here to make sure that employees can come in to these plants that we're fast having present and including new companies that are coming in.

Lisa Carter: I'm back to Beech Grove Road. They were going to bid it out at the end of the month? Mayor Hockenbury: There is a letting date this month the 24th. Chuck Keith: There was actually a company walking it to put in a bid. That's the second construction company that has actually walked through on the project and I talked to her two weeks ago, and at that time it was going to be bid out on the 24th. Lisa: Is that going to be bid on line in the local newspaper? Chuck Keith: I don't know about that but I can get with her and find out. I can forward you her information if you would like to talk to her. Lisa: I'm just wondering because it was early on in March then put back to the end of March those folks down there really need their road. Lisa: Is there anybody here that has any information on the Panera Bread? I had asked for an aerial view and I was told probably in January that someone was going to bring a completed picture the way it was going to look with landscaping at all. Does anybody know anything on that? Steve Emily with Qk4: Qk4 has received the first preliminary set of drawings for review and we expect the final construction drawings to come in very shortly. Lisa: Can we have those present at the next meeting so that we can see those?

Gloria Taft: Code Enforcement, are we any closer to having that Ordinance ready? The new Ordinance? City Attorney Sholar: I'm not. I haven't had a meeting with anybody. I met with Dan Patchin and Myra Minton some months ago. The last meeting I had with them I said you guys go back and determine what it is you want in this Ordinance. Somebody give me the meat of what you want and I'll put legal wording behind it and put something together for you. I wasn't at that time highly disinclined to have the Ordinance according to Walt Sholar. It needs to be the Ordinance according to the people of the administration of this City to determine what they want. When we left that meeting there were going to get back with me; now it's my belief that Myra and Dan are not going to be as we go forward the Code Enforcement folks so they have not been back in touch with me and it's my understanding that they are not going to get back in touch with me on that. Mayor Hockenbury: John Bradley is going to do Code Enforcement and I'm going to have him work on the two current standing Ordinances and tweak them together and bring to us. Gloria: We need that done swiftly because I'm driving by more and more houses that are stacking cars and garbage up. This needs to move quickly because our City is very quickly looking trashy. City Attorney Sholar: Please bear in mind you have more than one Ordinance currently that purportedly deals with cars, rubbish, junk, high grass and all those things. Bonnie: When we get him sworn in he'll get it done. Gloria: Unfortunately, the car Ordinance says it needs to be licensed and insured; it does not say that it needs to be drivable and I drive by 4 or 5 cars every day that are licensed and insured and they have four flat tires or no hood and they haven't moved in 6 or 7 years. We need to update the language and make sure the correct language is in the new Ordinance versus the old Ordinance so that the person doing the work has all the tools that they need to complete their work. Chief McCubbin if you could get with Dan and Myra and get all their documentation either to me or to John. Mayor Hockenbury: John Bradley is working on that. Bonnie Enlow:

What does it take to get him sworn in? Does it have to be a meeting or can somebody swear him in on another day. City Attorney Sholar: A Notary Public can swear him in. Gloria: Do we have a position to swear him in to? Bonnie Enlow: John actually was the Code Enforcement Officer. Gloria: In our Pay and Classification Ordinance? City Clerk Richmond: I received several samples of job descriptions for code enforcement officer last week and email them to Walt. Gloria: The City of Shepherdsville does not have an Ordinance so we can't swear him in to a position that doesn't exist is what I'm getting into. City Attorney Sholar: We prepared a Pay and Classification Ordinance. I sent out prior to this legislative body coming in to office there was one email that Ms. Taft pointed out questions/concerns as to what we do have and what we don't have in place with regard to pay and classification ordinances. I spent a great deal of time preparing a draft of a pay and classification ordinance that got out to everybody and it needs to get done because there is some great question as to whether or not we have a pay and classification ordinance. There is one Ordinance from back in 2013 that repealed everything going back to at least '05 and the trouble with the '05 pay and classification ordinance is it has a lot of language in it that in the subsequent ones talk about anything in conflict is here by repealed and I challenge somebody to go through and tell me what is in conflict and what isn't so I have very little legal confidence in the Ordinance that whatever the City has with regard to pay and classification. We need to get that pay and classification ordinance adopted in some form. However, you want to change it or whatever that needs to get back to the Mayor so the Mayor can determine what to get over to me and we'll get a draft up to get it presented. A special meeting was called for Friday, March 17th at 6:00 to discuss the pay and classification ordinance. Gloria: The garbage ordinance, have we gotten any language straightened out on that. Where are we on our garbage ordinance? Bonnie: We need to put it back on the agenda and get it done. Gloria: The only thing I noticed is the fact that the City is not going to be a debt collector. They can collect their own debts. The last thing on my list is going over last year's paid rentals it looks like we were closer to breaking even on our Community Center than we thought we were so I would like to have a discussion to let Room At The Inn go ahead and use the Community Center from 6:00-9:00 a.m. Monday through Friday as long as they are willing to clean up the building and as long as the City has a copy of their insurance policy and their 501c3 documentation. Donna: Your indication when we spoke the other day was about the fact that if we are breaking even on all the ones that are paying we're going to be affording any non-profit to use the Center free. Gloria: We have 3 nonprofits using the building for free now and (Boy Scouts, Cub Scouts, Stompers), Room At The Inn is a nonprofit and they have requested the use of this and it would meet the qualification for the betterment of our City in allowing these people a safe place to try to restart. I'd like to make a motion that we allow Room At The Inn to use the Community Center from 6:00-9:00 a.m. Monday thru Friday knowing that they are going to clean the building as well as the City having insurance and 501c3 copies. Donna Burke 2nd. Mayor Hockenbury: Walt, can we do that? City Attorney Sholar: You are not allowed to give away public property. If somebody wants to rent the Hall and you say if you're a nonprofit organization we'll let you have it for free. It is public property that is being used by somebody; you can open it up to everybody. The Constitution doesn't make a difference between a nonprofit organization and the rest of America. But we're doing that by saying if it's a charitable organization as defined then we'll let them have this for nothing but if it's some other citizen of the City or not they have to pay for it. If you want to say anybody can use it you just have to get on the schedule; then it's like a park. You are providing that for everybody and Cities can do that but I don't know that you can pick and choose that you're going to give it out but it's public tax dollars and public property and Governments are just now allowed to give that away. The Federal Government has at various times entered into agreements with Faith based organizations or nonprofit organizations for those organizations to provide a service to the Community. It's then the Government in return for that service can provide public property but there has to be a public service that it is providing. Then at some point you can go back and determine if they are doing what they said they would do. It has to be a contract where there is consideration going both ways. Donna Burke: If we charge across the board except in an agreement type situation are we able to differentiate between a price for in City and out of City? City Attorney Sholar: I would be of the opinion that you can differentiate between residents of Shepherdsville and non-residents of Shepherdsville because residents of Shepherdsville unless you are charging them more; but if you were charging them a lesser amount you can justify that within reason by the fact that they are paying City taxes and the people that are renting from outside the City are not subsidizing that with their City taxes. Donna Burke: Would Room At The Inn fall under what would be considered providing a service to the Community? City Attorney Sholar: I don't know. I'm not in a position that I can answer that. It may be but I would want to

look at what documentation can they give; if there is one homeless person in Shepherdsville and everybody else is from Lebanon Junction or Mt. Washington, out in the County, then probably not. If there is a significant number of folks that they can identify need this service that are within the City of Shepherdsville, then you probably can. Donna Burke: If they are considered homeless do they actually have a home they can call. City Attorney Sholar: It's not necessarily that they are Shepherdsville residents that are homeless but if they are homeless folks that find themselves in Shepherdsville; if it is a social problem in Shepherdsville; but if it's a social problem in Louisville and we're going to provide that assistance to the folks in Louisville out here I think we would have a hard time justifying that legally. Donna Burke: What kind of problem do we have with the Boy Scouts that gets the Center quite often and actually has the only key access to an upstairs storage. City Attorney Sholar: The appropriateness of everything is in the details. There was one time that I was given the understanding that the Boy Scouts use this on x night; but if Walt Sholar wants to use it on a night that it's not being used he needs to get on the schedule and if that's the case it's okay for the Boy Scouts to have it; but if everybody has the idea that the Boy Scouts can use it but the Girl Scouts can't then you can do that or the Boy Scouts are using in on Tuesday nights but John Doe can't use it. And if the Boy Scouts are using it free because we really think a whole lot of the Boy Scouts but another group wants to use it and we don't think so much of them so they can't use it but the Boy Scouts can we've got a problem. Gloria Taft: We have that problem now that we're telling Room At The Inn they can't use it yet we have three other 501c3 organizations using it for free. Lisa Carter: Don't they have 13 or 26 churches that they are using presently? Gloria Taft: They have to be out at 6:00. Stacey Cline: We'll tell the Boy Scouts they can't use it any more. City Clerk Richmond suggested giving it to Public Works. Mayor Hockenbury: We can make a motion to give it to Public Works. Gloria Taft: I made the motion to let them use it based on the fact that we have others using it that are the same qualifications that this entity is. Stacey Cline: Does Room At The Inn have their 501c3? Gloria Taft: Yes, that's the only reason ... because they are meeting the same qualifications as the other three entities. Lisa Carter: I think rates need to go up a little bit for people that don't live in the City of Shepherdsville; but anyone not living here that want to use or facility I think they should have to pay a little bit higher than the residents in Bullitt County and Shepherdsville are paying. Mayor Hockenbury: If Public Works took it over they could use it. They need it. You still have here; there are two sections if you close the wall. People could still use this and they gym so we still have three locations for the Community of Shepherdsville. But if we're going to spend their taxpayer money to build another Public Works building; I'd rather not spend their money and let them use the Community Center. City Attorney Sholar: If I were working at crafting up a basis to allow for the Boy Scouts to utilize City property for whatever what I would be looking at and pointing out there is x number of children in this Community that are between the ages of whatever; there is a need for civic education and so forth for the youth of this Community; so if the Boy Scouts come in and say Shepherdsville here is what we are going to provide; we're going to provide this for the youth of Shepherdsville, and that, this, this and this; all the stuff that the Boy Scouts do and in return we would like to use your facility to provide this public benefit for the City. I think the City could do that but for the City to just let them use it the law requires an agreement. Mayor Hockenbury: The same think with the Boy Scouts if we have an agreement they can use either half of this room. City Clerk Richmond: Probably not as often as they use the Community Center, they have it two days a week plus some weekends and they have plant sales and they can't do that in here! Mayor Hockenbury: And in the meantime, Public Works employees when it's raining it's raining inside the building. We've got a motion and second. Gloria Taft rescinded her motion based on the City Attorney's wisdom. Donna Burke rescinded her 2nd. Bonnie Enlow made motion we give the building to City Works. Stacey Cline 2nd. Mike Hibbard: I know we talked to Tom a while back and I understood there was money in the budget to basically look at reskinning the building they are in for not all that much money and the roof was the main problem and quite frankly the whole discussion of the Community Center got totally away from where I thought we were headed with it that first night. If we're going to have 501c3 and we need copies of their paperwork I understand that there is also someone that could qualify as a 501c3 that is currently using it at no charge that is charging the people that they are bringing in. Mayor Hockenbury: That's off the topic. Mike Hibbard: No, it's not. This is a discussion about giving the Community Center to the Public Works. I was just voicing my opinion on that because Public Works according to Tom for that to be usable to them are going to have to cut out one end and put in some doors. Then we'll lose that building for whatever. I sure hope citizens don't want a new Community Center built sometime in the future. How much money was in the budget to redo that? Tom LaFollette: At one point it was a little over \$200,000. Mike Hibbard: That

was to tear it down and build a new one wasn't it? Tom LaFollette: No that was the money in the budget; the total to rebuild the building was \$314,000. Mike Hibbard: that was to add on also wasn't it? Tom LaFollette: Yes. Mike Hibbard: The last time we talked, I know we didn't talk about any specific dollar amounts, but you indicated that the roof was the main problem and that basically the structure is there so that you could take it off and put new aluminum siding around it and a metal room and you're back to a functional building. Tom LaFollette: We still need restrooms and offices. Gloria Taft: If this building did go to you how long would it be before you would feel you had outgrown now two buildings? Tom LaFollette: Currently we are using the Sewer for some storage; we're taking up some of their space and if we had that building with a bay and our current building remodeled we would have plenty of space for everything that we have. There are currently places in the building we can't place things due to the rain coming inside that is nearly as great as the rain outside. Gloria Taft: So, we wouldn't see any more equipment sitting outside? Tom LaFollette: There nothing sitting outside now. Donna Burke: Don't you now have to go to the Community Center for restrooms? Tom LaFollette: Yes. And when it's raining we go over there and eat lunch. Gloria Taft: The public gets a lot of good use out of the Community Center and its functions that you don't want going on on the gymnasium floor. Mayor Hockenbury: I surely want people to know we're community friendly but I'm also thinking about the taxpayer money; we've got a building to use I don't want to spend these people's money that you don't have to. Gloria Taft: But you are going to use money to rework a building that right now is functional for the Community. Mayor Hockenbury: The money that is budgeted is going to have to be used to fix that building but it's still not going to be enough room. They use the Community Center already. Gloria Taft: It's there and they can use it as it is but if they get the building and remodel it to their use then the Community can't use it at all. Then you've got people; do you want the Stompers coming in to our gymnasium and dancing on our gymnasium floor? Stacey Cline: No, we don't. They'll have to find somewhere else. Gloria Taft: Do you want them in here? So you're damaging your citizens and your Community. Lisa Carter: Are they nonprofit? Donna Burke: Yes. The Arts Council uses it for their monthly meetings. Gloria Taft: I don't know that we want the Boy Scouts having their pot luck in this room because of the carpeting and I don't think we want them in the gymnasium. Vote was taken at this time. Mayor Hockenbury: What will happen is Public Works will take over the Community Center. We'll have to set a date. Stacey Cline: The Stompers, are they from the City of Shepherdsville? Gloria Taft: Yes. We have the Cub Scouts which are littler Boy Scouts who will make a bigger mess just because little kids make messes. Lisa Carter: Paroquet Springs doesn't have a small room they could use? Motion carried 4-3-0. Mayor Hockenbury broke the tie with a yes vote. We voted to let Public Works take over the Community Center. City Attorney Sholar: One other thing before we leave this topic; there is a great discussion on appropriation of public funds to private organizations is contained in Attorney General opinion 99-5. Some information in the KLC Handbook is right on; they point out there are three big factors that you have to consider as you are determining to appropriate funds from a local government to a private organization. 1. There has to be benefit to the City in return for what you are providing. 2. The City has to have some control over how the money they are providing to this organization is spent. 3. The expenditure has to primarily benefit the public at large. You can't donate money that just benefits one specific group, it has to be the whole Community.

Lisa Carter: Did you have an opportunity to look over the Restaurant Tax Ordinance? City Attorney Sholar: Yes, the old one. Lisa Carter: Is there any way that we can revise that. I would like to see if the Council and citizens would be in consideration of revising the tax Ordinance that we have to where the tax on all the food goes over to Paroquet Springs; I would like to either ask for a percentage ... City Attorney Sholar: You can't do that. You can have the Ordinance up to a certain amount but it has to go to the Tourist Commission. It can't be part there and part to the City. It can't be that they get 80% and the City gets 20%. It has to go to them; it first has to go to pay for a Tourist and Convention Centre, anything that is left from that can be used only for things that would promote tourism and convention business in the local area. It would be my thinking if the City has something that it's generating or a program that it wants to put in place it can seek assistance from the Tourist and Convention Commission to participate in that but I don't know that the City could say you participate to a certain amount of money or we're going to shut you down. We would probably run into a problem with that. No you cannot change it. The only thing that the City can put the food tax on is for tourist and convention; the Legislature laid that out. I don't think we can have a restaurant tax for general revenue for the City. Gloria Taft: Could we cut it in half? City Attorney Sholar: You may well be able to change the Ordinance to cut the tax. Lisa Carter: Could we keep it at 2% but give them

the one? City Attorney Sholar: No, you cannot do that. Lisa Burke: My thing was for beautification. They are taking all that money in and I'll just put it out there, Elizabethtown Kentucky they are right at about \$2 million every year on the food tax down there and they give \$100,000 back to Elizabethtown for beautification and all. That building only has \$418,000 and last year's revenue was \$876,982.70. What is \$100,000 to give back to the City so we can beautify our City some. Whether it be getting Christmas decorations to decorate starting at 65 coming on through town; what's \$100,000 when they are bringing that kind of money in. Gloria Taft: Any way we can talk to them and maybe get a written agreement that they would agree ... Lisa Carter: Maybe we should invite them to our City Council meeting so we can openly talk with the citizens. Mike Hibbard: You say Walt that we cannot set by Ordinance a specific amount to come back to us? But we can suggest to them. City Attorney Sholar: Yes but let's say they make a determination that they want to stay on good terms with Shepherdsville and we know they want us to give them a couple hundred thousand so we're going to give \$200,000 to Shepherdsville; then somebody who is paying that food tax comes along and says I think that's illegal and they file a suit saying what they've done is agreed to give money back to the City so the City will keep gouging us with the food tax and they are giving it back to the City so they can put up Christmas lights and nobody ever made a finding or determination that that would generate more tourist business; there has to be a determination made by those folks that have that money that they are spending that money to promote tourism or convention business. If the only promotion of tourism and convention business that they are generating by giving that money to Shepherdsville is to keep everybody happy so we keep the tax on; that probably isn't going to fly. But if they were to agree that making that interchange at 65 look better would help get more people to want to come to Shepherdsville for their whatever, then that would probably be okay. Generally speaking, if the people on the Tourist Convention are not of the same view about what generates tourism and more monies being spent in the area would be if they don't see it the same way the City does when their names come up for reappointment be looking for somebody that sees things the way the City sees it to get appointed to those Boards. A lot of times it's not what you do it's the way you do it.

Bonnie Enlow made motion to Adjourn. Donna Burke 2nd. Motion carried 6-0. Meeting adjourned at 8:03 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk