

**CITY OF SHEPHERDSVILLE  
CITY COUNCIL REGULAR MEETING MINUTES  
MONDAY, JANUARY 22, 2018**

Councilwoman Donna Burke 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 6:30 p.m.

Donna Burke made motion to dispense with reading of the December 11, 2017 Regular Meeting minutes. Stacey Cline 2<sup>nd</sup>. Motion carried 6-0.

Gloria Taft made motion to approve December 11, 2017 Regular Meeting minutes as written. Donna Burke 2<sup>nd</sup>. Motion carried 6-0.

Donna Burke made motion to dispense with reading of the December 27, 2017 Special Meeting minutes. Stacey Cline 2<sup>nd</sup>. Motion carried 5-0-1 against (GT).

Donna Burke made motion to approve December 27, 2017 Special Meeting minutes as written. Bonnie Enlow 2<sup>nd</sup>. Motion carried 5-0-1 against.

**Old Business:**

City Attorney Sholar had second reading and public comment on Ordinance 018-253 a rezoning request by Southwest Lancom LP to rezone property from R-1 Residential to IL Light Industrial. The property in question is 0.392 acres, more or less, listed as Parcel 037-SE0-01-006 and is located at 1804 S Preston Hwy. Donna Burke made motion to approve. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0.

**Daryl Lee, Planning & Zoning Appointee:** No report.

**Duane Price, Board of Adjustments Appointee:** When Dixie Hwy Development #3 LLC brought this before us last week they said they had been working with the City of Shepherdsville. There are nine branches in this zoning to make this thing go; if it does go, this is all just future plans for this property located at Keystone Crossings Drive/Conestoga Parkway which is right behind you. If this goes through there will be three restaurants and a bank.

**Sign in Speakers:**

**Jeff Sievers, 199 Second Avenue:** I want to see if the City has been addressing the issue of increased traffic on 480 and I-65. An example, last Wednesday morning I sat right at the old Barn Yard gas station I sat through five greenlights. I realize there was down truck or an accident over by the truck stop. People running that light and backing up the intersection then when the light changes we have to sit there. I realize we love the industry in the area but when this project got going did we think the traffic through and is there any way we can get either sync up the lights a little better; southbound traffic trying to get on 65 don't have a chance to make a left-hand turn. On the way home that night traffic was backed up at the exit coming off 65 south two to four miles. By the time I get on top of Salt River Bridge there is an accident; now we have emergency traffic trying to come up on the shoulder and traffic stopped in the middle because people don't want to wait two or four miles back so now the middle lane is stopped. I understand a few years ago the City owned some property over by KOA; they were wanting to make a walk park a while back to join up at different areas; can we not use that to make an off way to get rid of some of the Mt. Washington traffic or Bardstown Road traffic or get them on 44 and relieve some of that? Also, when we were redoing 61 why didn't we come up with an off ramp to relieve some of the I-65 traffic because some nights it's backed up farther than the first Shepherdsville exit.

Mayor Hockenbury: What happens in that situation is when the Police or someone tells me about it I call the State Transportation Department and let them know the light is not cycling right. I'll give him a call myself tomorrow. Also, it's a State Highway right of way but there may be help on the way because there is a project to redo 480, a diamond round about underneath there that might be let in November of 18 or 19, the same time as the entrance/exit ramp 114-1/2. Mr. Sievers: I noticed about three weeks ago there were a couple maybe County trucks with their yellow lights sitting there early in the morning observing traffic patterns. I just wanted to know if we were looking at that or were going to be addressing it. There has been an increase in accidents here lately in that area.

#### **Department Head Reports:**

**Public Works Foreman Tom LaFollette:** One thing I would like to mention is now that the new bypass has gone through Old Ford Place we've been getting a lot of calls about that development on the right, Oak Grove. When that development originally went in we or whoever at the time would have approached that development basically it was a one way in one way out. All the signage, stop signs, speed limit signs, no parking signs, etc. would all be in that manner. What we're currently doing is we now have a development that is no longer one way in same way out. We have to re-approach that development as coming in from the Bypass, so we have to look at adding new signage to make sure that we're appropriately putting the signs in place. I know the Police Department is getting a lot of calls on speeders and different things but there is not a lot they can do without appropriate signs so we're probably going to be looking at \$400-\$500 worth of signage to go back through there to change things around. I wanted to make you aware of that. And I wanted to let the Council and Mayor know we're moving forward with the purchase of the property that we had talked about some time ago that the Council approved. We are meeting them tomorrow.

**City Engineer Arthur Jones:** We've got a couple projects in the mix right now; many of you guys are already aware of that; the manhole rehabilitation that just went out that will be coming up in the next few weeks; also, the sewer line along Blue Lick that is getting read to go out for advertisement. In addition to that you've got your fire station that is getting ready to go out with cemetery relocation as well as all the improvements and renovation of Public Works. All those projects right now are currently on the books. If anybody has any questions about those feel free to contact me. Otherwise we're in the good! Donna Burke: Are we any further on the grid thing that was being done to show the priorities on repairs that were going to be made? Arthur: In regard to? Donna Burke: I had somebody asking about repair of their street on North Peak and I thought we were putting something together that would give a priority on repairs around the City that were needed to be made. Arthur: When it comes to small repairs, patching of potholes, whatnot like that, Tom LaFollette will take care of that in Public Works on an as needed and prioritization basis. When it comes to a larger project as far as resurfacing 1000 feet or more roadway then that would come into our matrix that we talked about.

**Code Enforcement Officer John Bradley:** When we were salting roads last Friday night I had the pleasure of going by 360 Circle Drive. There were about 17 or 18 pictures out and they came out on me screaming that they are all in him name and they work. I still need a number of what you all deem suitable for cars at a residence because this is getting ridiculous. Another thing me and Walt had a meeting Thursday and I'm to the point where I'm just going to repeal the old ordinances and go forward. I got the Code Enforcement Board typed today, hopefully I'll get that to him the end of this week or first of next week.

**ABC Officer Jerry Pile:** Over on Buffalo Run is a new Mexican restaurant that has opened up. They advertised they were selling alcohol; I went over there, and the manager said he didn't know exactly what he was doing. He's going to eventually sell alcohol and he's got an attorney handling his license and all that but at this moment he is not selling. He's got his menus covered up where alcohol is featured. I think everything is okay, but it is advertised that he's selling but he's not.

#### **Council Comments:**

**Gloria Taft:** Mayor do you know if the check for the truck that the Fire Department sold was received and if it was received was it deposited into the restricted account for the Fire Department? Chief Troutman: We got the check and turned it in to Bob Ryan and he was supposed to put it in that account. Gloria: On the November financials I noticed in September Council voted to move \$100,000 a month through December, four months,

into the emergency reserve account. None of that money has been moved. Can you make that money move to where it is supposed to be since Council voted 6-0 to do that? Mayor Hockenbury: We don't have anybody that can move it until we have a Controller. If you would bring that to my attention I'll make sure it's done. Bob left a note of things he does in his normal job that you all approved, and I've got that typed out for the new Controller. I will try to email that to you all and you can let me know if anything else needs to be added to it. Gloria: Still on the November financials. I notice there are a few lines that are over the 100% in spending. Since we went with a published line item budget those line items that are over in spending are illegal. Can you please work with your Department Heads to stop the spending in these line items that are already over budget? We have one-line item, 5232 in the Police Department, that was during budget talks that line item was deleted by the Council and Police Chief and there is a significant amount of spending in that line item if you could research that. The last payment to City Hall was in November, I know it takes a while to get the deed but I'm kind of excited to see the deed saying that we've paid this building off. Have we received it yet? Mayor Hockenbury: No, but we'll check on it. Gloria: Last year we didn't get our bid on our street matrix done in time; when will we submit for bids to from the blacktop companies? I know we need to get in soon otherwise we are going to be behind the eight ball again and possibly not get some of our roads repaired next year too. Would that be directed at Tom or Arthur, you? Arthur Jones: Right now, it depends on how much Keystone Crossroad is going to absorb of that money because we're not just going to do Keystone Crossroad we're also going to integrate Conestoga and Adam Shepherd and a portion of 44 along with that. That may consume all of that funding that we have because truly we only have enough money to come out of the base plan 1000 feet of the 20 or 45-foot roadway. I'll have to run those numbers for you to be exact. We need to wait for that project to go before we delineate exactly how much funds we then have available for the rest of the blacktopping the City needs. Gloria: When Mr. Ryan was here the Council voted to have all of our funds moved into one or two bank accounts. I don't think that got done because he ran out of time. However, I do know that he received documentation from the banks stating what they could do for the City. I think it should be the Council's decision whom the City uses for our banking. I don't think it should just be solely on the shoulders of the Controller. I don't know if any Council person has seen any of this documentation. I would like to see Council have copies of the documentation showing us why Mr. Ryan decided to use one bank over another. Mayor Hockenbury: We'll look tomorrow and see if we can find something for you. Gloria: What are we going to do for December reports? I know we're without a Controller at this particular time but is there any reporting that the Council can get as to where we're at from the Treasurer? I know she is limited. Mayor Hockenbury: No. I will ask her. Bonnie Enlow: If anything, she could print a check register. That would be a simple print out. City Clerk Richmond: One of the reasons she didn't do the bills tonight is because the bank statements have not been reconciled. That makes a big difference on what you are going to see so she didn't do any of that yet. Gloria: Whatever she can get us would be helpful. I would like to start a discussion or at least a thought process on bidding out the audit for the 17-18 fiscal year. This is the second year in a row the current firm we are using was late by over a month and that's in violation of our own City Ordinance. I know it's a conversation that is going to have to be bid; we've got to look and get someone sooner rather than later or all of the good firms are taken and spoken for. I don't think being late two years in a row should be acceptable and we should continue with this current firm. It is my understanding that you are in the interview process with the candidates for the Controller? Mayor Hockenbury: Yes ma'am. Gloria: The Housing First for Women and Children has its location. Location is close to the City center but Housing First will be working with homeless women and children in hopes to work them into being good citizens, having a job, vehicle, having their two feet on the ground and working for a better future for them.

**Mike Hibbard Sr.:** How many applications have you had for the Controller? Mayor Hockenbury: We had some, but they didn't have the requirement of CPA. City Clerk Richmond: We have four that were CPAs. Mike: We just have four that meet everything. Mayor Hockenbury: We had one interview today and we have three more tomorrow. I'd like to make the phone call Thursday.

**Lisa Carter:** Tom, do we have any room in that building for Christmas decorations? Tom LaFollette: The only thing we can do is whenever that stuff comes down is see where we can fit it in. Lisa: How about the two trees and snowmen. Will those need to be disassembled because they are in my truck and trailer in my drive. Tom: It's possible we will have to disassemble them. Lisa: There is only one tree left and then the trees that are still at the Five Stars. Will you let me know when the space is going to be available for us to drop those in? Tom:

Basically, what we'll have to do is pull up to the trailer full of stuff and figure out where we can put it; then create a path to get around it. It's really full. Lisa: I spoke to the State Highway Department District 5 last week and the crosswalk signs are in the next stage. They are going for approval through the gentleman that has a say in which signs get to go up in that area. I'm hoping within a week or so they will be getting back with us. The other thing for Beautification are the baskets. The gentleman called me; he's supposed to be getting me an invoice together for pricing on 15 baskets and that would be complete. I will bring those to the next meeting so everyone can see them. The gentleman is actually building all of those baskets, they are good in size, he will build them, get them powder coated, painted, have all brackets and everything on them and the he'll make the bracket itself to attach to the telephone poles. I think we're going to start off with 15 but I am waiting on a price. We'd like to get those over to the high school students so they can get our flowers planted in them.

**Donna Burke:** I noticed we were provided with some information on issues that we've got with getting our rent and contract renewal signed for Room in the Inn. I was approached by someone on the Board of the Library about issues that they are having with the people that are going from our Community Center over there and trying to find out what kind of jurisdiction that we've got Citywide. I reached out to Chief McCubbin and he gave me information that is actually gone beyond the Library that he's getting complaints from several people in and around the Community and that it is very apparent that a lot of the ones that are being brought to Shepherdsville being homeless are not actually Shepherdsville homeless but people from the Louisville area that are being brought out here. I'm attending a Board meeting that they are having tomorrow afternoon at the Library and am going to give them that information. I don't know how they are going to come through on the 24<sup>th</sup> to pay this but it sounds like we're in a position that we're more than likely not going to be renting the Community Center to them anymore and that might solve some of the issues right there. City Clerk Richmond: He did come in and pay for three months at 4:05 today. Donna: Never mind. I know he was going to come in and see if he could stay beyond 9:30 and it's probably because of the issues they are having with the complaints. They have actually had to get security at the Library because they are not feeling safe with the kids coming to the Library. Lisa Carter: I was at the Library one day last week and there must have been 16 teenage kids and the Security Guard had to come out and tell them to quiet down or they were going to have to leave. They were very very rowdy. Donna: It's an issue and I'll find out more when I go to the Board meeting tomorrow night. We haven't had a Traffic Study Meeting in a while because we've been waiting ongoing negotiations with Cattleman's and from what I understand from Arthur they finally accepted our information and proposal so he's going to be working on finalizing the RFP and put that out to multiple consultants. We'll be scheduling a meeting of the Committee prior to our next scheduled meeting on the 12<sup>th</sup> of February. I would like to thank our Police, Fire and Public Works for the good job they did throughout the bad weather. Whatever issues we had around the City I appreciate all your hard work. I want to try and see what date we can put forth for readdressing; I think we need to repeal but meet again over the Pay Scale. Mayor Hockenbury: I think we can set a Special Meeting for that purpose and I think if everybody could get their ideas or changes to me and Tammy then we can bring them to the Special Meeting and instead of me just looking at the head shakes we may have four choices and I'll ask who wants to stay with the first one, etc. and we all mark it out the same time. A Special Meeting was set for February 13<sup>th</sup> at 6:30 p.m. Something else I would like to see, I know typically at our Special Meetings we've had a table down there but there is information that is discussed in a special meeting that we don't get a really good feel for what got discussed because we're not getting minutes. Discussion followed doesn't give us any indication of who decided what or whatever, so we've got no concrete information to see. Gloria: Is that a workshop then? Otherwise how are we going to know what's going into everything that we want changed. Mayor Hockenbury: You have to get it to us before the 13<sup>th</sup>. Bonnie you have all those changes too can you get them to me? Bonnie: I have been working on repealing the last two so that we don't have to go through all this again I went through and did all the changes that most everybody wanted that were punctuation, spacing, him, her. We can all work from that one and anything that you find that you don't agree with and want to change we'll send all those in and go from there. That way we're not going back over things we've already done. Donna: That can be provided to us a week before? Bonnie: I can provide that to you in a couple days. Lisa: Which one are we looking at? Bonnie: This will be a total rewrite. It will be close to the last one that was done but with all those changes that you sent to Tammy and went through as many of them that didn't change; I didn't do any changes on pay because that's something you all need to talk about. The one that was provided to us at the last meeting that we voted on was so wrong. I will send the one I've been working on in in a day or two then everybody can

make their list of changes from that one. That way we're all on the same page. When I send it to Tammy I'll tell her don't save it to her computer and print it; print it from the email so that stops the changes from the formatting. If I try to take it from my email on my home computer it changes it completely. Donna: When we get our corrections which we need to get in my February 6<sup>th</sup>. Bonnie: All you have to do is make a list. Mayor Hockenbury: If everybody has a change on each individual copy as we read this one we'll mark the one we want. Bonnie: When we come to the meeting we'll vote on them. Once we have that all done I'll put it in that one and send it to you again and if everybody says it looks good we'll send it on to Walt. City Attorney Sholar: What I would suggest is put a statement at the end of it that says, "approved as to legality". That's really all you need me to do. As far as the substance of it none of my business. When you all get done with whatever it is the Council wants it to say I'll ready through it if I see an issue about that I will notify everybody and with the Mayor's okay I'll plan on notifying everybody by sending an email about any issues that I see of a legal nature and however the Council determines how to change it when it's done that's really the only input I should have. Gloria: Shouldn't it come from Tammy's computer to everybody because Tammy is the one who is going to be sending it for print. Bonnie: It will because I'm going to send it to Tammy to send out. Donna: She'll be compiling a list that will come to us before that meeting as well. Mike: Who is compiling the list? Mayor Hockenbury: It will come from the Mayor and Tammy. Gloria: When does Tammy want our changes because I didn't hear that part. Donna: By February 6<sup>th</sup>. Mayor Hockenbury: What I will do when I read those changes, if Stacey suggests something I'm not going to have her name with it I'm just going to have suggestions listed. Mike: All of this will be collectively proposed changes that we'll all vote on and come to one agreement for this existing 226? Bonnie: We're going to repeal 226 and 250 so that we start clean. Mike: Once we agree on the changes Walt will incorporate those into the new Ordinance and the other two will be totally repealed. City Attorney Sholar: I'm not incorporating anything. All I'm going to do is review the document that is prepared and review it for legality and will mark that it is or let everybody know the issues that I foresee with it. Mayor Hockenbury: We do want you to do the repeal of the other two.

**Carl Rogers**, Room in the Inn Bullitt County: I want to ask the Council, in three years of service over 11,000 nights of safe dry shelter with displaced families and homeless people in Bullitt County all volunteers being done by a network of 40 churches in Bullitt County we've never made the paper and the Council continues to run on innuendo, half truth and gossip. I have never received a phone call from anyone on this Council although my personal phone number is in yellow letters on three vans that run the streets of Bullitt County 24/7 and you've never asked me anything about anything. I'm totally available all the time but I hear lots of gossip and a lot of I heard that stuff. I tell you what people pour themselves out daily to help these people on their own dime and their own time and it's very very very disrespectful. We have a meeting with the Library tomorrow at 5:00. We're getting blamed for everything and anything stupid that happens at the Library so we're creating name tags for our folks; they will have a tag that says I am a guest of Room in the Inn. So, if those 16-17 kids acting stupid over there or anybody else in the County in our Library are acting stupid we won't get oh it's one of those people. Our numbers are incredibly strong. We have five families coming out next week in their own shelter; half of them women with children. There have been 169 in 3 years on volunteers' time helping; churches helping make this happen and it's just repugnant that we get bashed and trashed for stuff that has nothing to do with us. I'm available, my phone number is out there everywhere. If you have a question, concern, call me and not listen to your neighbor or somebody else that don't know what they are talking about. Stacey Cline: I've lived here my whole life I've been on this Council numerous times this is the first time that I've ever gotten complaints from people that have lived here that have called me and said they are scared to go to the Library; they've got problems at Mr. Gatti's, they go here they go there we have Police Officers that's actually said there have been issues. So I don't think we're making it up. Mr. Rogers: Mr. Gatti's I'm not familiar with anything at Mr. Gatti's. Stacey: I've been told that people have tried to go in Mr. Gatti's and it's all homeless. I live in Shepherdsville and I want Shepherdsville to be safe. Mr. Rogers: Pat Doctor is a Board Member of ours. He has no complaints whatsoever that I know of. Stacey: I don't think the Council up here would be making up things. Mr. Rogers: You can call and find out. Just get the truth. Let's find out so you know what you are talking about. Stacey: So you're saying the citizens aren't telling us the truth? Mr. Rogers: We have a Board Meeting tomorrow at the Library and we have all kinds of recommendations to help make this work out. But everybody that goes to the Library doesn't belong to the Room in the Inn. Stacey: It's whether they are homeless or not; they are going in there. Mr. Rogers: Our guests are highly accountable, and they are very very careful of what they do and what they don't do at the

Library. That is the only place they have to go in the daytime. That is the only place they have to go to try to find a job. Our guests are taxpayers. Everyone of our guests are required to work full time day time; they are employees and taxpayers of the County. We don't put up with any freeloaders or people just looking for a place to hang. Stacey: If they are working why are they going to the Library in the middle of the day? Mr. Rogers: Either they are off, they don't work seven days a week, or they may be in job search; they haven't got the job yet. Stacey: How long are they in job search? Mr. Rogers: We ask them to be employed within two weeks. Now Santa Clause has come to town and left; things get a little tight so factories now are really gearing down and it's getting a little bit more difficult than it was pre-Christmas. But they have two weeks to get it going on and again, these are taxpayers we are talking about, these are hard working citizens and doing very very well. Stacey: I find that hard to believe that they are hard working citizens if they are in that program. Mr. Rogers: What do you mean by that? Stacey: I don't understand. I get calls all the time and I don't know if you all have gotten this call but over at the Community Center they are living, I got a call a couple weeks ago, they are living underneath the old Police Building they are laying down sleeping. I went by there and I witnessed it. These are homeless people; we're not saying they are in the Room in the Inn, it's the homeless people. There is a problem. We're not saying it's the Room in the Inn. But if you're getting calls all the time from citizens that live here there is a problem. Mr. Rogers: We need a solution and Room in the Inn is a solution to help take care of that. Donna Burke: The lady that provides the key gave us information which I believe John would be able to back up; but they've had numerous times where they are not leaving the Community Center by 9:30. Mr. Rogers: This past week with all the snow and cold we have; before I could get before the Council I was going to come tonight and ask for an extension and I understand the Community Center is being rented during the daytime after 9:30. When school is closed, the Library closes, some of the weather we've had in the last couple three weeks people have nowhere to go. So a couple days there they did stay over a bit longer at a warm vacant building. Donna: It's just an issue from the standpoint of if we've given a key out to someone and they come over to use the building and find people there what are they supposed to do? Mr. Rogers: We haven't had that happen. Donna: But it could. Mr. Rogers: We're going to see that it doesn't happen again. Code Enforcement Officer John Bradley: Today they were in there at 10:30; one sleeping in a corner, one standing at the door and two sitting at a table and according to your Lease Agreement you are supposed to be out at 9:30. Donna: And not a cold day. Mr. Rogers: That was because of my getting here to the Council to ask for an extension to noon time which I found out earlier today it's not possible because of it being leased and used otherwise. Donna: Why would you automatically execute something that hasn't been approved when your contract says 9:30. Mr. Rogers: That is an oversight on my part. Lisa Carter: I would like to say I called you earlier in the year from someone wanting assistance from Room in the Inn and she called me I know six times because you wouldn't return her call. People are calling us, we're giving them your number, yet they are not getting any return calls. Mr. Rogers: The card has two number on it. Lisa: I even spoke to you at one time and told you this woman was going to be calling. Mr. Rogers: We do through many many people and we do justice to the phone calls we receive. Bonnie: I want to state this to the fact that you got so upset with us and that we're not working with you by not calling you first, back when you first started asking to do this with us and we didn't jump right on it because we wanted to think about it you went and put a Letter to the Editor and complained about how the City of Shepherdsville is the only one that didn't want to help Room in the Inn. How does that build a relationship with us if you don't want us to tell you about complaints we've gotten, you're upset over that, but you started our relationship with that Letter to the Editor complaining about the City and trying to make us look bad. You know the boat rocks both ways. Mr. Rogers: It does. Three years in, 75% of all our guests come from Shepherdsville City Proper less than 5% of any kind of support any kind of bashing, is all from the City of Shepherdsville. Mt. Washington, Barry Armstrong or Jim Eadens from Hillview, they can't do enough to help us; other parts of the County. It bounces out what we don't have here in help in the City of Shepherdsville. Bonnie: So that's your excuse for badmouthing us? Mr. Rogers: Yes. If it's true it's not badmouthing, right? A fact is a fact. Bonnie: It wasn't true we weren't finished yet; we were trying to make a decision and the decision did turn out that you got to be in there so what you put out there was false. Mr. Rogers: I want to just say this because I know I'm taking time here, call me if you have a question about Room in the Inn; we are on we will get it fixed right away. You'll be impressed tomorrow afternoon at 5:00 meeting with the Library Board of the dozens of things we're going to do to be sure that the public enjoys the Library as well as our guests. We're very very proactive. Mayor Hockenbury asked Mr. Rogers to come back to the next meeting. Lisa: Do you personally go around to the facilities where these people are staying and drop in from time to time to see what's going on? Mr.

Rogers: I have three people that are staff people there that are there every morning with them. I don't run this 24/7. I am a volunteer, we do this for nothing and it's a long day and a hard day and we have help that are there with them. Lisa: These people that are volunteering, what type of background checks do you do on them to make sure that they are in compliance. Mr. Rogers: Most of these people are people that have come through our program that got back on their feet. And they are volunteers. Mike Hibbard: Before Carl steps down and this isn't an issue, this is just for clarification and if we need to do something to bring these two together, I noticed that in our Lease Agreement it calls for a certain level of liability; in the Insurance Certificate it's different. It's not adequate for that figure. Rather than put either one of us in a situation that you come back later and say you never had enough or we ignored it for whatever reason I think we should at least bring those two figures to be the same.

**Stacey Cline:** Two questions about the November billing; MPC Productions in the General Fund, what is that? Mayor Hockenbury asked Major Mike O'Donnell if that was the Police Department. Major O'Donnell: It could be. City Attorney Sholar: They have a Police Supply House somewhere on Fegenbush. Stacey: What about Work Architect? Tom LaFollette: They put the RFP together for our building remodel. Stacey: Where do we stand, last year I talked to Tom and Arthur and you all met me along with Scott over at the Marshall's property on Old Beech Grove Road. Are we going to help fix that for those people this year or what are we going to do? I know you all were working on something and trying to find out where the waterflow was going. Arthur: Tom and his guys were able to get in there and go ahead and stabilize the other side of the road and since that point we haven't seen any movement on the side of the road that we were most concerned about and in the area we thought could be either groundhog holes or cars we've not seen any movement over the last six months on that. So right now, we're waiting on the weather to break but if we don't have any more movement over there that ditch stabilization is really all we're going to have to do and we are going to be looking at the other side again yes. Stacey: Can you get a hold of those people; do I need to send you the phone number, the Marshall's? Tom: I've been by there a couple times to talk to Mr. Marshall and I've never been able to speak with him. Stacey: Can I send you his phone number? Tom: Absolutely.

**Bonnie Enlow:** I want to thank all the guys that were out doing snow removal, they did good, Police Department, Fire Department for the hard job they had to work through. I was also out doing snow removal, so I kept passing everybody that was out doing it. It's a tough job and I can see how it's really dangerous when they get out there. The next issue is not really an issue I wanted to bring up but I'm going to. I want to have a discussion about truthfulness. I need to know what the truth is on a subject because it had to do with job classification. I have one person saying I was told to change the last Ordinance to where it only took in the Community Planner; the paperwork I received in an email that day told me it was going to include the certification pay scale for Public Works and Sewer. When I got here I had a new one on my desk, I asked the Mayor he said he did not tell anybody to change it. I asked Walt and he said the Mayor said change it. So, I want to know which is it? I need to know the truth. City Attorney Sholar: I spoke with the Mayor earlier and I spoke with Mike Hibbard. The Mayor told me that he made an agreement with Mike Hibbard that what was going to get done that night was going to be just to get the position set up for the Community Planner position. That's what the Mayor told me. That's what Mike Hibbard told me. The same thing I said the other night, correct me if I'm saying different in general in what I said that night but I saw that it did have those other things in it and I made that change to conform with what I had been told by the Mayor it was supposed to have done and what I was told by Mike Hibbard that he had the agreement with the Mayor that was going to be done that night. If somebody sees it some other different way I'm quite curious and would like to know too. Bonnie: That's what I want to know. Donna: Did you get expressly told to leave the certification pay out? City Attorney Sholar: The Mayor did not say you get that out of there. The Mayor told me what his agreement was with Mr. Hibbard. Then I saw that it did not have that I changed it. Donna: That is not my question. Did you get asked by anyone not necessarily just the Mayor, by anyone, to remove the pay scale and classification? City Attorney Sholar: Nobody asked me to remove anything. Donna: The certification schedule? City Attorney Sholar: Nobody asked me to remove anything. The Mayor told me that the agreement, the exact words I don't recall but it was that I've had a discussion with Mike Hibbard and all we're going to do night is going to get this position set and we're going to deal with all those other things at a later time. I got a call from Mike Hibbard and Mike Hibbard said I'm getting this I'm told this is the way it was going to be but then I get this document and it's got this other stuff in it and I don't know what everything keeps changing and I saw that yes it did have

different than what I understood the Mayor's; it's not that he said get that out of there because he didn't say that. Never said Walt I want you to take that out. He said that he had made an agreement basically that this is what we're going to get established because we want to get this position set because the person who is trying to fill that position is going without insurance. We will deal with these other things later. Donna: Did you get back with the Mayor because the Mayor would have received the email that the rest of us did. Did you get back with the Mayor after your conversation with Mike? City Attorney Sholar: I did not. Donna: To confirm that that's what he wanted to happen because it seems that if the Mayor had any issue with what you sent over to us that afternoon he would have addressed it. City Attorney Sholar: I did not. Bonnie: That's part of the point because Mike didn't have the right no more than any of the rest of us do to call you and tell you this is or isn't supposed to be in it. That's supposed to come only from the Mayor. That's why we were upset because what we had received that day showed that was in there, so we came to the meeting expecting what we got to be what it was and then at the last minute we find out that it's not and we felt like we were held over a barrel; in order not to hurt Faith and her job we agreed to pass it only because of that. Then I had to put up with disrespect during that meeting which was uncalled for and I just felt like and in my opinion, that is was a bit of a shady way to do things. I'm not saying you're shady I'm just saying that we're not supposed to call you and tell you to change anything. City Attorney Sholar: Mike Hibbard didn't tell me to change a thing. He told me the jest of what he said was I understood from my conversation with the Mayor that all that was supposed to be in here for this night was that we were going to establish this position of Community Planning Director not this other stuff. As soon as he said that I remembered myself what the Mayor had told me was that with all this business with people walking out and we couldn't get anything done because it was a 3 to 3 and the Mayor can't break that tie that the only thing the Mayor was expecting to get done that night was to have an Ordinance that established the position for Faith. He felt that he had the votes to get that passed. Then I looked because I wasn't here on the 27<sup>th</sup> I didn't know what was in it and when the Mayor had told me that I thought that's really all that had in there. I get to looking and it did have those other things. So what I thought to myself was I have screwed this up and it's going to get here tonight and we're going to have three folks sitting on one side that don't want all that stuff in it and three folks sitting on the other side that do want it in it and we're going to be right back where they were on the 27<sup>th</sup> and I'm going to feel like because I didn't carry the water that the Mayor wanted carried it's going to be my fault. So I had my folks drop everything they were doing and we redid that and got those sections out of it and I did that because I felt I was being in conformity with what the Mayor wanted done because he told me that's the agreement that he had basically worked out with both sides of the table and I don't know what would have happened as it was with Ms. Carter not being here that night if all that other stuff had been in there it would have passed I guess 3-2. But if she had been here and I had no reason to believe she wasn't going to be here and I don't know that the Mayor had any reason to believe that she wasn't going to be here then it would have been what one side didn't want that stuff in there and the other side did, and we would have continued to be at a stalemate. I did that and if I had to do over again right now the only other think I might do different but I don't know that I would because I felt confident of what the Mayor had told me the agreement he had worked out amongst the entire Council and that the document that I had prepared up did not stand in conformity with what the Mayor had directed me to do and I would have changed it again. If I had to do it tomorrow I would have done probably about the same thing because I thought I was acting in conformity with what the Mayor wanted. Bonnie: I went back to our meeting notes and before we had all agreed that we were going to go back to the November 22<sup>nd</sup> one for the first reading I went back to that one and it included that certification pay scale in the November 22<sup>nd</sup> one so that's why I was upset because we had all agreed we were going back to that one, but we didn't. We went back to it but with changes, so it wasn't what we originally said we were doing. City Attorney Sholar: Bonnie I would like to just to clear up if the Mayor remembers the discussion he had with me I'd like for him to say what he remembers because if he doesn't remember it the same way I do I'd like the record to reflect it or if he does remember it the same way I do I'd like the record to reflect that. I did not I can assure you as I was doing it I did it because I felt like I was following the marching orders that I got from the Mayor and if I misunderstood what the Mayor said I'm very interested to know that I did. Mayor Hockenbury: Here's what I look at. That day there was no intention to ramrod something through here. I didn't send it to anybody else here, but I was on the phone quite a bit and I took notes on a little bitty piece of pad, but I remember talking to several and I knew it was a controversy about what we wanted to change and didn't and he agreed to go back to whatever was read on 11/22 so that's what I thought we were going to go to. But in the conversation would come up Mike called me and said only the Community person and I said yes and in the same sentence whatever we



read on 11/22. He said okay but only the Community Director. I said if that is whatever was on 11/22 I don't have a problem; I don't pass legislation I only vote when there's a tie. So when I talked to you all you knew the 11/22 had the pay scale and I did talk to Walt and he did say so you do need that job added. I said yes that's the priority to get the job added. On his part I may not have clarified it all the way, but I wanted the same thing that was read on 11/22 to be made up again. I do remember telling and he said it too, so I might have confused him whenever he said you want the Community person position in there. I said yes that's the main thing because that person who has been working under contract has been four months without any insurance. Then I talked to Mike and he said he can all agree on that probably. I said whatever was read on the 22<sup>nd</sup>. I took it that you and Walt whatever was read on the 22<sup>nd</sup> that's what we're going to read again. I talked to Mike and he said he was going to call Walt, so he called Walt after that. I'm pleased with what we did. I don't like the way it happened but I'm glad we got that solved and now we're going to have a special meeting to get all the other quirks worked out. So that won't happen again I need to be more assertive as the Mayor, because there is only one Mayor and 6 Council members and you all are wonderful, and we need that unity, but I need to be more assertive so evidently I must have failed there. Bonnie: You do need to be more assertive and not so nice! Donna: That was just kind of an omission of how it was stated to you so that you weren't thinking about answering and saying yes that's what I want that it would just be taken cut and dry and realizing that it would also be taking out the other things. Mayor Hockenbury: I just need to slow down more. Sometimes I speak before I think but I'm learning. I'm glad we have this other special meeting set up, but I can tell you wholeheartedly there is absolutely nothing to hurt any of you all. Bonnie: Sometimes you have to tell people things they don't like to hear because you have to have everything out on the table. You don't have to agree with me and I don't have to agree with you, but I want it all out so that we know where we stand so we can have a good relationship. Bonnie: We shouldn't be calling the Attorney and telling him what changes to be done that's between Tammy and the Mayor. Mayor Hockenbury: I've instructed Walt's office that any changes will go through me and Tammy. It could have been maybe my fault and I was to apologize to the Council. City Attorney Sholar: Whatever fault it probably laid with me in that I thought I was doing and carrying the water that the Mayor wanted carried based upon the conversation I had with the Mayor and then the subsequent conversation that I had with Mike and his relaying to me what his understanding of the conversation with the Mayor. If I might suggest and we talked about this some months ago and I fail to do it because I was trying to be Johnny on the spot unless the Mayor tells me too henceforth I will not work on an Ordinance that I don't have at least seven days ahead of the meeting that it's supposed to be read at because I want the Mayor to get it so that he can review it and see to it that he's satisfied with it and if he tells me to distribute it to everybody I will and in larger jurisdictions Metro Council for instance, the County Attorney's office does not draft the Ordinances. The Metro Council members have staff that do that. The County Attorney's office merely reviews it and then signs off; there is a statement at the bottom of the Ordinances for the City of Louisville that say, "approved as to form and legality, Mike O'Connell". I would love to have it that way smaller jurisdictions and as County Attorney, City Attorney, over the years because of staffing issues quite often the City Attorneys will draft and prepare and have typed up the Ordinances. It works much better for it to come through you all to have what you want and then all the City Attorney is doing is reviewing it for the legality of it. Regardless I will unless the Mayor says do something different, I'll see to it that he gets it and has an opportunity to see it in some detail days before the City Council meeting. Mike: If I could comment on this briefly, I had no shady intentions involved as you said I called each one of you and if I could have spoken with one that would have been enough for me. I called the Mayor and I simply said we have been through 12 revisions all slightly different I asked can we at the next Council Meeting take the one lawful existing Ordinance that is on the books right now add the position that he wanted too and then we get our suggestions all together on the rest of it just like we're going to do. I said I think that would be the more appropriate thing rather than just continue with we come in and see a difference and this isn't the same and we're not making any progress. There was not a doubt in my mind that position was going to be created. It was everything else that seemed to be muddying up the water somewhat, so I just suggested; I didn't tell him we had to do it, that was his decision, I just said if we can do this I feel it will be smooth tonight and it was and then we can go on. And when we get the next one done we're going to repeal and end up with one Ordinance. It was as Walt said, when we received, and while I was on the phone with the Mayor I said do we need to get Walt in a three way with us? I didn't just say I called Walt and told Walt; I asked for a three way, the Mayor could not at the time, so I called Walt and left a message and he called me back and he said this is what he had prepared was then not what the Mayor and I had discussed, and I just brought that to his attention. He talked with the Mayor, he brought

it back in line and that's where we were. Now we can proceed on and that was the whole intent. It wasn't to hide anything.

Donna Burke made motion to adjourn to Executive Session to discuss pending litigation. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0.

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

Donna Burke made motion to adjourn. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0. Meeting adjourned at 8:28 p.m.

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Curtis Hockenbury, Mayor

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Tammy Richmond, City Clerk