

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, May 8, 2017**

Pastor Mike Miller, Family Day Ministries 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 4/24/2017 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 4/24/2017 Regular Meeting. Gloria Taft made motion. Mike Hibbard 2nd. Motion carried 6-0.

Old Business: City Attorney Walt Sholar had second reading of Ordinance 017-230 setting the salaries of the Mayor and Council Members of the City of Shepherdsville. Bonnie Enlow made motion to approve. List Carter 2nd. Motion carried 5-1 (GT).

New Business:

City Attorney Sholar had first reading of 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. Let me point out first you do absolutely have to publish it in the newspaper and it can be whatever the City Council has set out to be done; if not I would urge you to consider setting it by a City Council order as to when you all want to do those. Typically what I'm used to doing is hold your public meeting at the first reading, give anybody in the public the opportunity to speak on the matter because that gives the City Council the opportunity to contemplate and think about whatever the public has had to say for the period of time before the next meeting when only the City Council discusses it; it's not open for public discussion or comment at the second reading but the City Council has had the opportunity to consider what the public has had to say for that period of time and not have to rush to hear it and five minutes later vote on it. Donna Burke made motion to proceed with that format in the future. City Attorney Sholar: On this Ordinance, the one on Abbott Street and the one dealing with 30 acres it will continue with the past practice and you'll hold the public hearing at the next regular meeting. Bonnie Enlow 2nd. Motion carried 6-0.

City Attorney Sholar had first reading of 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.

Bonnie Enlow made motion to repeal the motion to allow the Public Works Department to take over the Community Center. Donna Burke 2nd. Motion carried 6-0.

Discussion on the fees for use of the Community Center/Rental Hall and the Municipal Building followed. Mayor Hockenbury: I spoke with the Mayors of Hillview and Mt. Washington today and their Community Building and Rental Building they do set a fee for it basically what we are looking at but it's quite a bit more; but their municipal building they say it's more of PR (public relations) so they don't charge for it because it's

more of an open-door policy. City Attorney Sholar: I don't disagree with that so long as if some organization is using this room it I can come walking in to it and participate in whatever it is they are doing then I think it's okay. But if I have to wear a particular hat to come in, or do whatever to go in, or pay money to go in, then I do not believe it would be appropriate to allow that organization to use this room exclusively for their purposes. Rates are as follows: **501c(3) Tenants:** \$50.00 per month or \$12.50 per week with \$75.00 key deposit; **Shepherdsville Resident:** \$50.00 Monday-Thursday; \$75.00 Friday-Sunday with \$75.00 key deposit; **Non-Shepherdsville Resident:** \$125.00 Monday-Thursday; \$175.00 Friday-Sunday with \$75.00 key deposit. No money will be returned until the building is inspected. There will be no charge for use of the Government Building or Gym but there cannot be admission charged to any event held there. Mike Hibbard made suggestion to refund the key deposit each calendar year and accept a new one so that there is no mistake; so anybody who has it on a long-term basis can't come back and say they never got it back. Donna Burke made motion to set the rates as discussed for the Community Center/Rental Hall by Municipal Order. Bonnie Enlow 2nd. Motion carried 6-0.

Discussion followed and it was agreed to schedule Budget Workshops on Saturday, May 13th beginning at 10:00 a.m. to continuing until finished.

EDA Director John Snider was present to address the Council in Executive Session regarding a local business expansion. (Reference KRS 61-810(1)(b))

Daryl Lee, Planning & Zoning Appointee: No report

Duane Price, Board of Adjustments Appointee: No report.

Sign In Speakers:

James Poyner: I was here about a month ago and got the Lease Agreement that we're still hashing out; I think we've just about got it done. When I was here two weeks ago I asked about the dates; I have submitted a letter with the dates we would like to put in there with approval by the Mayor and Council. You asked us to have a key deposit and I think I asked you before, I wish we had a key to keep. I know you have been reluctant to do this. It is a real headache for us to keep coming to get a key every week, sometimes twice a week. I'm not saying I will be over there every day it would just keep myself and my wife from coming over here every day. Same way with the Cub Scouts. I wish you all would reconsider.

Claude Puryear: For ten years now we're had a problem in our neighborhood (360 Circle Drive). If I rent a house and turn it into a junk yard what can be done about that? Code Enforcement has tried to do something about this and it's getting worse every day. It started out a couple years ago as a rental house and it has turned in to a mess; it's got boats, four wheelers, you name it it's back there and the driveway is full and now they are putting them next to the street in the easement. It's not getting any better. This morning you couldn't even get through because they had a trailer with cars on it. I think all the Ordinances need to be looked at and combined in to one where if you rent the property you go after the renter. He's the one that is making the mess over there. Mayor Hockenbury: We are working on a couple of them.

Department Head Reports:

Major Todd Johnson: Reported that the Chief had left the monthly report in everyone's box. Basically, all he wanted me to convey to you was our numbers for April. Total offenses were 91 for the Police Department; total accidents 53; total arrests 113; total citations 34. We had a total calls for service of 973. You will notice that our citations are down from March; in March, we had a mini grant for traffic details and we didn't get that in April, that's why you'll see a big difference in traffic comparison. Mayor Hockenbury: Have you noticed any spike in the heroin. Major Johnson: It seems like, I'm going to say, 80% of our calls are related to heroin in some form or fashion; whether it be overdoses or theft. Mike Hibbard asked about vandalism in the Park.

PW Foreman Tom LaFollette: It wasn't really vandalism per se; what happened was there was an unscheduled event that took place Derby Day on the Frank E side of the Park. These folks, 40-50 of them chose to drive around our barrier and park in our grass. Of course, we got 1-1/2 to 1-3/4 inch of rain on Saturday. When they left, they decided to drive through our soccer fields and our soccer folks were not very happy because they couldn't play soccer; not to mention they had a bunch of pit bulls there running around so the soccer folks decided it wasn't safe for their kids to be there playing anyway. We have signs everywhere that says not to park in the grass which should have been common sense but these folks were there from approximately 8:00 a.m.-2:30 a.m. Saturday night. The Park is supposed to close at dusk. It wasn't a Derby party it was like a dog show or something. The only thing I can think is they meet every now and then with their pit bulls. I think that is what it was. On Saturday there is a contractual agreement that the Y has that for soccer. Those folks happened to be over there to see if the rain was going to shut them out and that's when they noticed all this taking place and started sending me pictures. Mayor Hockenbury: I guess I'll ask our Police Department to go through the Park and if they find anybody parking on the grass to ask them to move. Tom LaFollette: The Mayor has pictures. Mayor Hockenbury: They weren't peeling out or anything it just so soft. Tom LaFollette: It was just so saturated they shouldn't have been there. Again, the signs say no parking on the grass. I took a picture of one of the vehicles and 41 feet away from the vehicles he passed a sign that says no parking on the grass. We have the license plate so we can figure out who they were but after talking with Pete today I'm not sure what type of legal ground we have unless it's some sort of a civil case apparently. City Attorney Sholar: It will be up to the County Attorney whether he will go forward with it but if I drive past this sign that says no parking on the grass and I go ahead and park on the grass that's disregarding a traffic control device and that's an offense under the Commonwealth of Kentucky Statutes. That's subject to somebody being written a citation whether it be a police officer or somebody else going down and taking a criminal complaint at the County Attorney's office or just any number of ways to bring that matter out. Does the fact that there is a photograph that shows that somebody drive 41 feet past the sign, maybe, does that establish beyond a reasonable doubt that they saw the sign. The reason that we tell people to post their property because nine out of ten trespasses that I prosecuted over 25 years they would say I didn't see the sign. So we put the signs up where we can show a judge that you can't get on the property without going right past a no trespassing sign. Whether the case can be made or not I don't know. Tom LaFollette: At this point they've done thousands of dollars' worth of damage over there and of course we don't have the manpower to clean this up. We're two people short. Not to mention the City shouldn't have to bear that cost to rent a piece of equipment to go out there and try to straighten this up. Lisa Carter: On the gate that was torn down in January, have you all budgeted money in your budget to replace that. Tom LaFollette: I budgeted it last year too. City Attorney Sholar: Let me suggest even if you can't afford to put the gate up right now a long chain doesn't cost very much and stretching a cable or log chain across there and putting a padlock on it would be nice. Tom LaFollette: I suggested that with the last Council and they voted that down. They didn't want that. Gloria Taft: How much is a gate? Tom LaFollette: \$4800. Lisa Carter: It's a wrought iron gate. Tom LaFollette: They are 36' across. Donna Burke: If it was budgeted last year why has it not been done. Tom LaFollette: I think we're over budget because of taxes and different things so we're not looking to spend a lot of money on things like that. Bonnie Enlow made motion to purchase a chain and lock until the new gate is purchased and installed. Lisa Carter 2nd. Motion carried 6-0. Tom LaFollette: Law enforcement usually locks the gate at night; we unlock it every morning at 6:00 a.m. Carol Lee: Another big problem we have at the Park, we walk every day, people are bringing their pets in and they don't clean up after them. Mayor Hockenbury: Are there signs up that say no pets in the park? Tom LaFollette: I think we have 7 or 9 of them in the playground. Carol Lee: They are all over that park. Mayor Hockenbury: Maybe we need signs that say pick up after your pet. Tom LaFollette: Yes. City Attorney Sholar: Are the dogs on or off their leashes? Tom LaFollette: All the above. City Attorney Sholar: There is a County Ordinance that says you can't have dogs unleashed. Lisa Carter: If we put the chain up, I know the one gate is there, can it be closed shut and have rods that go down into the ground? Tom LaFollette: That gate also has issues because when they hit it with a car it actually ripped the one off of the wall and bent the other one where it doesn't work properly either. Lisa Carter: If we put that chain across there is going to be someone that is probably going to hit that chain, can we put some orange barriers. Tom LaFollette: We were told that what we need is signage on the chain in order to put it up there. Bonnie Enlow made motion to purchase a chain and lock until the new gate is purchased. Lisa Carter 2nd. Motion carried 6-0. Stacey Cline: What do we do about the people that did that to the park? City Attorney Sholar: I would

suggest that you talk with the folks at the Police Department to investigate it as far as they can as to who that was. If we've got a license number and can figure out who that is that's not enough to take a complaint but it's enough to investigate and go talk to that person. Tom LaFollette: We had an officer over there speaking with someone on Sunday. City Attorney Sholar: He may have made notes as to who it was and start trying to figure it out. Somebody saw somebody drive out there and do that. Start with old fashioned talking with people and making notes; determine who did it. Tom LaFollette: They also left three pickup trucks full of garbage. Mounds of garbage. Gloria Taft: Where was our Police Department. If the Park closes at dusk that 4 or 5 hours before 2:00 a.m., why were they not evicted? Why were they not moved out at 9:00? Tom LaFollette: There were two people who spent the night there. I've got no problem putting up more signs if that's the answer; we've tried putting them up, they run over them; take them down. We get a lot of vandalism over there. The chain will be up tomorrow. Carol Lee: In Florida, there is a \$500 fine if you are caught walking your dog and not cleaning up behind it; maybe we need to put up a sign saying that too. Mike Hibbard: You said you should have estimates on repairing the roof, have you got those estimates yet? Tom LaFollette: I do. We think it's really really high so we're getting a second estimate. One so far is all I've got, \$57,000. Mayor Hockenbury: I went to the Rental Hall Saturday and walked through there and I notice three leaks there. When you go up in the attic there are two leaks and one more leak in the very bottom of the main part of the Center on the wall in the northeast corner. It would be nice if they could look at that at the same time and fix those three leaks there. Lisa Carter: How large is that building? Tom LaFollette: Mine is 6100 square feet. Bonnie Enlow: Is that to tear off the old and put on the new? Is that roof going to be insulated as well or is it metal? Tom LaFollette: It is insulated. The reason they have to tear it off is because it's metal so it all has to come down. Gloria Taft: Is that something we should bid out? We should put an ad in the paper and have it bid out. City Attorney Sholar: If somebody came in with an estimate next week and said \$21,000 so we think that's a great deal, so much less, we can't take it. You have to do an advertisement. You can solicit information without bidding it but you cannot spend one penny over \$20,000 without putting it out for competitive bid.

City Attorney Walt Sholar: John is here and wanted to go into Executive Session to talk about Economic Development (KRS 61.810(1)(b)); Bonnie would like to discuss a Personnel matter (KRS 61.810(1)(f)).

Gloria Taft: Where are we with our Forensic Audit that's been going on since November? Mayor Hockenbury: I got contacted today by Jonathon Eaves, I wasn't in the office, I returned his call and missed him. He has presented some questions from the Committee for me to direct toward Bob, Tammy and myself. Tax season is over with so they are not busy so it's full steam ahead. At the next Council meeting I should have some information. Gloria Taft: You may not know but are they still within their \$10,000 limit? Mayor Hockenbury: That's what I was going to remind them of. To this date there has been nothing found. Gloria Taft: There was a semi stuck underneath the railroad track at 480C, did any report on damage to the tracks, were the tracks found to be alright by CSX? Mayor Hockenbury: I checked and they said there was no damage. The train traffic was stopped for a moment; the engineers got there and there is no permanent damage. No work had to be done on it. Gloria Taft: Tom, you and I talked about drainage in Dogwood. Would you get back with me on that in the next couple of days with what you found? The budget that you've given us; other than attempting to save paper is there a reason that this format is completely different than the format I've received in previous years? City Clerk Richmond: That's what we gave me to give you guys. I don't know why the change.

Mike Hibbard Sr.: John, did you get my email today in reference to the trailer? John Bradley: I did, I looked through the Ordinances and from what I found there is nothing to cover this situation. Mike Hibbard: I just wondered because I drove by there after a citizen contacted me about it and it looked like something was hooked up, either water or electric, but I didn't see anything for waste disposal hooked up unless they are towing it someplace else for that purpose. Major Johnson, since you're taking the heat for Chief McCubbin tonight you might want to relay to him there will probably be some more questions; the way I understood it an officer patrolled through the Park while these people were there? Major Johnson: I don't know that. I know what I heard, yes. Mike Hibbard: I thought I heard that they were approached by one of our officers and I would have thought at the time, they weren't there until 8:00 or so I figured by dusk being around 9:00 ... Mayor Hockenbury: We have a good person for it, he is the Patrol Commander, he runs the Patrol

Division so it's good he is here so he can tell all four platoons that this can't happen in the Park again. Mike Hibbard: To have someone say we had to haul off three pickup loads of garbage, they did damage to the Park itself, they were there after hours. Major Johnson: Another thing about the Park too, we're talking about a chain and gate, you guys do realize once you chain and gate that there is still an access to that Park. We're tried everything to do something with that too as far as barricading it but they always find a way. The broken gate is on the First Street side but if you go back the drive to the Saddle Club you have access straight to it. Stacey Cline: Can you put something up there? Major Johnson: We've tried and I say we I wasn't part of it; they've put big rocks there, dirt, and they always find a way around it with their big trucks. As far as finding something to put there actually I don't personally who owns the Saddle Club. Stacey Cline: Can we call the Saddle Club and ask them about putting something up there? City Attorney Sholar: If their property borders up to us at our property line we can put something up. Stacey Cline: That's not going to help it because it's really wide. Major Johnson: We've been fighting this for years. City Attorney Sholar: A low seated camera that would pick up a license tag. You can pick that license number up and start prosecuting somebody; if we get an Ordinance on the dogs, somebody sitting out of uniform in a car watching somebody and slap one \$500 ticket on them, word would get out about that pretty quick. Nobody will like doing that but that will start changing people's attitude. Major Johnson: We do have some cameras in the Park; I don't know if they are still there or not. Tom LaFollette: There are four over there. Major Johnson: I don't think any of them at that access. Mike Hibbard: I know it probably won't be an easy solution. It seems like an awful lot of damage for everybody to miss. Major Johnson: I'll get with Chief McCubbin and get back with you. Mike Hibbard: Scott, going through some payments in the sewer section it shows there that you're using internet at one provider and phone at another; business wise it may be different I understand, so many of us are used to a bundle plan with one and I just wondered if anybody had looked into that or was it feasible or not? Scott Fleming: We have looked in to it and unfortunately part of the plant is on LG&E and part is on Salt River Electric. Same with the internet service there, part of it is on Windstream and the other half is on Spectrum. Mike Hibbard: If you can get one through Time Warner why can't you get both? Scott Fleming: It's going to be extremely expensive to run it over to the lab building. The lab building and the SCADA system in on Windstream currently.

Lisa Carter: We did have a Beautification meeting on Thursday and we talked about some of the things we want to do; seeing if some of the businesses wanted to adopt certain areas in the City to maintain shrubs and bushes. Everybody had some great ideas and I hope at the next meeting we can sit down and really get to work on it. I'm going to try to get a line item in for beautification and see if we can't get some funds for beautification here in Shepherdsville.

Donna Burke: We had our Traffic Study Meeting tonight and we have the design that was prepared by Qk4 for the Conestoga going around by Panera and we've got some negotiations that need to take place so we're going ahead and looking into the rest of the proposed improvements that are needed for the traffic study that had been done. Our next meeting will be next Monday night. They are going to respond to one of the proposals we have about the Conestoga rerouting and then we will be able to talk about that next week. I wanted to open up conversation again on the Community Center as I had occasion to use it this last week and as we are not going to be charging for that we probably need to be prepared for what we will or won't be providing in that building such as, if we are not providing toilet tissue or paper towels then we need to alert people that are planning to use the building that they need to bring some. Mayor Hockenbury: She still tells them the same thing; also about cleaning up when you are done. Donna Burke: Toilet tissue and paper towels are something you would expect to be on hand as well as trash bags. People just need to be aware that they need to bring it. Mike Hibbard: Can we put in a minimum stock like one package of toilet tissue, so many paper towels and after everybody is done using it they should be replenished to that level. Donna Burke: I had someone that brought up a concern in a subdivision where there is someone who is a beekeeper that the bees are going in to the neighbor's yard. Bonnie Enlow: They are in the County.

Stacey Cline: Arthur, I've got a question about Old Beech Grove Road. The Marshall's property, do you know what is going on with that property? Tom LaFollette: It's been working well. It's been flowing well, it's not washed out, we're over there at least 2-3 times a week checking on it. Arthur Jones: What we've done is put that on to monitor so we can figure out how much we're getting or not getting... Stacey Cline: But it's still

eroding? Tom LaFollette: It doesn't appear to be. Stacey Cline: Can you call the Marshall's and talk to them because they didn't call me today somebody else did. I know the Watkins, he called me today and said that nothing had been done and it's not flowing right. So I'm just making sure you all call the property owner.

Bonnie Enlow: Another thing I had, back to the Community Building, we didn't mention that employees will have to pay now too; according to KLC they have to pay as well. We can't offer it to them free anymore either. They will get it at the resident rate.

Donna Burke made motion to adjourn to Executive Session. Walt Sholar: To talk about Economic Development is KRS 61.810(1)(b) and to discuss Personnel matters KRS 61.810(1)(f). Stacey Cline 2nd. Motion carried 6-0.

Gloria Taft made motion to return to Regular Session. Donna Burke 2nd. Motion carried 6-0.

Mayor Hockenbury reported there was no action taken in Executive Session but we do have a motion of a Resolution.

Donna Burke: We had a presentation by the Bullitt County Economic Development Director who is working with a company that is going to expand their existing industry and they are requesting an occupational tax abatement to qualify for their State Incentive. They are going to be creating 24 new jobs at an average rate of \$13.65. They have 71 employees and they do pay occupational tax but they did not request an incentive on those 71 employees 1-1/2 year ago so they are not asking for any incentive on existing employees so since we are a non-enhanced County the Company has requested a reduction of the occupational tax to .5% for ten years in order to receive the full 3% tax benefit from the State of Kentucky. I make the motion that the City of Shepherdsville grant the Company a reduction of 1% for ten years to assist in the location of this new project. Bonnie Enlow 2nd. Motion carried 6-0

Bonnie Enlow made motion to Adjourn. Mike Hibbard 2nd. Motion carried 6-0. Meeting adjourned at 9:37 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk