

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, June 12, 2017**

Pastor David Rose, Impact Church, 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 5/22/2017 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 5/22/2017 Regular Meeting. Gloria Taft made motion. Bonnie Enlow 2nd. Motion carried 6-0.

Old Business:

City Attorney Walt Sholar had second reading of Ordinance 017-233 "City of Shepherdsville, Kentucky Code of Ordinances". Bonnie Enlow made motion to approve. Donna Burke 2nd. Motion carried 6-0.

New Business:

City Attorney Sholar had first reading by Summary of Ordinance 017-234 an Ordinance authorizing the issuance of a General Obligation Development Revenue Note, Series 2017 (Road Project) in a principal amount not to exceed \$3 million to acquire, construct and rehabilitate certain roads in Shepherdsville. Second reading will be June 26th.

Mayor Hockenbury: The next two items on the Agenda, I want to thank this Council and myself; we spent 8-9 hours on a Saturday at a Budget meeting to get this Budget in line. With that said in front of you Council I've given you my Mayor's Message. I'll address any questions from you at this time. Gloria Taft: Are we going to have another Budget meeting to be able to together go over all the changes that were made during our 8-hour meeting? Bonnie Enlow: I think we can still have our first reading today but we still need to have another Budget meeting before we go into the final vote for this.

City Attorney Sholar had first reading of Ordinance 017-235 adopting the City of Shepherdsville, Bullitt County, Kentucky, annual Budget for Fiscal Year July 1, 2017 through June 30, 2018 by estimating revenues and resources and appropriating funds for the operation of City Government.

City Attorney Sholar had first reading of Ordinance 017-236 adopting the City of Shepherdsville, Bullitt County, Kentucky, Sewer Operation and Maintenance Budget for Fiscal Year July 1, 2017 through June 30, 2018 by estimating revenues and resources and appropriating funds for the operation of the Sewer Department.

After further discussion, it was decided to hold a Special Meeting Budget Workshop on Tuesday, June 20th at 6:15.

City Attorney Sholar had first reading of Ordinance 017-237 relating to the mandatory pick up of garbage within the City of Shepherdsville. As we go along with this I'm going to suggest that we determine what Ordinances we have in the past dealing with garbage and we specifically lay them out in this Ordinance as being repealed.

City Attorney Sholar had first reading of Ordinance 017-238 renewing the Exclusive Franchise for the collection and disposal of garbage and refuse and provide for sale of said franchise in the City. Strike Section 13. The City Council when it passes this Ordinance will have to determine what date you want it to become effective which has to be after the date of publication. Mike Hibbard: Where will the three postings take place? Is the *Pioneer News* considered one? City Attorney Sholar: Put it on your website but you need to put it at three physical locations. Suggestions were to post: here, the Community Center, Post Office, Annex.

City Attorney Sholar read Resolution 2017-17 adopting the 5 Year County Area Solid Waste Management Plan 2018-2022 Update. Donna Burke made motion to approve. Bonnie Enlow 2nd. Motion carried 6-0.

Discussion followed on AT&T Reimbursement Agreement for fiber optic line. Gloria Taft: At the last meeting I passed out an Alpha Way D& H Communications estimate on construction costs was just over \$172,000 down from the original estimate of \$395,000. Mayor, we had talked that you and Walt were going to look at the Agreement from AT&T and put in language about making this \$172,407 the maximum amount that they could come back to the City for. Walt do you know if that got written in to the Agreement? Has AT&T been contacted about this Agreement? City Attorney Sholar: I have had no conversations with AT&T. Gloria Taft: I do not want or would never ask this Council to give an un-ended amount of money to AT&T. With that contract from what the Mayor has told me it says there is no cap on the amount of money that could be contracted if we sign that agreement without a cap on our money that gives them an open checkbook and that's not good business. Can we give language written into that contract and sent back to AT&T that says this \$172,407 will be the maximum amount of money that the City is willing to agree to? City Attorney Sholar: I do not have that contract in an electronic form and it's a pretty lengthy contract so what I would suggest someone do, whoever has been negotiating with AT&T. As you recall somebody presented that contract to me to review and I pointed out to you all that no this says that whatever it is AT&T gets to get it back from us. Somebody needs to be talking with them if you want that changed and find out if they will in fact change it or not. Gloria Taft: Do you want to do that? Do you want me to do that? Mayor Hockenbury: Who were we talking to about that? Gloria Taft: Qk4, Albert Zimmerman, John Snider; I can go back to them and make the statement that the open-ended Agreement is not in the best interest of the City. Mayor Hockenbury: If you would; just tell them that we don't want to have an open rubber stamp. If we say we will agree to pay the \$172,000 and it comes in at \$160,000 they will say they are going to pay the \$172,000. We want to pay up to that or a lower amount. Gloria Taft: I will work with Qk4. City Attorney Sholar: In fairness to AT&T it didn't say that if it actually cost \$150,000 that they would want the \$172,000. They said the actual cost; they don't expect it to be above the amount they talked with you about but it clearly says in that contract that whatever it is we're going to pay it. Mike Hibbard: Is that \$172,000 our half; weren't we splitting this with someone? Gloria Taft: This is our half and we are splitting it with the State because Alpha Way crossed their fiber optic line once and the State will cross the fiber optic line again when they build the new Interchange.

Daryl Lee, Planning & Zoning Appointee: No report

Duane Price, Board of Adjustments Appointee: Not present. Called into work.

Sign in Speakers:

Larry Clark, 240 Stevens Drive: Addressed the Council about a claim he turned in about his neighbor at 210 Stevens Drive.

Carole Lee, 141 Cherokee Court: Addressed the Council thanking them for getting grass cut on North Maple and asking to keep it cut for safety purposes. John Bradley: The City cut it and will put a lien on the property. City Attorney Sholar: Don't count on that. I've not seen anything that authorizes the City to put a

lien on the property and the City just can't magically put a lien on it. There has to be an Ordinance that authorizes the City to put a lien on the property and to do that the City is going to have to provide some means by which people have a right to challenge that prior to the lien going on or something along that line. We can draw up an Ordinance but I've not seen anything right now that makes it where somebody can come over to my office and ask a lien drawn up and put it on that property.

Steve Larimore, 185C Michelle Drive: Addressed the Council regarding City taking over streets in Heritage Hill. The main single-family home areas had some paving done; down in the Patio Homes we haven't had anything done at all. We have no sidewalks in our area. By the road being uneven and deteriorating it is causing an issue for some residents.

Bob Ryan: David Strange with Smith & Company has agreed to do the Audit again this year. Mayor Hockenbury: I reached out to him and he was glad to accept that yearly contract again; he sent a contract over that has a space for the Mayor to sign and a place for a Council Member to sign. City Attorney Sholar: A Council member does not sign. The Executive Authority of a City lies solely with the Mayor. The City Council has no authority to sign contracts.

Mayor Hockenbury invited everyone to the Alpha Way Ribbon Cutting Ceremony on June 22nd at 5:00 p.m.

City Attorney Walt Sholar: I'm going to suggest we go into Executive Session to discuss litigation.

Lisa Carter: Is there any talk about putting a retaining wall/ concrete structure by the Patio Homes behind the High School. Mayor Hockenbury: It's in the Plans at District 5 to put a sound barrier there. Lisa: Changing bulbs is street lights? What is the time frame to have a bulb installed in a post? Mayor Hockenbury: I have a late watch police officer on night shift mark lights he sees out and Carmen calls them in to repair. Lisa: Back to grass cutting, I would like to know how mows or trims the grass in between the guardrail and Taco Bell? Tom LaFollette: That is a State right of. Lisa: Do we think Martha Knox might get any of her folks out to do that? Tom LaFollette: That's very possible. But they haven't responded to the City well in getting help. The County keeps them pretty tied up right now. Lisa: Mayor how many job applicants did we have for the Public Works job? Tom LaFollette: We had 29 applications. Lisa: Has that job been filled yet? Tom LaFollette: It has not. Lisa: Last weekend in City Park we had the Pow Wow and there were a lot of campers over there. Do they charge for those spots they park the campers on? Mayor Hockenbury: They take donations. Lisa: Did we make any money from there? Bonnie Enlow: We've never gotten any money. It's always been the way it is. The money they take in supports putting the program on. They are not making any money off it. Lisa: During our budget workshop, we discussed the mapping of our City to be completed within six months. Has there been any talk of that? Arthur Jones: We talked about doing that in six months once the budget is passed.

Gloria Taft: As everybody can see the Beech Grove Bypass is alive and well. There were some items that the City purchased for the Alpha Way project that because we changed the last 300 feet were not necessary and Arthur they were supposed to be delivered to your area last week. Arthur: They have yet to be delivered. They are still out at Alpha Way. Gloria: Since you've got a good working relationship with Hinkle or do you want me to talk to Jeremiah about getting that done in the next couple days. Arthur: I'll take care of it. Gloria: You also spoke to a couple people about the drainage at Reichmuth and Lakes Edge Drive, are we putting any effort into alleviating that drainage; is there anything that can be done; is it something you want to have a meeting with me tomorrow because these people are calling me and expressing that the City is doing nothing about drainage that has been flooding their basement. Arthur Jones: There is a private property issue and I told them we would be more than happy to be able to lend a hand whether that be from an organizational standpoint or be able to assist them in getting together with their Homeowners Association. I want to go through some educational stuff especially where drainage is concerned over the next 6-8 months so people understand our position and ability as a City what we can do and what can't do and that is a great project for them to get involved in. Gloria: I want to say thank you to Troy Beam and the Tourism Centre for helping to get some small signs out there to help direct traffic to I-65 because if you've been out there to 480 and Buffalo Run it's now a right in right out only and the State has

built a barricade there and the Tourism Commission purchased some signs that say to 65 with arrows until the City's official signs come in.

Mike Hibbard: I think we need to address at the next meeting; we had back in February two Resolutions with the same number and through a couple of Amendments or changes in the Agenda one of them got dropped off but it states here that it was taken care of and passed at that meeting; it had to deal with signatures at the bank for police accounts.

Donna Burke: We had the people from The Pointe that were in at the last meeting and there were some things checked into as far as The Pointe; the Mayor, Mike and I attended the Bullitt County Homebuilders Association meeting where we were able to find out some information who was over that construction in order to be able to research it further and the Mayor gave me the number for the person at LG&E who was responsible for the lighting situation and what we found out with that because the lights are underground there is not any way that they can do anything to put lighting up until that construction is over but in speaking with the people who are over the construction they have put sawhorses out there and also put a border around that area where they were having some issues with people some that had ridden over into the ditch, they put a barricade there. They seemed very concerned and wanted to be helpful with the issue out there. We over anticipated a community event that was put on by three churches in the area and had several people come out and enjoy bar-be-que lunch, Family Worship Center, First Nazarene Church, and Impact Church were involved and I helped set up entertainment for the event. It was nice. I wanted to thank *Pioneer News* for putting a notification in the paper over the issue I addressed about the Arts Council. We did have several more than normal that attended the last meeting and our decision on that non-profit is that we are going to be working to see if we can get the 7 positions we've got of Board Members filled by the year end. If we don't then we'll discuss even stronger about dissolution but it's hopeful we'll get the people to fill those positions.

Stacey Cline: I got a call about a pumping station in Settlers Gap where Benny Hadley's daughter lived and they put a fence around that pumping station so there is no roadway to that. The grass hasn't been mowed this year. The property owner was told that somebody from the City was going to get back in touch with them but nobody has ever contacted them. Arthur Jones: Scott Fleming and I were out there last week to set up a meeting with the property owner for 1:00 on Wednesday this week to discuss easement and road pulling in. We've got money in the budget to do that project. Stacey: Are they able to put a fence around that it's the City's property. They enclosed it in their property. It's never been like that. They didn't even ask permission to do it they just fenced it in. City Attorney Sholar: What I would want to know is do we have a written easement authorizing us to get to that pumping station and if we do and they have blocked our getting to it then we have good standing to have a court tell them they have to remove that; if they won't remove it voluntarily. If we don't have an easement then we have bigger problems. Arthur Jones: We do have an easement coming from both sides; currently we are trying to decide which path we want to take. Stacey: What protocol do we have for mowing grass for the City? Do we have a schedule that we mow? Tom LaFollette: If it's a City owned property yes; if it's not a City owned property it has to go through Code Enforcement. Stacey: How many people do we have mowing grass for the City? Tom LaFollette: Three. Stacey: Is it just rotated between those three in what grass we're going to mow? Tom LaFollette: Weekly we have schedules that we try to maintain. The Park and City Hall are our first priority; everything else falls behind that. Stacey: What are we doing about our drug testing for our employees? What's our protocol for drug testing? Mayor Hockenbury: It's random. City Clerk Richmond: It's set up through BaptistWorks, they pull the name to Dan, Dan contacts the Department Head to send their people. Stacey: I'd like to see the money kept in the City of Shepherdsville because we're going to BaptistWorks; we've got three places here we could easily use and keep the money here in the City. Chief Troutman: Are they open all night? If we have a need to send someone per policy right then. Stacey: You can make exceptions for that. I'd like to keep that money in the City; I don't know how the other Council feel about that. Does the employee know the day before and drive themselves there? Chief McCubbin: You don't notify the employee until they show up for work.

Lisa Carter: How many mowers does the City own? Tom LaFollette: Five. Lisa: We're only using three of them to mow. Have we hired any part time seasonal help to help mow? Tom: Don't have it in the budget currently. Bonnie Enlow: How many people are in Public Works besides you and Pete? Tom: Five. Stacy Cline: Who mows grass? Tom: Mark, Mike, Josh. This time of year, we have one guy spraying for mosquitos at night so he's out; we have another guy running a weed eater, picking up and putting out signs, we're two short.

Bonnie Enlow: Thanks to the Police Department for all the good work they are doing. I monitor the Police and Fire all the time and I hear how much you all are going out and I hear both of your dispatch times and how fast you are responding and I don't think our Police and Fire get appreciated enough for what all they go through. They put their lives on the line every day.

Mayor Hockenbury asked for a motion to go into Executive Session to discuss litigation and pending litigation. Donna Burke made motion to go into Executive Session. Lisa Carter 2nd. Motion carried 6-0.

Gloria Taft made motion to return to Regular Session. Donna Burke 2nd. Motion carried 6-0. Mayor Hockenbury stated no action was taken.

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

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk