

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, JANUARY 8, 2018**

Tony Thompson gave the invocation

The Pledge of Allegiance was recited

Council members present: Gloria Taft, Mike Hibbard Sr., Donna Burke, Stacey Cline and Bonnie Enlow

Mayor Hockenbury called the meeting to order at 6:33 p.m.

Minutes were not ready due to the City Clerk being ill. Donna Burke made motion to table all minutes. Bonnie Enlow 2nd. Motion carried 5-0-1 absent (LC).

Presentation: Jason Strange with the CPA firm of Stiles, Carter & Associates PSC presented the Fiscal Year Ending July 1, 2017 Audit. Donna Burke made motion to accept as presented. Bonnie Enlow 2nd. Motion carried 5-0-1 absent.

Old Business:

City Attorney Sholar had third reading by Summary of Ordinance 017-250 an Ordinance Amending Ordinance 017-226 A Personnel and Pay Rate Classification Plan for City Employees and Nonelected City Officers for the City of Shepherdsville, Bullitt County, Kentucky (Sponsored by Donna Burke) Mike Hibbard made motion to accept as read. Gloria Taft 2nd. City Attorney Sholar: As you may recall we prepared an Ordinance 017-250 on 11/22/17. We submitted it to the City Clerk and we submitted a Summary of that Ordinance at the same time. There was a great deal of discussion about it and the City Clerk sent out copies to different people and at the meeting in December I was advised this document as it reads on this side of the room isn't the same as the one that the Mayor has and isn't the same as various other people. I got up and looked at Mrs. Taft's copy and there were lines that were not in it that were in the copy that sat before the Mayor. I determined in my own mind that problem was created by a formatting issue with the various word processing programs. It was troubling nonetheless because everybody sitting at this table has to be able to be assured that the document the people and the right are looking at is the same as the document as the people on the left are looking at and the document that was dated 11/29 is the same as the document dated 12/1 and so forth. As you recall it did not get voted on that night. That was somewhere in the second week of December and there was discussion about having a meeting on Wednesday after Christmas. I advised the Council that I would not be available for that meeting and I would not be available to do a new Ordinance between then and that meeting because of other issues I had going on and other commitments that I had on the 27th day of December. I went about my other business and I came to understand after the 27th day of December that there were differences in documents and it didn't get voted on that night either. Early last week I had a discussion with the Mayor to see about getting a document prepared for a vote on Ordinance 017-250 tonight, so it could get passed because there were some critical employee issues that had arisen, and it needed to get done. I asked the Mayor to have the City Clerk send me a copy and I'll do what I can. That was early in the week, unfortunately as things happen I came down ill and after being in Court Wednesday I left directly from Court and went home. I did speak with the Mayor on Thursday by phone and again we discussed Ordinance 017-250 and he said can you get it drawn up and get it ready to have a Summary Ordinance and I said here's the thing I've got to be assured of. If I prepare a Summary of an Ordinance that Ordinance can't change from the time I prepare the Summary; not one punctuation mark can change because I'm putting my name on a document and I'm certifying to anybody that document has been read by me. We had some Ordinances that got changed through no malice on anybody's part; but in a desire to be helpful and make changes that people wanted things got changed; the 27th of December there was a Summary that was read about that Ordinance that had my name on it, but I didn't prepare the Summary. That's not something we can have. The Mayor agreed with me and I said if you get the City Clerk to send me that Ordinance this afternoon, I'll see what I can do to get something done. Thursday night came and went; I had folks at my office that worked. Friday morning, they notified me that they had not received anything from the City yesterday. I

contacted the Mayor and advised him we didn't get anything from the City yesterday on this Ordinance. It's getting down to crunch time and I can't work on that short of leash. I've got other obligations. While I was at home in bed my staff got a copy of the document from Brenda late morning on Friday. They proceeded to go to work on it. I told them to see that we've got a Summary that can be utilized to compare to the Ordinance that we're talking about and it be the same down the line. When we get that here is what I will do. I will make copies of that document; I'll print one and then we make copies of it not print copies because I don't want to be concerned with formatting and I will carry copies to everybody. I'll send an email copy to everybody. I get a call late Sunday that it just wasn't going to work because there were a bunch of changes in this document that are not marked. Let me point out to you that pursuant to KRS 83A.060(9) the manner in which you have to go about amending an ordinance if you are going to add a word, letter, punctuation mark, paragraph, anything you have to underscore that. If you are going to delete a word, paragraph, comma, you have to put brackets around it and a line struck through it. If you don't do it that way, it's not legal pursuant to KRS 83A.060(9). Again, I don't believe it was through any malice on anybody's part but there were changes, one of which was, I was under the understanding we were primarily concerned with this Community Development Director but there was something in there about the human relations person and it changed the requirements from 3 years' experience to 10 years' experience and some amount of college. That was not under scored and it wasn't stricken through with a bracket around it. What that put me in a position of is in order to be able to say I believe this is good to go, I can sign off on this as being sufficient pursuant to form and legality I was going to have to read all 76 pages word for word, and I didn't have time to get that done between then and this evening. I spoke with the Mayor this morning by telephone and he advised that he had a conversation with Mr. Hibbard on Friday and that there was a consensus between he and Mr. Hibbard that what we would bring up tonight would be the amending Ordinance 017-226 to add the position of Community Development Director and that was going to be all. This Council would subsequent to that all the other changes that everybody wanted to talk about doing instead of doing it by an amendment you all in a meeting discuss amongst yourselves and determine what changes all you wanted done to that you would then filter those through the Mayor; the Mayor would get them to me, I would then instead of doing an amendment to Ordinance 017-226 we would do a new Ordinance that incorporated all of the changes that you all wanted into an Ordinance repealing 017-225 and 017-250 and that would then become the new Pay and Classification Ordinance. That's the discussion I had with the Mayor this morning. I told him I could get that done. What I wasn't thinking about I knew that document that we prepared November 22, 2017 and submitted to you all had the primary stuff about the Community Development Director; what I had forgotten during my conversation with the Mayor, is that is also had three other things in it that dealt with incentive pay for sewer and public works, and something else I can't recall what it was. I had it and sent it out; then I came to realize after it was brought to me attention that although the Mayor had made an assertion that all that would be brought up tonight to be voted on was the Community Development Director; I erroneously wrongly I included other things in that. I had those three other things because I had forgotten what was there in November. What I determined at that point is I don't want to be putting the Mayor in a spot where he's telling somebody one thing and then it crawls around and changes to something else so that is why I then went back and prepared a whole new 017-250 which only deals with the Community Development Director's position. It does not have those other 3 or 4 things and that was what I understood the Mayor wanted me to do. If I'm mistaken about that I expect the Mayor will let me know. That's what I did and that's what you have before you and I'm prepared and have certified here that this Summary document; the Summary is only for the purposes of publication. The document itself I will tell you all of those other things about the incentive pay for sewer, public works, those have been removed from 017-250. You have the email copies that I emailed each of you individually of the other one, so you have that in front of you and at this point I feel like I have done what I told the Mayor I would do, and he asserted to someone else he would have me do. However, you all want to change that it's entirely up to you. **Donna Burke:** In moving we had a first reading so isn't removing those things because you thought he only wanted to cover certain things, is that not material changes? **City Attorney Sholar:** It's not material to the point that it knocks out the first reading. You can make a significant amount of change without it being material. The material part of 017-250 was to add in a position on the City's books. **Donna Burke:** Was that your desire for those incentive pay scales, to have them removed? **Mayor Hockenbury:** I'm okay with that. I think this will solve a big problem by getting this Community person in this Ordinance to be able to hire them then I think we can go back at a later date to sit down with all other changes. **Donna Burke:** If you are not okay with it; would not we have been able to go with the one you emailed? If he

had not wanted that to be removed would the one we had gotten this afternoon be what we would have been dealing with tonight? **City Attorney Sholar:** Sure it would. **Donna Burke:** Is that not still a possibility? **City Attorney Sholar:** It is except that you'll have to print out whatever it was I sent because I did not bring that. **Mayor Hockenbury:** Do you have the other Summary? What you're saying is if he read that summary ... **Bonnie Enlow:** This one adds the language into it to addition to the beginning maximum pay rate set out that we put in each section where their job descriptions and pays are at. It has one for Sewer and one for Public Works and it creates the pay scale. **City Attorney Sholar:** May I see it. That way I'll just read it. **Gloria Taft:** That one is different that the one Walt did this afternoon. **Bonnie Enlow:** There is only 13 copies now with the one that he just did; so take your pick. This is ridiculous. They've been holding this up for a long time. There are 12 of them because they can't ever be happy on what they want. **Gloria Taft:** There are 12 copies because copies keep changing and we can't get two copies exactly the same. **Bonnie Enlow:** I have worked endlessly for hours and hours on this trying to appease everybody and get what they want in this. You can see all these colored tabs, these are all the pages that I went through and tabbed the changes that the 3 over there wanted. The only thing I didn't change was pay scales. All the other things they wanted I went through and gave them almost every single thing they asked for. They still fight and refuse to pass this Ordinance. They're saying we're going to get sued and cost the City a lot of money. Donna took the time to call KLC on the new certification pay scale; they told us what wording we had to add at the bottom and we put an asterisk in and we added it. We did everything legal. They are saying because we didn't put the word heavy equipment operator and tell you what heavy equipment is it will cause a lawsuit. It's their way of stopping this; Faith has worked since December 7th without a paycheck. Still came in every day and did her job. How many people would do that? She does it because she loves the City but she's the one that is getting royally screwed right now. I'm tired of the employees being screwed over. We're trying to get a certification pay scale set for these guys they are being screwed over. I have been working on this for hours and hours to fix it for everybody. Somewhere along the line we've got to figure out and do what's right. **Mike Hibbard:** Does the majority of this Council want this job position created tonight? Does the majority of this Council agree probably with the Mayor's decision about who he is going to hire which can be done practically immediately; do you want to accomplish that tonight? I've got a motion and if you vote yes everybody gets what they want tonight. **Bonnie Enlow:** No, you all get what you want. **Mike Hibbard:** Didn't I talk to you Mayor and say this with no change to that job in any way shape or form. The position, job duties, pay, person, it's all there. When you say yes you have it. You get exactly what you want, or the majority wants. From that point on everything else in there and I discussed with the Mayor all of us can send any suggestions we have on any part; they can get it consolidated; they can pass it back to us, we can all look at it and decide what we are in favor of or against, we have a meeting, each item goes up for a vote, if it carries it's in there and that is what Walt will incorporate in the next Ordinance and it's all done. **Donna Burke:** The reason I have a problem with that is because we have had Special Meetings more than one, where we came to a consensus already of what had been included in the one that was read before. The changes that you all wanted to have made were different from what we had a consensus on in those Special Meetings. It was changes that were going to be material changes for what you all wanted that had to do with pay scale and incentive pay. Before the 13 pages. **Mike Hibbard:** As we went through it the last time with the 13 pages; everybody had a section to go through. I misunderstood, and I sent my proposed changes for your section to you and I didn't send it to Tammy. So, I presume that absolutely nothing that I suggested before is in there anyway. **Donna Burke:** They are not because they were material changes. They were not corrections because of some error or whatever they had not been included in a 75-page document down to a 69-page document. The only reason we were reviewing that document at all was so that we could find why did we go from 75 pages to 69; was there anything left out. We were looking from one to the other to correct what might have been left out not change something back to \$11 starting pay on maintenance workers which was one of the suggestions. We had agreed in a Special Meeting it would be \$16 and \$17 respectfully for Public Works and Sewer. I feel like we are running in place when we have Special Meetings that takes up our time to go back to square one so that what we agreed on at a Special Meeting before is just all negated. **Mike Hibbard:** So it's not worth your time now to handle it. It's worth mine too. **Donna Burke:** It is worth my time. He could have done what needed to be done this afternoon that was the Summary he sent this afternoon that would have included the incentive pay as well. I have no issue with that being in there. **Mayor Hockenbury:** It looks like there are two summaries in play. **Gloria Taft:** I'm in favor of the one Walt read. **Mayor Hockenbury:** Walt has read the Summary. We have the other one that Walt says if it's the Council's choice can you read that Summary if that is what they want? **City Attorney Sholar:** There

is a motion and a second, the issue is on the floor to be voted on. That would have to be dealt with in some fashion or another but whatever happens with it if it passes it's done; if it does not pass then somebody can make a motion to read the other summary. **Gloria Taft:** Donna makes a point that material changes were requested; it wasn't material changes that were requested, it was just different changes. At the last meeting Lisa made the statement that none of her changes were included and Bonnie made the statement that she and the City Clerk decided what changes went in to the Ordinance, I don't believe the City Clerk has any business in changing legislation and any changes should be discussed in an open meeting not done on someone's computer somewhere else with no input from the people that live in the City just this is what one council person that's preparing the document thinks should be in when there were multiple changes on the same line. If there are three ideas to change one line, it's not one council person's job to decide which change goes into effect. It should be all of us. It has to be done in an open meeting. So, when I made suggestions and Mike made and Donna made, or whoever made suggestions could be six different suggestions. Those should have been discussed in an open meeting not left for one person to decide this is the one I choose so I'm putting it in the document and this is the final document. It should all be discussed because there is a reason that each of us have a vote. **Bonnie Enlow:** The Mayor sent out a letter twice that says the purpose of Council was to prepare the original Ordinance you passed to the new one that added one job description and certification pay scales. Walt said at the meeting he would not be able to be here at first you had agreed to review everything. Tammy is off Friday so please send any errors you found by tomorrow so we can get this done and back out to you. In the future we will look at possible further changes. The Council each had 13 pages; there's no reason you can't get that done in an hour. He stated two different times in two different emails you were supposed to be looking for the errors which is not material changes at all, that means punctuation, skipped page, errors not making changes. We were supposed to check the certification scale and add the job and just look for errors. Instead of doing that there was a barrage of all kinds of other changes that were material changes. Nobody could stick to what, you had 13 pages, but everybody did all 74. **Gloria Taft:** Walt just said you could make a lot of changes and not void the first reading. Would you consider two line items that possibly violate state law to be something that we want to vote into law in our City? **Bonnie Enlow:** What violates? Give us an example. **Gloria Taft:** The verbiage that says an employee will work and help private individuals increase their property value. That is under Community Planning and Development. "City assistance to make the property more enticing to potential purchasers." **Bonnie Enlow:** I think we took that out in the final one that we had sent out. **Gloria Taft:** I'm just saying that there are things that were requested to be changed by different people and those changes should be discussed in an open meeting not just decided by one council that it should go in or not. I agree that we need this position because our City is growing, and the Mayor needs help; I also think that some of the changes in the incentive pay or certification pay really need to be looked at and gone over because it could open up a really bad Pandora's box. **Bonnie Enlow:** That's all been corrected. I send you the stuff and you don't look at it. **Gloria Taft:** I do look at it and I asked that equipment operator be removed; you chose to add the verbiage heavy equipment operator. **Bonnie Enlow:** Because you put the verbiage in there we don't know the difference between a weed eater and something else. **Gloria Taft:** I say if you don't describe what heavy equipment operator is or if you don't describe what equipment operator is it opens it up to anything that isn't described as a tool. **Bonnie Enlow:** That's your opinion and you're not an attorney. **Mayor Hockenbury:** There is a motion on the floor for this Amendment by Mike, 2nd by Gloria. I'll call for a vote. Motion carried 5-0-1 absent.

City Attorney Sholar had second reading and public comment on Ordinance 017-252 a rezoning request by A & H Lakeview Land LLC to rezone property from B-1 & R-1 to B-1. The property in question is 43.811 acres, more or less, located on South Lakeview Drive. Gloria Taft made motion to accept. Stacey Cline 2nd but wants some restrictions on the motion. I'd like to make some restrictions; finding of facts to support this motion are as follows: 1) The Comprehensive Plan recommends this area be used for business due to its location near the Interstate. 2) This business is in general proximity of other businesses. 3) The Planning Commission after reviewing the Applicant's request found it appropriate based on local regulations and recommended approval. Restrictions: 1) Three rows of evergreen trees to be planted 20-foot trunk to trunk and the middle row be offset by ten foot from rows one and three with minimum maturity evergreen tree that will mature to a high of 30 foot and the starting height of the tree should be six foot. 2) The fourth row of evergreen privacy hedge that should be a single row of evergreen privacy shrub that matures to a height of six foot minimum with bottom space maximum of one foot; should run continuously parallel to rows 1, 2, and 3. The location of that

hedge should be fixed within 25 feet of either row one or three and the starting height should be a minimum of three foot. 3) All afore mentioned vegetation, being evergreen trees and shrubs, shall be perpetually maintained by the property owner. Any tree or shrub that dies should be replaced within six months. Any tree or shrub that is to be replaced shall be replaced with a tree or shrub of same kind or variety. All replanted trees shall be starting height of a minimum of six foot. All replanted shrubs shall have a starting minimum height of three foot. 4) No access point to this property from Centerview Drive or any street requiring access by accessing Centerview Drive. **City Attorney Sholar:** There has to be a motion and a second, so you can discuss it. Once that's done that would be the appropriate time to discuss restrictions or anything of that nature then we've got to see where the applicant is whether the applicant says yay or says nay you all can still ask if the person that makes the motion does not accept an amendment to their motion to add those restrictions that motion has to get voted on and then you would come back with a new motion. **Mayor Hockenbury:** Are you okay with her amendment restrictions? **Mike Hibbard:** I would like to see a list of what they are. **Gloria Taft:** Would it be easier if I rescind my motion and let Stacey have the first? I will rescind my motion. **City Attorney Sholar:** If both the person who makes the motion and seconds the motion is agreeable to a motion to rescind the motion without vote that would be okay but only if you both agree. **Stacey Cline:** I rescind it. Stacey Cline made motion to approve Planning and Zoning recommendation with added restrictions. **Attorney Eric Farris:** I am not clear on what those restrictions are. I wasn't provided with a copy of them. My client is home with the flu, so he is not here so we're not in any kind of position to agree to anything except there is not going to be any access from Centerview Drive. These rows of evergreen trees, are we talking about the entire perimeter of 43 acres; why is this property treated differently that the Flynn property across the way where we have a Convention Centre and the other motels situated exactly the same place on the west of I-65. There are some things I need to understand. **Stacey Cline:** This property adjoins; there are trees by where the apartments are that go up that line. I have a fence on my property, but my property adjoins this property. **Attorney Eric Farris:** So, this is a motion to benefit your personal property? **Stacey Cline:** It is on the other side; it's a residence. **Attorney Eric Farris:** I'm just asking you to consider the Ethics Ordinance which prohibits your voting on matters that affect you personally including zoning amendments. Respectfully I'm asking you to do that. The B-1 zoning regulations do require between residential zones and business zones a six feet visual and mechanical barrier at least six feet that can either be an evergreen hedge with a chain link fence that's got to be at least three feet high made of non-deteriorating material or a masonry wall. That can be satisfied any one of those three can be satisfied by the property owner and meet the development standards. That's got to happen anywhere this touches residential property. This really doesn't touch residential property unless you consider where it crosses over the other side of Lakeview Drive where there is R-3 Apartments property. There is only R-3 apartment property between this property and all of Centerview Drive which is zoned R-1. **Stacey Cline:** So, you're saying it already is going to happen? **Attorney Eric Farris:** Anywhere there is a property line separating a business zone from a residential zone, and I'm happy to cite this for the record that the Applicant must comply with Section 5.701; these are in the zoning regulations; Paragraph F the Special Development Standards "where at the property line separate a business zone from a residential one a visual and mechanical barrier a minimum of six feet in height shall be provided along the common line which may consist of any of the following: evergreen hedge with a chain link fence not less that three feet in height made of non-deteriorating material a masonry wall. That is already mandated. We have absolutely no problem agreeing Lakeview Drive access only. I can assure you that. **City Attorney Sholar:** I want to throw one thing in here about this Ethics Ordinance. Section 5D of the Ethics Ordinance sets out as far as a vote because you have property there whether it's going to personally affect you one way or the other; 5D says "No officer or employee shall be deemed in violation of any provision in this section if by reason of the Officer's or Employee's participation, vote, decision, action or inaction, no personal or financial benefit accrues to the Officer or Employee, a family member, an outside employer or a business as defined in Subsection C 4-7 of this section as a member of any business occupation, profession or other group to any greater extent than any gain could reasonably expected to accrue to any other member of the business, occupation, profession, or other group." If you want an extra set of hedges right there where your property is that would clearly be a violation; but if you're talking about something going the entire length of it and it therefore deals with benefitting the entire group of people in whatever area, I don't believe that would be a violation. You have determined; you all in regard to your Ethics Ordinance have to determine whether you have a conflict of interest or not first and if a Judge thinks I do they win. If you think you don't and the Ethics Board thinks you do, they win. **Attorney Eric Farris:** I'm referring to 5D for the record. I just

want to be clear we're only talking about a tract between Lakeview Drive and the ramp. We're not talking about anything on the other side of Lakeview Drive where the apartments are, where the storage units are and we've not talking about Barger Lake. The reason I gave you those other documents originally this appeared to be B-1 anyway and for some reason the maps now indicate R-1 and B-1 so my client wanted to clarify this. It does fit now in the current flood prone zone to show this area is just not appropriate for R-1. You can build in it but you're going to have to have flood insurance. **City Attorney Sholar:** Because Eric cited 5B I'm going read it into the record; that is 5B of Ordinance 015-175 and it states: "No Officer or Employee shall intentionally use or attempt to use his or her official position with the City to secure unwanted or unsolicited privileges or advantages for himself or herself or others." My recollection was you and Mr. Farris spoke; he pointed out the regulations that require a barrier and I don't know whether that is satisfactory to you or not but here is the thing that I pointed out in December and let me re-point out; when the Planning Commission holds it's hearing and makes a finding and a recommendation unless the legislative body makes additional finding or utilizes that would be contrary to the finding that the Planning Commission made if you do something other than follow their recommendation you've got to set out some additional facts to show that they either didn't consider or were wrong or you're not going to be able to support that decision if it's appealed. **Stacey Cline:** I'm fine with what you recommended Eric. I'll make my motion with no restrictions. **Attorney Eric Farris:** We'll add the Centerview Drive restriction and I can work with Mr. Sholar to get that drafted. **Stacey Cline:** I would like to amend my motion to retain the restriction no access on Centerview Drive and rescind the motion regarding the barrier. **Bonnie Enlow 2nd:** **Donna Burke:** You had sent an email that was addressing the fact that it would not be residential use and obviously it is going to be business and it was talking about residential not increasing traffic. How would business not increase traffic? **Attorney Eric Farris:** If there are already businesses there will be some additional traffic but the density that you can expect with an R-1 zone for that many acres even with flood insurance I think would make a significant difference and that's not what is being sought here. **Donna Burke:** My concern was anymore traffic in that area on to 44 would be an issue. **Attorney Eric Farris:** I understand. I think you will see based on the development that's happening in that stretch including what's likely to happen over on the car lot and the County property on the other side of the road you are going to see a light required somewhere in that very short stretch very soon and that will provide relief that is needed in that whole section. Motion carried 5-0-1 absent. No public comment.

New Business:

City Attorney Sholar had first 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. **Gloria Taft:** Mr. Mayor there was some discussion on moving the public comment to the first reading of zoning ordinances so that if there were changes or things that needed to be researched there was time to do that. I don't know how this was advertised because we were going to use the beginning of the year as a benchmark. City Attorney Sholar read 018-253. Mayor Hockenbury asked if anyone wanted to speak on this. Attorney Mark Edison stated he was here to answer any questions. **City Attorney Sholar:** Here's what we need to do to keep the record clear in case there is litigation that may arise from this; if anybody who is going to speak you need to state your name and your address. **Gary Board:** This is not in regard really to whether I want it to happen or not want it to happen I'm just trying to find out are you all changing the rules in the middle of this meeting as far the Ordinance you just discussed and passed said second reading and public comment; this one has first reading and public comment. **City Attorney Sholar:** I can answer that question. Several months ago it struck me that to advertise the public hearing at the second reading of a zoning matter does not give the Council the opportunity to hear public comment and digest it before they have to vote on it. It only given them the opportunity to hear it and within a matter of minutes have to vote on it. For 21 years as Bullitt County Attorney we never did it that way and I didn't think it was a wise way to do it and I still don't think it's a wise way to do it so I recommended to the Mayor and Council they change that policy and have the public comment is taken at the first reading so they would then have a period of two weeks to contemplate and analyze whatever information they received from the public before they had to bring that information to bear in making their determination on the vote. There is no rule one way or the other. It's not changing a rule it may be changing a procedure but there is no rule about it. However, what is important is that whether the City Clerk advertised this public hearing for today or not. We talked about this some months ago and I was of the understanding it was going to be changed but be things as they were it was continued to be advertised for

public hearing at the second reading so that's what was done, and I cannot answer the question if it was advertised in the newspaper for a public hearing today or not. **Mayor Hockenbury:** We'll check with Tammy tomorrow and make sure there will be room for public comment at the second reading if she hasn't advertised it.

Daryl Lee, Planning & Zoning Appointee: No report.

Duane Price, Board of Adjustments Appointee: No report.

Sign in Speakers: None

Department Head Reports: None

Donna Burke made motion to adjourn to Executive Session to discuss pending litigation. Gloria Taft 2nd. Motion carried 5-0-1 absent.

Gloria Taft made motion to return to Regular Session. Donna Burke 2nd. Motion carried 5-0-1 absent. Donna Burke made motion as result of our Executive Session that the City of Shepherdsville hire the firm of Wyatt, Tarrant & Combs with H. Carl Hardeman and his Associates as co-council for pending litigation. Gloria Taft 2nd. Motion carried 5-0-1 absent.

Mayor Hockenbury: It's a pleasure working with these six. I know we're going to agree to disagree, nothing personal. It's really a challenge when you have seven minds working against each other, but I do see one thing; I do see these six including myself that cares about this Community. Have confidence in that they know where your money is being spent and their heart is right.

Council Comments:

Gloria Taft: At the end of the bypass closest to Beech Grove Road I've noticed that there are a lot of building supplies, debris, garbage. Can someone from the City address District 5 to see when they are going to remove those items and not leave it for the City to take care of. I've gotten a couple complaints. Have you received any resumes for the Controller position? **Mayor Hockenbury:** 7 or 8 but two did not have the CPA qualification.

Mike Hibbard Sr.: I had a concern about how many applications we had and how long after the 15th when we stop taking applications how long do you think it will take us to hire someone? **Mayor Hockenbury:** I want to immediately contact them and go into the interview process and get them on board. There are some issues that we need to look at in a timely manner that Bob brought up in his exit interview. I asked him if he would be willing to come in if it's an issue that needs resolved in a timely manner and he said yes. The thing is he retired and according to KRS once you retire you can't come back. We have to get approval from KRS. **Mike:** Just to job my memory I know we got a new garbage hauler. Do you remember when they are going to start. **Mayor Hockenbury:** April 1st. They have been corresponding with Tammy on some timelines they need because he said they are buying 1 or 2 new trucks and they needed the number of people serviced here among other information. **Mike:** I've seen a few instances, I just asked John is we had anything in our Nuisance Ordinance and such about people setting out box springs and mattresses at the curb. I've seen a few around. Some of them stay for quite a while. Do the people we have and the new one if they are contacted did I get the impression they would pick up. **Donna Burke:** They will even water heaters and things like that. **Mike:** I'll make sure I'll let them know they need to contact somebody.

Donna Burke: To address the issue of Faith's working without pay. I want to make a motion that if the funds are available in Miscellaneous line item to pay her for the month of December that she worked thru the end of this week; it should work out to approximately \$1750. **Bonnie 2nd.** **City Attorney Sholar:** If the Ordinance is published Monday the position will be open on Monday. **Mike Hibbard:** Wasn't there still funds in the Contractor line item? **Donna:** I don't know. Whichever one that has the funds necessary. **Gloria:** There should be sufficient funds in Contractor Services Other. **Donna:** My motion needs to include that if her contract needs to be extended accordingly that happen as well. Go thru Saturday is what I indicated. Motion carried 5-0-1

absent. Donna: I wanted to find out specifically from Faith, you had mentioned that there had been some issues that you have been having to deal with the Community Center and the people from the Room in the Inn. Faith Portman: That was a long time ago we got it all figured out. Donna: The reason I ask is because I have had it brought to my attention where they are being dropped off at the Library they are actually having to get security people in because of safety issue concerns with the kids. I just wanted to make sure we didn't have any further issues with the Community Center. Faith Portman: Tom had a talk with them. I went over there and there were several there and I was alone, so I called Tom the next day and he took care of it. They have cleared out pretty well. Donna: I want to recap the Bible Marathon we held in here, we finished at 10 till 3 a.m. (Monday morning). The Marathon took longer than we expected because not having people to fill all the spots, but we did have the Bible completely read and thank everybody that participated.

Stacey Cline: I have questions about the General Fund and some checks that were ran. I'll send an email to Tammy.

Bonnie Enlow: The only thing I have is with the garbage company and the billing. Republic is quite willing to be put on the Louisville Water billing and we really need to get that meeting set up with Louisville Water. I am willing to be on the Committee to do that. I'd like to get it started before April.

Donna Burke made motion to adjourn. Stacey Cline 2nd. Motion carried 5-0-1 absent. Meeting adjourned at 8:34 p.m.

Curtis Hockenbury, Mayor

Brenda Weidekamp, Deputy City Clerk