

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, May 22, 2017**

Charlie Long gave 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 6:29 p.m.

Mayor Hockenbury asked for a motion to dispense with reading of the minutes from the 5/8/2017 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 5/8/2017 Regular Meeting. Gloria Taft made motion. Mike Hibbard 2nd. Motion carried 6-0.

Old Business:

City Attorney Walt Sholar had second reading and ask for public comment on Ordinance 017-231 rezoning 0.106 acres, more or less, from R-2 Residential to B-2 Central Business located at 142 Abbott Street listed in the PVA office as parcel 037-N00-16-018 owned by Bruce Michael Tucker. There was no public comment. Bonnie Enlow made motion to approve. Donna Burke 2nd. Motion carried 6-0.

City Attorney Sholar had second reading and asked for public comment on Ordinance 017-232 rezoning 30.963 acres, more or less, from R-2/AG to R-3 Residential owned by Dogwood Homes of KY located on West Blue Lick Road listed in the PVA Office as parcels 036-000-00-028 and 036-000-00-029A with restriction that there shall be no apartments on the property; all homes shall be single family dwellings. Mark Edison was present on behalf of the applicant to answer any questions the Council may have. There was no public comment. Donna Burke made motion to approve. Lisa Carter 2nd. Motion carried 6-0.

New Business:

Discussion on continuing using services of Smith & Company to do the annual audit or hire another firm. Mayor Hockenbury: We have a yearly audit that is required by law and this firm has been doing it for the last several years. The City has had a good audit the last 2-3 years in a row; we had some recommendations but it was a good audit. We haven't heard from Jason Strange with Smith & Company so the question is do we want to continue with this company or can we negotiate for it, run it in the paper? Bonnie Enlow: At this point I think it's going to be difficult to find somebody free to do this right so if he is still willing to do it I think it would probably be best. We may not be able to get anybody else. Gloria Taft: I agree with Bonnie I think we should stick with him this year. We have gotten clean audits for the last 3-4 years. He is very thorough; we just need to follow his recommendations when the report comes out. Mike Hibbard: If we are thinking about possibly bidding it or looking at any other options maybe we ought to start doing that by the first of the year. It was decided to get in contact with Jason Strange with Smith & Company to inquire if they want to continue doing audits. (Bob will make contact and report back at the next meeting.)

City Attorney Sholar had first reading of Ordinance 017-(number to be assigned) adopting "City of Shepherdsville, Kentucky Code of Ordinances". Second reading will be June 12th.

City Attorney Sholar read Resolution 017-14 approving the granting of inducements to Tower Automotive Operations USA 1, LLC for the purpose of attracting and retaining jobs pursuant to KRS Chapter 154, Subsection 24. Gloria Taft made motion to approve as written. Bonnie Enlow 2nd. Motion carried 6-0.

City Attorney Sholar read Resolution 017-15 approving the granting of inducements to Bluegrass Supply Chain Services, LLC for the purpose of attracting and retaining jobs pursuant to KRS Chapter 154, Subsection 24. Donna Burke made motion to approve. Lisa Carter 2nd. Motion carried 6-0.

City Attorney Sholar read Resolution 017-16 regarding the City of Shepherdsville's commitment to the construction of a new road system. Mayor Hockenbury: Let me say, myself and these six Council Members have worked to continue the Beech Grove Road Bypass and I thank them. This is another commitment we're making to help the traffic problem in Shepherdsville; one of the biggest problems for people trying to get around town. Donna Burke made motion to approve. Stacey Cline 2nd. Lisa Carter: How is that going to read on the restricted account? We would like to put a specific name to it. After a brief discussion, it was decided to name the account Alpha Way/Conestoga Road Projects. City Attorney Sholar: This Resolution is only establishing a bank account it is not funding the bank account. There will be another opportunity for the City Council to confirm whether the City Council wants to authorize the indebtedness of up to \$3 million that will be by Ordinance and that's coming. But Republic Bank requires that to open an Account which they require to negotiate and process such a loan that that account be opened and they require a Resolution to open the account. The law requires that the City Council pass by Ordinance the authority to indebt the City to the tune of that \$3 million. That will be coming, I got a telephone call Friday late afternoon from a lawyer from Frost Brown Todd who is representing Republic Bank and they are in the process of preparing an Ordinance to their satisfaction. They will get that to us and I'll review that. I suspect that is going to happen within the next week to ten days. Motion carried 6-0.

Daryl Lee, Planning & Zoning Appointee: No report

Duane Price, Board of Adjustments Appointee: We had one case for Shepherdsville involving request from SRI Holding requesting a variance to reduce parking spaces and square footage of the parking spaces behind Zappos at the Cedar Grove Business Park.

Sign in Speakers:

Patricia Edwards-Kesterson, 270 Beechwood Ave in The Pointe: Addressed the Council regarding signs and light at entrance to The Pointe subdivision that has been removed due to road work on 61. You referred me to the KYTC; if you could give a starting point of who to contact by address, email, phone number, because of the road construction we're having cause and effect syndrome. We have drainage issues now, we have no lighting at the entrance and now the trees have been taken away from the railroad track and we have sound issues. Mayor Hockenbury: District 5 is who to contact. What I'd like to do is give the number and who to contact. I'd like to be able to get anybody who has a problem that is not ours to get that contact information. **Mr. Hockenbury** (resident who lives in The Pointe): Our drainage over there is terrible. Where they are building the new houses on the side we're getting all the drainage from that way; we're getting all the dust, noise from the trucks and road building out front, they are completely covering us up and nothing is being done. We don't have a street sign on 61 saying Point Boulevard to get in there. It's getting hard to get in and out and when they do start working that area I don't know how we're going to get in and out. There are 7 or 8 of us here tonight that are really concerned Mayor Hockenbury: Thank you very much. We have compassion and we are worried about your concerns. They were moving utilities first and they told us after utilities are moved it moves fast. Arthur Jones: I had a meeting with Mr. John Edwards, one of the project managers from Louisville Paving that in charge of this construction effort going on now. Not only are they working on this they are also getting ready to get going on Beech Grove; they are going to start with clearing and grubbing at the 61 side and work around to that point. I wanted to add that he may be a good point of contact for us to reach out to and let him know of our concerns and issues that we have for our citizens; if it's lighting at the entrance or better signage, making sure we have reliable communication. We would like to see something done even if it's just replacing street signs to show where we are at. (Several residents then addressed issues about drainage.) Gloria Taft: Mayor can you schedule a meeting with District 5 or the engineer and foreman overseeing the construction and have a conversation to see what the State can do since it's their project? Mayor Hockenbury: Arthur and Tom would you go over there and see address the issue and see what's going on. We might want to replace the street sign over there ourselves.

They will not be the same but they will be in compliance with State regulations. Put the Jade, Beechwood and Pointe Boulevard entrance sign up.

Daryl Lee, 141 Cherokee Court: Addressed the Council regarding the weeds being high at the old Melton's store. Code Enforcement Officer John Bradley stated he had sent them a letter last week and that his son called today and said it would be taken care of probably this week.

Charles Long: Addressed the Council thanking them for the support for the Veterans Hospital by passing a Resolution. Those Resolutions are now in Washington, D.C. He also commended the Council and Mayor for being public servants and not politicians.

Rose Haley, 112B Lanai Drive: What is the status of the sewer project on Cedar Grove Road? There is a sewer project that was supposed to be started about 6 years ago and it's not finished. We've already lost one multi-million-dollar project because the sewer project is not finished. Gloria Taft: I believe she's talking about the extension that leads out to Heritage Hills. City Engineer Arthur Jones: That project was completed from the standpoint where they were going back to 2010. Rose Haley: But there is supposed to be an extension. Arthur Jones: In the future, whenever development happens in that area. Rose Haley: That's the problem because developments won't go to that area until that extension is completed. Mike Hibbard: There was talk about getting certain information from Qk4 about the status of where it was. There were some people that owned property out there that would be affected by the easements required to continue that line. Some of us on the Council expressed a desire that if we get some information about where we stand how things are affected now that we would go personally to the owners of that property which there has been some conflict with and ask them for an easement or what they want for that easement and give them the opportunity to say yes or no. We decided we would give one more shot just to see what they would say. If they say no the City has certain options if we want to proceed at that point to acquire those easements. Under somewhat of a worse-case scenario it may take several years to acquire because some of it might be tied up legally.

Frank Cramer, 260 Meadow Lane: What is being done with the Miller property that I brought to your attention back in January. The Code Enforcement people were supposed to go out there and do something, as far as I know they haven't. The City annexed the property. Code Enforcement Officer John Bradley will check on it. The other thing goes back to 2011 under a previous Administration is that Ordinance 011-093 annexing 165.19 acres. I got a copy of this under the Freedom of Information Act; that annexation to date would seem to be invalid for the simple reason that the City Council, Mayor's Office, City Attorney at that time made no request from the State to annex that property and the roadway. There is no letter from the City to the State and no response from the State. It's the same situation it was on Chapeze. They did it and didn't go through the proper channels to have a vote on that and they had to get permission. I wanted to make you aware of that because I am going to be contacting the State Attorney General's office. And I'm going to also request by Freedom of Information all information related to annexations from 1998 to 2014. I have one other question regarding the forensic audit. Is it encompassing the \$5 million grant that was given out in 2005 that nobody can find the money on.

Department Head Reports:

City Controller Bob Ryan: Reported that the Mayor has the revised updated budget after the workshop and it is balanced and he will get it to the Council this week.

PW Foreman Tom LaFollette: Reported that MAGO would be blacktopping Beech Grove Road this week from Reichmuth to Cundiff Lane. It's a County/State project but he wanted to make everyone aware.

Gloria Taft: Tom I've gotten some complaints on 44 going up the hill there is a guardrail that has been displaced. If I give you the information can you get in touch with the people at District 5 and tell them that this is an emergency and they need to get up there. Chief McCubbin, Saturday there was a call placed to Dispatch about a stolen bicycle. Today a second call was placed about recovery of a stolen bike that has been put down by the lake in Dogwood Run, neither call has been answered, the bike is still down there. I

know it's only a stolen bike but we have either Dispatch not passing calls to our Department or our Department is not answering the call that was given. If you can check on that. Chief McCubbin: The bike stolen was on private property. Gloria Taft: If he would have contacted the HOA Secretary to call him she would have got the bike and given it to the officer because she went down there. That's why they believe that no one has answered the call because the bike was still there. There is going to be a Retirement Celebration for Rocco Besednjak at Family Day Ministries on June 25th. Rocco is retiring from the police force. He was an outstanding officer and we want to celebrate him as much as we possibly can. When we had our budget meetings, Tom it was mentioned that your rough estimate was about \$700,000 worth of paving this year; do we need a special line item to set aside some additional dollars to make up the Municipal Aid Funds that are not going to be there because of the lower gas taxes. Tom LaFollette: That would be excellent. Gloria Taft: Is that something the Council and Mayor could think about since we're doing budgets now. We need to get some of these roads paved and I don't know how much Municipal Aid money is going to come in. The forensic audit, is that going to keep moving or is it almost done? Donna Burke: They've requested some items which they have been given and there are more items that are forthcoming. Gloria Taft: Mayor have they found anything at all? Mayor Hockenbury: No. Gloria Taft: Should we put a deadline on this? Donna Burke: I'm on the Committee and I'll voice that in an email that we have a deadline that we want to shoot for; July 1st. The Alpha Way Committee met on the 16th and I gave a status report to each Council person. Currently the original estimate was \$3.75 million and the original contract was \$3.39 million. With the change orders and beavers, we had to relocate the current contract total is \$3.69 million. We are approximately 75% complete and we are on track for June completion of Alpha Way. We now have moved into a new scenario with AT&T having their main fiber optic line that we had to cross and we had to cross it to do the road. We thought AT&T would wait 4-5 years to want to redo this one mile of line they are coming back now saying they would like to do this project as soon as possible. The original estimate by AT&T our portion would have been \$395,000. The new estimate from AT&T our portion is \$172,400. We are splitting the cost of this with the State because the State will be crossing the fiber optic lines when they put in the new interchange which is schedule for September 2018. The Committee made an affirmation to say yes, we need to go ahead a let the Mayor sign a contract allowing AT&T to bid out this project. The gentleman from AT&T conferred to Qk4 that all the bidding has been coming in under budget. That is moving in the City's favor. The road is still, with the addition, within the original cost estimate that the City was given by WMB for the project.

Mike Hibbard Sr.: A couple things, they are small dollars but to me it's the transparency and the procedures. Tom, on the Lowes account is that pretty much from your Department or can any of them use it? Tom LaFollette: It would be me making the purchase; I have the card. Mike Hibbard: This is small by many of the other purchases we've had in the past but the last billing that was paid was a total of \$165; there are just a couple items on there, one all the individual charges on that, does that look like an automated invoice that was sent? Not each individual receipt from their Corporate. Tom: We've gone through this before. Mike Hibbard: There was a charge on there for \$49.18 it shows the purchase but nowhere could I find that dollar amount charge to any Department. Tom LaFollette: The way that they do their billing is we go there and make a purchase a couple times a week. We're going to get one invoice; that one invoice may show a total for both of those receipts. Mike Hibbard: My concern on that one is there was the charge apparently approved but it doesn't show up anywhere. It was a purchase on 4/11. There is a ticket on it but I did not find that dollar amount showing up on any of the Department's line items. The last one was a purchase on 3/29 for \$40.42; there is no receipt attached and it that dollar figure does not show up anywhere in any Department's expenses. I can recall when I first started getting these those charges were approved at the Department level and shown which line item to charge it in. It was all written on there. I presume that was at the Department level. But they seem to be regressing. It wasn't on the VISA or this last month.

Lisa Carter: Tom, I see you got the cable put up for the Park. Who closes that in the evening and what time? Tom LaFollette: We are going to have the Police Officers close it at night. Lisa Carter: They are not closing it as the present time. Tom LaFollette: Not currently. The signs just came in on Friday. We did not want to close that cable without a reflective sign. The last thing we want is for someone to run through it. Lisa Carter: I was there Friday night at 10:00 and it was still open and there was a lot of vehicles in the

parking spots in the front. I was just curious. We talked about getting a new wrought iron gate for that area. I would like to scratch that; we've got the two roads going in to the Park, First Street and you circle around the gazebo and circle back out; I was wondering if we might be able to take into consideration instead of spending \$4800 for one gate, getting an estimate to put across the left side come across the first road, First Street, put a gate, continue to the other road and put another gate so we could lock the whole front of the park up. Tom LaFollette: We are limited on what we can block due to Bluegrass Saddle Club. We have to allow them access. Lisa Carter: Could we give them access with a key to get in that gate as needed? Tom LaFollette: That street is still a City street as well. Mike Hibbard: Are they normally there sometime when the Park is officially closed? Tom LaFollette: Yes. They are liable to be there any time of day or night. Lisa Carter: I was thinking instead of purchasing one gate for \$4800 I was thinking we might go all the way across and we could provide them with a key for them to be able to access. City Attorney Sholar: Here is part of what you have to be careful of about the Saddle Club. They put on shows so there is liable to be 200 people in there and although you could give them a key and I'm sure they would say okay but you can't expect them to take on the obligation of policing it afterward and seeing that everybody is out of there when they shut down at 2:00 in the morning because sometimes when they have a horse show it's liable to go way up into the night. And the other thing you are going to have to consider First Street is First Street it's not Park Street. It's a City street and as long as it's a City Street and an open City street anyone has a right to go up and down it. Lisa Carter: I had someone call me about the road behind the Stouts building. Bonnie Enlow: That's not actually a road. Never has been a road. Lisa Carter: I don't know if anybody has noticed that but there is a lot of really bad deep ruts. Bonnie Enlow: People shouldn't even be driving back there because it's not a road. If we could find out who owns it they need to have a sign put up "Private Property".

Donna Burke: Tom, you had mentioned about the damage that was done over at the Park, were you able to find out any information through investigation? Tom LaFollette: At this point we have not. The only thing we have is a name we tried contacting and no return information. Bonnie Enlow: Have we got an estimate yet on damages? Tom LaFollette: No. It's mostly going to be labor. A time and material type thing. Donna Burke: We have a Traffic Study Committee meeting tonight and we're pretty much in the negotiating stage with key people along Keystone and Conestoga so we are on track with being able to try and go forward with that. We are waiting on getting finalization with our negotiations so that we know how to proceed with some key parties along that way. Our next meeting for the Traffic Study Committee will be June 12th at 5:30 prior to the next Council meeting. I wanted to bring up something about a Non-Profit Organization tonight that is here in Bullitt County. I'm President of it and the reason that I'm bringing it up is because it is a non-profit that due to a dwindling in involvement is seriously considering dissolution, it's the Bullitt County Arts Council; we support all arts and artists in Bullitt County; it's a volunteer 501c(3) organization and we encourage anyone that is interested in the Arts to participate or support the Arts. We've got various divisions which include literary arts, arts and crafts, performing arts which might include dancing, theatre, visual artists which include photography, 3-D art, any kind of visual art painting, sculptures. We have a Junior Arts Council, we hold a Gala once a year that actually raises funds to be able to give \$1000 scholarships to each of the high schools in Bullitt County for anyone who is interested in furthering their education in Arts related fields. As I mentioned we have a dwindling in number and participants and I just would encourage people; we are going to have a meeting on June 1st at Dance With Steve and Donna at 6:30 and if you can get the word out to anyone who has any interest in the Arts, they are taking it as a fund out of the schools; we try and give money to someone that is interested in pursuing a career in Art. We actually have the auditorium at Bullitt Central that the building of that was facilitated by a former artist that settled in this area, Miss Troutman. Funds from her will actually made it possible for that auditorium that has been used by the Arts Council for theatre programs, Dancing With The Arts that some of you may have participated in. It's a very good organization that we've got too few people that are able to maintain it for how far we have gotten at this point. I'd hate to see it die so get the word out to anyone that's interested.

Stacey Cline: I went to a Graduation Party at the Community Center/Rental Hall and the person that rented it was very impressed. She said it was extremely clean which I have to give kudos to whoever cleaned it. A couple things we are doing that I wasn't aware of is we give them a checklist, they have to sign it; it's pretty lengthy checklist and I was impressed. One of the things is there are a bunch of lights that need to be replaced. Also, the back door if you walk in the back door to the left has vines growing through the door. As

for the forensic audit, I don't think we need to put a time frame on that right now until we get the receipts that they are asking for. I'm not on the Committee so I'm just saying if they are not getting or we can't get what they need ... Donna Burke: I can find out what they are doing with knowing the cap of \$10,000 how much longer are we expecting that to last. If they are not going to go over \$10,000 period and to allow them the time they need to be able to receive and review what they've received.

Bonnie Enlow: Bob, I know that we had talked about the program that they want you to upgrade to for the City financials and we had talked about that before. My question did you go look at any of the programs anywhere yet? **Bob Ryan:** I had a conversation with a lady named Betty Pendergrass; I was in Lexington at the Governmental Accounting Seminar, she at one time was CFO of Bardstown and now has her own business helping government and I asked her in your capacity do you look into what programs City governments might use. She started asking me questions and she was surprised at the huge thing that Shepherdsville doesn't do that other governments would do; they do their billing for property taxes, utilities, all franchises, intercity cable, etc. so there is a lot of billing and collection that is generated in other cities that we don't do here. The water company does the billing and collection for the sewer; the Sheriff's Department and PVA do the billing and collection on the property taxes; now we do collect for vehicle tags and insurance premium tax all collected in Frankfort by revenue and they send it down so there is a lot that other cities do that we don't do here. She asked who did our audits, she was familiar with Smith & Company and we are going to get together and ask what are your recommendations. I did send information to another company but haven't received a response yet. Still in the process of gathering information. **Bonnie Enlow:** When we did the budget did we budget anything for that? **Bob Ryan:** We did. **Stacey Cline:** I thought they last thing we had was you and Gayla were going to go look at something in Bardstown. **Bob Ryan:** We were but as you know they just came through a rather tumultuous situation in Bardstown. The plan was to see a girl there and the person under her was going on vacation and she was going to contact me. I can reach out to them again tomorrow. **Bonnie Enlow:** On property taxes that the County collects for us; when those are delinquent does the County go after our taxes too when they go after theirs that are delinquent? **Bob Ryan:** I can't answer that question. **Bonnie Enlow:** Can you find out for me? **City Attorney Sholar:** I don't think they do. When I was County Attorney we didn't. **Bonnie Enlow:** Who in the City takes care of that? **City Clerk Richmond:** We need to get with Myrtle with the Sheriff's Department and get an answer to your question. **Bonnie Enlow:** Who in the City right now would be responsible for watching for that? **Bob Ryan:** That would fall under my jurisdiction and I have not contacted the Sheriff's Department on what is outstanding and not been collected. **Bonnie Enlow:** Is that something you can delegate to somebody else to make it their responsibility; I know you have a lot to do already with everything that you are doing for us but we need somebody to be dedicated because this is revenue that we are not getting and we don't really know what we are not getting. **Bob Ryan:** I can start the initial investigation. **Bonnie Enlow:** I would appreciate that because that's more money that you'll have to work with to help us with what we're doing. The same goes for the occupational withholding tax. I know that comes under you too. **Bob Ryan:** Right now, I would say that John is actively involved because when he's going out and making sure people are licensed to do business and the next inquiry is do you have employees. He makes sure people are paying their occupational license and set up to pay withholding. **City Clerk Richmond:** Margaret keeps a pretty good eye on that. She keeps delinquents in front of her and pursuing them. **Bob Ryan:** One day last week the Mayor gave me a list of maybe 15 items/questions that the forensic auditor was asking me. Of that list, he has received at least 12; everything was either scanned and send or an excel spreadsheet was created. That went out Wednesday of last week. **Donna Burke:** Bob I wanted to ask you, we knew you were going to go down and look at the software there but there was discussion that you may not want to actually go one on one to somebody and try and get a cost because that would jeopardize that company in being able to put a bid in. He was looking at their system but not actually approaching a company to find out a cost. **City Attorney Sholar:** There is nothing illegal about going out to this company asking what do you charge for this kind of stuff. Before we start entering into an agreement with somebody, if it's going to be over \$20,000 and it's not a professional service it must be advertised and bid unless it's under a State contract. **Bob Ryan:** All I'm doing with these other cities when I get into it, what are you using; are you satisfied with it; what kind of support do you have. Generally, software is software. They might have bells and whistles here and there but what is important is when you are down how quick do they respond. It's all done as an educational trip. **Bonnie Enlow:** Garbage contract, we were going to put in on the Agenda and it still hasn't happened so

what's going on there? Mayor Hockenbury: What about meeting with the water company. Does anybody have any input on that? City Clerk Richmond: I'm waiting on a callback from Tonya. I haven't heard back from her on setting up a meeting date. Gloria Taft: We still have to bid the Ordinance and bid the process. City Clerk Richmond: I sent Ordinances over to Walt with some changes. City Attorney Sholar: I can review them you all have to determine what you want in it. It would be inappropriate for it to be Walt Sholar's garbage ordinance; it needs to be the City's garbage ordinance and you all need to determine what you want in it. Tammy has written some stuff up and made recommendations that somebody besides me have to determine from an internal standpoint is this what this City wants i.e. as far as the billing goes. My advice to you would be that you don't need to be in the position that you're saying that anybody could make any kind of mistake about whether or not you are in the collection business unless you decide we're going to get in the collection business. All these questions I'm hearing asked about is anybody collecting this ... that sounds like we don't need to be adding more stuff in that the City needs to collect. Bonnie Enlow: Can you send us a PDF on what you just sent him so we can all review it and send our ideas back if we have anything that we want different so that we can get this rolling because we really need to get it done. I think if anybody has any ideas that we send them back to the Mayor and Tammy and let them look at it, clean it up and then we can send it out one more time to get approval because we just have to get it done ASAP. One last thing, we're doing an Ordinance book that we're doing for the City, do we have something similar for Resolutions consolidated so that when we have Resolution we can look them up? City Clerk Richmond: As far as a chronological listing? No but I can get one made up; it won't be that difficult.

Gloria Taft: When I spoke with Code Enforcement and Scott Fleming during our budget meetings I asked about the software that Code Enforcement, John is using. I was told last week we were going to get him up on CityWorks and Crystal Reports. Bonnie Enlow: He can't do it until he has the right computer. He can't get on it. Gloria Taft: I know he's using his own software. John Bradley: It's Microsoft that we've got license to. Mayor Hockenbury: It's the City's Microsoft software that he's using.

City Attorney Walt Sholar: I received the contract that AT&T has proposed. I'm reviewing it and will get it back over to the Mayor's office by the end of next week. In my brief look at it it's not for a dollar certain; everybody needs to remember. AT&T has set out an estimate. They will set the estimate in the contract; the contract calls for us to agree that we will pay whatever the cost is and we'll do it within 30 days after they send us an invoice at the end of the project. Gloria Taft: In the discussion with the Committee we wanted to tell AT&T we will pay up to their estimate. City Attorney Sholar: That is not what their contract says. Gloria Taft: If you can adjust that. I think we need to lock them in and not give them free will to spend as much as the City's money as they would like too because that is not in any of the discussions. City Attorney Sholar: I wasn't in any of the discussions but somebody needs to negotiate that with them then. All I'm looking to do is interpret the contract. But it is not for a set sum it's an estimate and we are agreeing. They are not asking for any money up front but if we sign this agreement that they sent over it's going to require that within 30 days after they submit an invoice we're going to pay it. My point of bringing that up right now is just to point out it will be back to the Mayor and then you all will need to vote to authorize the Mayor to sign such a contract before my advice to him would be to go hang himself out there that he gives them a blank check. I suspect AT&T are going to try and get it done as economically as they can but they are saying we're not going to give you a price. Gloria Taft: That is not the discussion the Committee had with Qk4 so I'll send an email to Albert. City Engineer Arthur Jones: During the Committee meeting it was stated that whatever the bid came in at we were responsible for half with AT&T paying the other half. Gloria Taft: I wanted it to say up to the estimated price because I don't think it's a good idea just to sign a blank check to anybody because that's not good business. That's not the intelligent way to do things. I want to lock it in.

Mike Hibbard: I just wanted to make known here, earlier in the year when Bob made comment about the change in the software possibly on the accounting and that could lead to changes in the hardware, I just simply asked Bob a few days after that meeting if he thought the QuickBooks software we were using did everything we needed to do. I know there were some concerns in the audit. Donna Burke: That hasn't the issue. The issue with QuickBooks is the fact that not being able to go back and change things. Mike Hibbard: Did this software allow for everything that we needed done to be done at which point he said yes and he had already changed that to where it would accomplish that.

Tom LaFollette: There is one thing I forgot to mention, no one is here tonight from Drug Court; last Saturday we had 41 of the folks that are in Drug Court come to City Park and they spent about 4 hours with us. It cost the City \$800 but for \$800 we bought all material and supplies needed. We painted our gazebos, pavilion, parking polls, we trimmed all the bushes, cleaned up a ton of stuff over there. They did a phenomenal job and I just wanted to let everyone know.

Donna Burke made motion to Adjourn. Lisa Carter 2nd. Motion carried 6-0. Meeting adjourned at 8:49 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk