

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, August 14, 2017**

Pastor Mike Miller, Family Day Ministries gave the invocation and led the Pledge of Allegiance

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 6:32 p.m.

Mayor Hockenbury asked for a motion to dispense with reading of the minutes from the 7/24/2017 Regular Meeting. Donna Burke made motion. Stacey Cline 2nd. Motion carried 4-0-2 abstained because they were not present at the last meeting. (LC, BE)

Mayor Hockenbury asked for a motion to approve the minutes as written from the 7/24/2017 Regular Meeting. Gloria Taft made motion. Stacey Cline 2nd. Motion carried 4-0-2 abstained.

No Old Business

New Business:

City Attorney Walt Sholar opened and read bids to award the garbage franchise (bids were received from Republic Services: Residential Single Family 4-year contract \$9.70/month for year 1, \$9.79/month for year 2, \$9.99/month for year 3, \$10.19/month year 4, commercial rates available at City Hall, no curbside residential recycling; Waste Management: \$9.95 per household, commercial rates available at City Hall, 18 gallon recycling bin \$3.50 per household; Eco-Tech: \$14.95 residential curbside collection, commercial rates available to City Hall, once a week recycling with an Eco-Tech container \$6.00/month. Rumpke sent a statement with notice that they were not submitting a bid this year. The information from each bid will be tabulated on a spreadsheet and distributed to the Council along with copies of each bid.

Assistant Fire Chief Terry Whittaker stated he had sent information to the Council regarding the request to surplus Samsung tablets no longer being used by the Fire Department. Donna Burke made motion to surplus. Gloria Taft 2nd. Motion carried 6-0.

City Attorney Sholar had first reading of Ordinance 017-239 amending the City of Shepherdsville, Bullitt County, Kentucky, annual budget for Fiscal Year July 1, 2016 through June 30, 2017 by estimating revenues and resources and appropriating funds for the operation of City Government.

City Attorney Sholar had first reading of Ordinance 017-240 amending the City of Shepherdsville, Bullitt County, Kentucky, annual budget for Fiscal Year July 1, 2016 through June 30, 2017 by estimating revenues and resources and appropriating funds for the operation the Sewer Department.

Mayor Hockenbury stated the Ordinances just read under the Council's direction is to change the carry over balance. We were advised to start the balance at zero then you only spend what you bring in in revenue. We amended this budget to show the carryover and we're probably going to do this with the current budget.

City Attorney Walt Sholar: Expressed his concern about starting a budget with a zero balance. It has been determined that it needed to be straightened out so that we have a more accurate picture of what the City's financial shape is and that is why these Ordinances are being amended. As far as amending past ordinances, I've never been involved in amending Ordinances but in conjunction with advice from accountants and CFOs with the Kentucky League of Cities and to get a better transparent picture of what the City's finances are it's been determined that we do need to amend that 2016-2017 budget so this

Council, the City and the people of the City have an accurate picture of what the City's finances were and have been.

Stacey Cline suggested to let the Sign in Speakers come up and speak first on extending hours for sale of alcohol. There were several people who spoke in favor of extending hours and several people opposed to changing the hours.

Daryl Lee, Planning & Zoning Appointee: One zoning request coming to you between Lowes and Game Stop; they have asked for a zoning change there they want to put in a mini storage facility (1000 units) with the restriction of no outside storage; received favorable recommendation from the Planning Commission.

Duane Price, Board of Adjustments Appointee: Not present.

Sign in Speakers:

Larry Clark, 240 Steven Drive: Present again regarding his neighbor. Mayor Hockenbury stated he had spoken with this gentleman about this situation and feels it is resolved and this is a closed case. Mr. Clark also reported a pothole on Steven Drive in front of Angels Truck and Trailer repair that needed repair.

Steve Larimore, 185 Michelle Drive: Stated he was looking for an update on the matrix for the roads. He has also been contacted by the new developer that bought the development rights and he plans to start construction on more units in our area soon as we don't want to get in the same situation we are in; when they come to get the building permits please get a surety bond for them to make sure everything that needs to be done gets done. He stated he still a safety issue with the roads. Where they will be working and building is not where we have the problem new where the road drops off so we still have to get that done and I think that your Ordinance requires that your developer post a surety bond there is not an issue. There is a construction road that comes in to our area that is not a City street, it's simply there for construction and we closed off. There are looking at putting in 12 new units in the next 6-8 months. I would like to see this matrix on the roads. I've got 24 families asking questions and I'll be coming back asking you every two weeks to see what the status is.

Police Chief Rick McCubbin: I see you got the monthly report that I gave you. Things are fantastic with all the improvement we've made at the PD. We are putting a street crimes unit out; September 10th is our target date. Some of you have met our two dogs. We've got the officers selected that are going there. We've filled those positions; I have new officers one is here, one is coming in two weeks so we will be at almost full capacity. We will be hiring one from the lateral list that we are working on now and we will be up to 32 people.

Public Works Foreman Tom LaFollette: Asked to go into Executive Session to discuss land acquisition.

Community Planning & Development Director Faith Portman: Reported on the first Farmers Market; thanked everyone for coming; had great response. I also want to give a big shout out to Tom LaFollette for all his help; Bullitt Septic Service donated a restroom for the day. I also wanted to remind you that the 29th is ice cream with the Council, a meet and greet type event, 6:30 at Greater Good on 44 and our first annual Christmas/Craft Fair is set for November 4th.

Bonnie Enlow: I did want to say a positive thing that this Council has managed to do as you see we have several on opposite ends on the alcohol vote and you notice we're not fighting with each other over it. We all agree to disagree on somethings. We're still friends. This is something some previous Council's haven't been able to do and I really want to show my appreciation to the Council that we know how to disagree without being juvenile about it. The other thing, you all know I lost my husband. I want to thank the Police Department, Fire Department, Public Works and Sewer for all the cards and flowers. The Fire Department especially for the beautiful flag display, that was very emotional for me and my family to see that honor. You need to hug your loved ones because it's hard losing your best friend. I'm very lost without him but I appreciate all the support.

Stacey Cline: Had a question on the new garbage ordinance; if you own a business and have a dumpster you are exempt from having residential pick up. City Clerk Richmond: It is still in the Ordinance like that.

Donna Burke: Had my first Family Time Karaoke; didn't have a lot of people but those that did come had fun and my reasoning behind that was there are a lot of people that like to karaoke but don't want to go do a bar to do so. The next one is going to be September 22nd at the Community Center. Stated there will be a Job Fair at the Government Center in the Gym on August 24th from 10:00 a.m. to 4:00 p.m.

Lisa Carter: Had several questions. I had a citizen call me asking if there were cameras in the park; if they worked and do we keep the recordings. Chief McCubbin stated there are cameras in the park. Tom LaFollette: There are probably 8 or 9. Mike O'Donnell would be the best person to speak to as far as what they are looking at, and if they are recording. Lisa thanked Mr. Larimore for asking about the street paving. Lisa asked about taking over Beechwood Estates roads. Has that been done? Scott Fleming: We have had some discussion with Mr. Porter and we have requested some information from him. Lisa thanked the Mayor, as most of you know we have a Beautification Committee and I am the Chair of that and I have been asking for items that are around the City to recycle, reuse, trying to save some taxpayer dollars; there was a black wrought iron gate at City Park that had been run through and we've asked if we can have that gate so we could refurbish that a little and take it to South 61 there is nothing down there that says Welcome to Shepherdsville so we thought we could repaint it and have a new sign made with some curbing and landscaping. We did get a \$500 grant from Troy Beam at the Tourism Commission. The Sewer Department has some old manholes over there and we didn't know if they would have to be surplused or not. Scott Fleming: That stuff has already been surplused in the past and was left over that no one purchased. Lisa can we as a City and Council Beautification Committee can we un-surplus them to use for our beautification? City Attorney Walt Sholar: If it's City property going to be used by the City it doesn't have to be surplused. Lisa the plans for those is to take them to the park plant trees and flowers in them and use the high school students to do some painting of those concrete connectors. I think that would break the park up; get some color over there and the flowers are up off the ground so they guys don't have to weed eat around them. Lisa, Terry I talked to you and Layne earlier about when the burn season begins. Does it begin in November? Deputy Chief Terry Whittaker: There is a state forestry season but there is also the federal non-attainment area that Bullitt County falls in. There are really two seasons that go on at the same time. Our Fire Marshal would be more accurate in addressing that because to be honest it confuses me and I've been around here 30 years. Lisa: My plan there was we want to clean up over beside the Taco Bell and 44 where it's all grown up and we had talked earlier about cutting it and taking it to the farm and burning it and they said that was a no no. They said that we could possibly burn on site. Terry: There is a provision in State law for agricultural work to be able to do that. Lisa: I would like to find out if we can do that in November; Saturday November 4th have a cleanup day and get the Boy Scouts involved, some of the high school students, some Council members then jump over to Wendy and clean that area up. Lisa: The other item I have is for Stacey, you and I had talked about it before I went on vacation about some property on Salt River and 480. Did they get their permits? Bonnie Enlow: They do have their permits now. Scott Fleming: They had their permits but they were not in compliance. Lisa: Are they going to have to put in a retention basin in where they are filling all that property so it doesn't flood those neighbors in that area? City Engineer Arthur Jones: Once we get the site plan I'll be able to address the issue as far as drainage on the others but they are not allowed to export any more water than they are currently exporting at this point. Lisa stated earlier in January we had discussed some issues with the crosswalks at Bullitt Central, I had asked the Mayor and Police Department when we had our budget workshops in May if we could put some money aside to get those crosswalks for the safety of our students as well as our citizens and I got happy news today that we are going to get those. It's going to be a little bit longer than I wanted but those are in the works. The last item Lisa Carter made motion to place a line item for beautification into a restricted account so we know that money stays for beautification. We did receive \$50,000 in our 2017-2018 budget year. I just want to make sure we spent it very wisely. Donna Burke 2nd. Motion carried 6-0.

Mike Hibbard: I wanted to touch a little more on what Bonnie has already mentioned. I think a lot of you see that even though we don't always share the same ideas on something we respect each other's opinions and the right to state those. I've sat out where you are in previous years and not seen that type of cooperation; I

really enjoy being here. The second thing is tonight we've seen some Ordinances read, some business brought up so it will take a little bit of time to digest and think about to see how we want to proceed with it and I'm glad that also this Council doesn't just jump the gun we sit and think about things. Most of the time an additional two weeks isn't going to make a big difference in things. But haste sure can have its cost and effect. Also, the idea that we can all come together as a Council; some of us working on it, getting involved in clean up days, participate in it; not just authorize it but participate in it shows we want to work with the Community and not just sit here and tell somebody what they can and can't do.

Gloria Taft: I would like to see the Heritage Hill neighborhood and Steve's neighborhood moved to the top of the matrix for paving. We received a lot of letters from people and Steve is here continuously and a previous Council did promise to get their roads done. We purchased Crystal Reports for our computer system. Can you tell me if Code Enforcement is using Crystal Reports? **Scott Fleming:** He not yet, we're still doing implementation on the Admin side. **Gloria** asked about City information being kept on an employee's personal computer. **Arthur Jones:** What should have been communicated to you is he programmed the access database that he was using but all the data is saved here on the City's server. All information as far as Code Enforcement is concerned is within our data base. **Gloria:** We talked about moving the garbage bill to the water bill or the tax bill. The City Clerk sent a note stating LWC would like to meet in September before they could possibly do anything. If we wait until September to meet with Louisville Water again we've missed the opportunity to add it to our tax bills. I would like the Council to consider before the next meeting how we want to handle people paying for their garbage bills. **City Attorney Walt Sholar:** If I might point out you're considering contracts for four years to collect garbage and the contract says they are going to collect it themselves. Frankly, before you enter that it might be a good idea to try to speed Louisville Water Company up and make that determination because somebody in the garbage business should be looking at that a whole lot different in terms of what it is going to cost folks because if the water bill is going to contain the garbage and the water can be cut off if they don't pay the garbage bill. **City Clerk Richmond:** I got an email from Matthew Friday with a list of questions that need to be answered. **Gloria:** We just need to know if they can or can't put it on the bill. Also since the new amended budget has been read and we have money sitting there I'm making a motion to transfer \$300,000 from the general fund and/or operating fund to the Emergency Reserve Restricted Account that currently sits at \$525,000. **City Attorney Sholar:** One clarification, the amended Ordinance that was read is 2016-2017 budget. My understanding is there should be one coming that is amending the 2017-2018 budget there may yet still be funds. Your motion with regard to that may be well taken but there wasn't anything read tonight concerning the budget that is in force currently today. **City Controller Bob Ryan:** If \$300,000 were taken out of the general fund right now and set aside as restricted I would be ... I don't know the words to use about paying two months from now. If you take \$300,000 out of the general fund I can't be responsible. **Gloria:** That shows that the City last year spent more than it brought it and it was a good thing we had some reserve sitting aside or the City would have over spent all of its revenue. I don't want the City to do that again. I don't want money sitting out there and it be spent without being accounted for. **City Controller Ryan:** That's what I do. That's how you got your road paid for without borrowing money. **Gloria:** You account for things I understand that. But money that was set aside was spent above and beyond what was brought in last year and that's what we're trying to fix and figure out now by amending last year's budget. **City Controller Ryan:** You don't reduce the revenue three months in to the budget year. **Gloria:** When could I reduce it; six months? **City Controller Ryan:** Not unless you going to reduce your allocated spending. Last fiscal year the Council said here is x number of dollars to spend; three months in to the year they took money away out of revenue. We started out with a dollar to spend and three months into the thing said here's 90 cents, make it work. **Gloria:** The City still spent more than it brought in that fiscal year. **City Controller Ryan:** It tapped in to reserves. **Gloria:** I know and that's what I'm trying to prevent again without coming before Council; so, the Council knows that the money in reserve is being spent not finding out after the fact. **Mike Hibbard:** I think those are issues that need to be discussed among members of us to get everyone's input. I think there is going to be more exchange of information needed. Motion dies for lack of second. Discussion followed on setting a date for a special meeting to discuss the proposed amended budget for last year. **City Attorney Sholar:** I understand that several people spoke with the people at KLC today and my office spoke with KLC today about this. This is the first time in my life I've ever heard somebody amending a budget that's already over. That budget is gone and done. To have a budget that you put an arbitrary zero amount I don't understand where that came

from and I understand the City was advised to do that but I've never heard of that. Here is the thing, that budget is done. Whatever you're talking about using monies that are there today that is going to need to be dealt with and the budget that was passed here by this Council a few weeks ago needs to be amended because it's my understanding that it too has an arbitrary fictional zero amount. According to KLC's CFO they recommended that it's a good idea to amend that one for informational purposes. It doesn't change what the City has. The budget that the City is operating under and must operate under right now is the budget that was passed a few weeks ago by you all and that one needs to be amended. From a legal stand point I'm not concerned about that one. I am concerned about this one because currently the City is not operating in an appropriate fashion because it's dealing with a budget that was passed with a fabricated zero start. Regardless whether you have a second reading and pass it or you have a second reading and don't pass it the funds that you are talking about that need to be accounted for that needs to be dealt with; if all the funds that are out today they need to be accounted for and dealt with in an amendment to the budget that was not brought up today and need to be brought out as soon as possible. Bonnie Enlow: Last year's budget I understand we can't do anything about that but we do need to look at what supposedly was left from last year, what we need to do with this year and make sure all our numbers match. We really need to work on this year's budget and get it corrected. Gloria: In order to do this year's budget properly we still have to start by fixing last year's so we know where we start. If we don't know where we're starting we can't continue on. City Attorney Sholar: Okay but if you're looking at it in that fashion you need to go back to whatever year it was to when you were told to use a zero carryover you need to go back to there because those were wrong too. Gloria: We can't fix 17-18 until we fix 16-17 and we have to show by law where the money came from that was spent over and above the money that was brought in. Bonnie Enlow: Before we have this meeting, we need to get copies of the budgets from 2011 on so we can start looking at them so that we can come up with what we need to discuss at the meeting then we hold the meeting. City Attorney Sholar: I think you are doing the right thing by talking about having a special meeting, you are going to need Bob and you need to meet all as a group. Discussion about setting a special meeting date was discussed. No date set at this time.

Mayor Hockenbury asked for a motion to adjourn to Executive Session to discuss land acquisition (invited Tom LaFollette and Faith Portman to speak on this subject) and litigation. Donna Burke made motion. Lisa Carter 2nd. Motion carried 6-0.

Gloria Taft made motion to return to Regular Session. Lisa Carter 2nd. Motion carried 6-0. Mayor Hockenbury stated there was no action taken in Executive Session.

Bonnie Enlow made motion to Adjourn. Lisa Carter 2nd. Motion carried 6-0. Meeting adjourned at 10:34 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk