

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, MARCH 26, 2018**

Pastor Tom Elbert, Divine Savior Lutheran Church gave the invocation

The Pledge of Allegiance was recited

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

Mayor Hockenbury called the meeting to order at 6:30 p.m.

Donna Burke made motion to dispense with reading of the March 12, 2018 Regular Meeting minutes. Stacey Cline 2nd. Motion carried 6-0.

Gloria Taft made motion to approve March 12, 2018 Regular Meeting minutes as written. Lisa Carter 2nd. Motion carried 6-0.

Old Business:

City Attorney Sholar had second reading Ordinance 018-255; request from RonJean Holdings LLC and Walene Holdings LLC to rezone property from B-1 Highway Business to R-3 Residential. The property in question is 2.569 acres, more or less, located at South Lakeview Drive listed in the PVA office as Parcel #045-SWP-02-031. Bonnie Enlow made motion to approve. Donna Burke 2nd. Motion carried 6-0.

New Business:

City Attorney Sholar read Proclamation encouraging all citizens to remember and commemorate America's entry into the Vietnam War by proclaiming March 26, 2018 as "Vietnam Veterans Day".

City Attorney Sholar read Resolution 2018-25 A Resolution approving the granting of inducements to Tower Automotive Operations USA 1, LLC for the purpose of attracting and retaining jobs pursuant to KRS Chapter 154, Subsection 24. Donna Burke made motion to approve. Bonnie Enlow 2nd. Motion carried 6-0.

City Attorney Sholar read Resolution 2018-26 A Resolution approving the granting of inducements to Bluegrass Supply Chain Services, LLC for the purpose of attracting and retaining jobs pursuant to KRS Chapter 154, Subsection 24. Lisa Carter made motion to approve. Gloria Taft 2nd. Motion carried 6-0.

Stacey Cline made motion to approve request by Bullitt Lick Middle School to hold a 5K run/walk on May 12, 2018, 10:00 a.m.-12:00 p.m. at Shepherdsville City Park. The request has been reviewed and okayed by the Police and Fire Department. Donna Burke 2nd. Motion carried 6-0.

Daryl Lee, Planning & Zoning Appointee: Reported a case coming up to rezone 32.26 acres at 857 Park Loop Road in the Cedar Grove Industrial Park. The applicant is DPIF New Flyer of America Inc from IL Light Industrial to IG General Industrial.

Duane Price, Board of Adjustments Appointee: No report; but commented the good work that City Engineer Arthur Jones does.

City Attorney Walt Sholar: The Mayor had asked that we look into a situation at 299 Old Ford Road dealing with the Miles' and Hedgepeth's rezoning request that they have. The Planning Commission made a determination to make no recommendation when the matter came before them and it has to do with section 8.301c of the Planning and Zoning regulations. Within the regulations there cannot be a free-standing zone of less than 5 acres in B-1 Highway Commercial. The Commission determined that since the Miles' and Hedgepeth's request was for less than 5 acres they didn't consider it and sent it over to the City with no

recommendation because they couldn't determine whether the City have or have not made a determination that the City would consider properties of less than the 5 acres. What we found in our research in 1983 the City of Shepherdsville passed Ordinance #983-95 amending Section 8.301C of the zoning regulations of Shepherdsville, Bullitt County, Kentucky. In that Ordinance "Be in ordained by the City Council of the City of Shepherdsville as follows: Section One: Section 8.301C of the Zoning Regulations of Shepherdsville is hereby amended to read as follows: The Zoning Regulations or maps shall not be amended, changed, or modified in such manner as to create a free-standing zone of less than 5 acres except for B-1 Highway Commercial which may be as small as 3 acres." It goes on to say; and this is the important part for our purposes in this matter, "This acreage requirement for rezoning shall not apply within the municipal boundary of any incorporated City within Bullitt County. The City Council of each respective City shall have the authority to rezone property containing less than the above stated acreage within their boundary. Section Two: Should any section, clause, line, paragraph or part of this Ordinance be held unconstitutional or invalid for any reason the same shall not affect the remainder of this Ordinance. Section Three: This Ordinance shall be published according to law. Section Four: This Ordinance shall take affect upon publication." It was passed by a vote of 6 votes in favor and none against. Signed by Mayor James Sparrow and attested by City Clerk Neva Ward. The 10th day of March 1983. Once we made that determination that the City could rezone it we had to consider what happens with this request; does it go back to Planning and Zoning or can the City take it up. Pursuant to KRS 100.211 titled Procedure for Amending Zoning Maps and Text Regulations notice, hearing, time limits for final action. Subsection Two of the Statute relevantly provides that the proposed amendment shall be referred to the Planning Commission before adoption. The Planning Commission shall hold at least one public hearing after notice as required by this Chapter and make findings of fact and recommendations of approval or disapproval of the proposed map amendment to the various legislative bodies or Fiscal Courts involved, i.e. our body being the Shepherdsville City Council. C. The Planning Commission shall make its recommendation within 60 days of the date of the receipt of the administratively complete proposed amendment. 3. If the Planning Commission fails to make a recommendation upon the proposal within 60 days of its receipt of the administratively complete proposed amendment and the time has not been weighed by the originator, which would be the Miles' and Hedgepeth's, the application shall be forwarded to Fiscal Court or the legislative body without a recommendation of approval or disapproval. The Planning Commission passed it to the City Council without such recommendation. KRS 100.211(8) provides that Fiscal Court or legislative body shall take final action upon a proposed zoning map amendment within 90 days of the date upon which the Planning Commission takes it final action upon such a proposal. The Planning Commission sending the matter to the City was its final action. Summarizing the provisions, we believe that KRS 100.211(2)(B) requires the Commission to hold a public hearing and make findings of fact and recommendation. Subsection (2)(C) requires that the recommendation be made within 60 days of the administratively complete proposed amendment but Subsection (2)(C)(3) provides if the Commission fails to make a recommendation within the 60 days it shall be forwarded to the City without a recommendation. KRS 100.211(8) provides the City shall take final action within 90 days of the Commission sending it over which was their final act. The Planning Commission had 60 days to make a recommendation. When it did not therefore the 60th day from the Commission's receipt of the administratively complete proposed amendment and not making a recommendation and letting its time limit run was the Commission's final action. According to Planning and Zoning the subject rezoning application was turned in on 12/13/17. The 60th day from then not a Saturday, Sunday or Holiday, was 2/12/18. The 90th day, not a Saturday, Sunday or Holiday, from that will be 5/14/18. Therefore May 14 is the latest date for the City to take its own final action regarding this request. The City will obviously consider the request. To consider the request the City Clerk must notice the request for 1st reading and public comment and hearing then the second reading and final vote by May 14 with the day set in advance of the May 14 deadline and also enough in advance to also be accordance with the City's meeting schedule. Since there is no finding of fact from the Planning Commission the City Council will have to hold a hearing upon the matter hearing testimony and consider it and any other evidence and make its own findings to approve or disapprove the requested zoning. Bottom line, we need to get the City Clerk to schedule a hearing date (the next City Council meeting) and advertise it for hearing so that anybody for or against the proposed amendment can speak. Thereafter at its next meeting the City can make a vote on that rezoning request. We'll go ahead and get the documents ready for the next meeting.

Sign in Speakers:

Frank Kramer: (Handed out folders to each member.) I'm going to do this chronologically. I'll start with and Open Records Request I made about the annexation of Highway 61 with regards to Ordinance 011-093. This is the Ordinance that deals with the annexation from where the African/American Church and School it starts there and on down to the road and eventually it could encompass all the way up to 245, including 245. The first response on the Open Records Request was "Please find enclosed the documents responsive to your request related to the annexation plan along highway 245 old highway 245 in Shepherdsville." And if I had any questions to all them back. They gave out two pieces of paper; the first one is from Judy Tingle who works for the KYTC and it was a letter from Nancy Albright, Kentucky Transportation Cabinet December 15, 2011, these are emails to Rebecca Goodman, KYTC, Keith Damron, KYTC, and Matt A Bullock, KYTC-D05 and it states "I spoke with Mayor Ellis who has been bounced around a little bit looking for the right person for the below request. I told them since I wasn't sure myself I would ask a few people and one of them would get back with us. Apparently, Shepherdsville recently changed their City limits. According to him he was advised by the City Attorney that KYTC needs to request that KY for they to be annexed from the old City limits to the new City limits. My guess is this would be to make sure is this something we need to do and who if the best person to do that. The agreement is usually signed by PDD. This is the only thing that they have insofar as 480 annexation. There was never a request made from the City Attorney to the KYTC. The second thing they sent in this was the letter which is dated January 5, 2015 to Mr. Wantland from John P. Moore, Director, Division of Planning KYTC. This say the KYTC generally does not oppose or concur with annexation issues but prefers to remain neutral with the understanding that KYTC still controls our right of ways. Therefore, KYTC does not have any opposition to your annexation plans of approximately 500 acres along Highway 245 and old Highway 245 to the City of Shepherdsville in Southeast Bullitt county including the right of ways. The last letter they sent was dated March 20th. I called them back and I told them this does not address anything with 61. It presents problems for 480 and 245 because there are no letters and I think the 15th letter where they gave permission might have been untimely. I don't know that. But this is in response to it and what they say here is that we are in receipt of your letter dated March 2, 2018 requesting copies of letters from Shepherdsville, Kentucky to the Transportation Cabinet pertaining to the annexation of State Road 61 Ordinance 011-193. Please be advised we have no record responses to your request. If you have any questions, please let me know." I would like to let you hear the recording (502-782-4856; 3/19; 3:14 p.m. Judy, KYTC Legal Services advising they do not have any records for an annexation of the KY 61. Only have records of what was sent. Also contacted District office and said they did not have any records for the annexation of KY 61.) The thing we'd like to point out we won the Chapeze annexation case because the City withdrew because they did not follow the procedure for annexing the road; the whole thing was nullified and the land went back to the County. That wasn't a big problem for anybody. There was no money involved there. However, is annexation of Highway 61 was done and it wasn't done legally all the taxes collected by the City will go back to the County. The Highway 480 wasn't annexed properly, and it's revoked, then all the business deals along that road could be in jeopardy because if that land reverts back to the County the County doesn't have to honor any tax agreements the City makes. All we're asking because we're not trying to be aggressive or stir anything up, but we are asking that we come back in two weeks and that maybe you all have some answers for us, so we can know where to proceed. The answers would involve showing us that either Highway 61 was annexed and you all have showing and its not at the Department of Transportation but we're going to wait for two weeks to see what your response is and we thank you for your time.

Robbie Popplewell, 1273 Audubon Drive, Shepherdsville: To underline what he has spoken about when I got involved in the uncovering a lot of the corrupt practices that were going on during the Southeast Fire Department Chief and the demise of Julius Hatfield and his lovely wife who are just devastated. I requested documents from the Kentucky Transportation Cabinet in regard to the right of way annexation of I-65. Joseph Wantland, former City attorney and the former Mayor were trying to get some things done in Frankfort. I filed an open records request and they responded to me that they didn't have any record of communication between the Mayor or City Attorney during that period of time when they were pulling this stunt with the I-65 annexation right of way only. I contacted the Inspector General and within 24 hours I had a stack of communication documents whereby the former Mayor and Mr. Wantland were in communication with various engineers and other office holders in the Transportation Cabinet. They were trying to get them to sign off and support them in getting that right of way annexed. In one instance as I recall in those documents it shows where they were communicating back and forth, and they tried to get the KYTC to sign; it went on and on

back and forth; there were statements made that they had all the property owners in agreement. I filed an open records request here and there was not one single property owner; we're just talking about the right of way of 65 down to 245 and it turned and went just past the western property line of the Southeast Bullitt Fire Department. It was not contiguous. It did not terminate at a property that was asking to be annexed. There are no property owners. Wantland stood up in a meeting and read a letter from an acting director of the Cabinet. What I'm saying is that I don't believe this was done legally and it was done at a pace where nobody really knew; maybe some of the commercial developers knew about it but none of the residents that it touched. That's my concern. I wish I could say more but I'm under a confidentiality requirement from a higher Court than here. That's all I can say. I pray we get this worked out because I just want to be straight up. Bonnie Enlow asked for copies of the paperwork he referred to. Get them to the Clerk and she will get them to us.

Department Head Reports:

City Controller Stephanie Kellerman: I just want to let the Council know a few things that are going on. Gayla and I have made some improvements. The VISA card now has proper signatures and proper documentation that will comply with IRS regulations. We've noticed some issues on uniform allowances; we brought those up to the Mayor and the Department Heads and we have standardization on the way invoices are entered so that there won't be any problems with invoices being paid. We are trying very hard to make sure that all of the findings from the forensic audit will not be repeated and we're making great strides that we've only had a few weeks to work on and it's going to take a few more months. Some of the things that we did find that I'm sure was not malicious it was just an error. The W2s may be incorrect for a couple years. We're looking into that. I think it has to do with deferred comp. Some boxes were marked the same and they are never the same ever! This only affects employees with deferred comp. There might also be some other pretax items that I was just made aware of by an employee. I looked at it and the first page I knew was wrong, but I haven't delved into it to see what the problem could be. We have some issues on the budget. I know that we're talking about an amendment; Tammy and I are getting a list together from the Department Heads, so we can just have one amendment. One of the things we can touch on while doing this amendment for the budget is, Faith is a new Department, but she has no money. Her hands are tied until July until we do the new budget and I didn't know if we, when we do an amendment, we can give her a few thousand to start out with. She has some things on her Agenda that she would like to get going and she's asked to approve some invoices, but it would come out of Tammy's budget and Tammy isn't over that area, so it seems unfair it would come out of Tammy's budget. Maybe that is something we can start thinking about. We're getting ready to start the process for the budgets. I've been asking Department Heads how we've done it in the past so that we can get everything going and get it approved by the 1st of July. The last thing, we got some bids for the painting of the building and some landscaping. The landscaping is bad in front of this building. We were thinking about dividing it three ways between Admin, Fire, Police but I'm not sure they were really happy, but they were wondering if it could come out of Beautification. I know you're the Chairperson. Lisa Carter: This is the first we've heard about this and actually we had a meeting on Friday and we've got some things that we're discussing and large amounts of money that is going to go out for our downtown Buckman Street area. What kind of prices do you have. Stephanie: The landscaping was \$9275. The painting of the building was \$28,000. It hasn't been done since the building was put in place. Lisa: Maybe we should wait and put that in the budget and not dip into our beautification this year. We won't have a \$200,000 payment for this building because the building is paid off now so maybe we need to a lot the \$200,000 back to this building for maintenance. Stephanie: I know some other maintenance needs to be done because of the large cracks in the walls. That's going to be expensive. Gloria Taft: I know we put large amounts into this year's building maintenance; I can't remember what they were, but the Police, Fire and Admin had their own line item for building maintenance. Lisa: Need to get more bids on painting building. Stephanie: I sent out some financial statements today; I want you to pay close attention to the details tab, everything on the actual vs budget is supported by the number on the detail tab. Everything is transparent. It has all checks that were written; all wires, ACH, even journal entries. If you have a question on any of those let me know but it should be very self-explanatory, and I can give you copies of invoices, just let me know! Mike Hibbard: What month do you actually have completed? Stephanie: February except for police and admin. Admin would include the Council. I still need to give you a sheet showing how much money we have, and I also wanted to include on there the loans; the interest rate; how much is left to pay back; and who they are paid to. Mayor Hockenbury: Do you want to talk to the Council about the consolidation of the bank accounts? Stephanie: The bank accounts; I know you've

asked me about this before and to be quite honest it's at the lower part of my list because it just doesn't add a lot of value as far as taxpayer money. Maybe you all have a different view. I spoke with some of the Department Heads on why they have restricted accounts and why they have it at a certain bank; some of the banks require that we have bank accounts with them because we have a loan with them. The Chief of Police also told me that his restricted account for the seized assets is by law; it has to be in a bank by itself. You can't have intermingled funds with it. I thought we could start small and consolidate just a few of them but I'm not sure about getting it all down to one banking institution. I'm happy with a couple of them and it makes it a lot easier if there is an amount that goes into a bank account finding what it is. If it's in a certain bank account, I'll know where to start looking but if you have everything in one bank account it would be a nightmare on my end. It would take a lot longer to reconcile and that would mean a lot longer to get you all the information you need each month. If there is a financial reason or if you just feel passionately then I will try to work with you all. Mayor Hockenbury: How do you all feel. Do you want to rescind that last order about going to one? Donna Burke: The issue was the paperwork that we were being given because of having 9 different account and having reconciliation documents that we were provided. We would still want to be able to see reconciliations that were done and that's why we wanted them condensed not down to one and not necessarily down to one bank but obviously we would have to have three if the Police funds need to be in one by themselves; and they don't necessarily need to be at the same bank but there is not any reason why your software doesn't let you see where stuff is to be able to pinpoint what account it's in. Stephanie: But not restricted? Donna. Right. Stephanie: I did do that for the \$100,000 that you all want moved each month. I actually have it in the General Fund but it's in its own account. Donna: The reason we were given before for why there were so many is because of restrictions that was easier for him because he didn't go by his reports apparently or how he had coded to be able to have it restricted in a different account. That's not necessary and what we were trying to accomplish. Bonnie Enlow: Is there a way to cut down some of the accounts and then come back and tell us what you have and why. That way we can know better because there are way too many accounts. Stephanie: There are a lot of accounts. Yes, I can certainly put down if you don't want it really quick. I'm just trying to balance all my priorities. Gloria: A plus, she's able to give us our reported by email so we don't have all of the hard copies to go through we can look to emails and prioritize on our own which ones we want to see right and which ones we don't. That is a great help. Mike Hibbard: Are you sending the emails by department? Stephanie: Yes. Mike: When you get it nailed down you'll be sending an email to cover everything we were getting before of a single department. Stephanie: One email per department. As soon as I'm done with one department I'm sending them. Mayor Hockenbury: Do you think we need to resend the statement of going to one account and let her work on what she explained now? Bonnie Enlow made motion to rescind her previous order to combine all accounts into one. Lisa Carter 2nd. Motion carried 6-0. Stephanie: Gayla seems to be interested in updating our website. I went around to different cities and looked at theirs and ours seems a little stagnant. I was wondering if we could get her some training if everybody would be okay with her updating some of the information? Mayor Hockenbury: We pay Louisville Geek for so many hours a week. Gloria: Could Louisville Geek work with Gayla? Mayor Hockenbury: We can put that financial information you all get on the website. Lisa Carter: Is there any resolution on the overpayment from the 2013-2014 where it was double paid? Stephanie: No, I'm trying to get the financials for February out and I did take a day off last week so I'm a little bit behind. Lisa: Have they gotten notification on it. Are they looking for that money? Stephanie: No but they know I will be calling. Lisa: I have another question on the checking accounts, I don't know if the Council realized that there was a mention of perks and I think that goes against any of us to receive any perks from WesBanco. It talks about they would give ½ point rate discount on auto loans; combined .40% rate discount on a home equity flex line; \$400 off closing of a residential mortgage; savings and checking perks. City Clerk Richmond: They offered the City that before they put it in there. Several banks have offered City employees these kinds of offers. Stephanie: What direction do you want me to go with Faith and her budget? Mayor Hockenbury: In the budget workshops suggest she has her own budget. Stephanie: She wants to get started and do what she was hired for, but she has no money. Stacey Cline: What about the money she made off the Farmer's Market? Faith Portman: We actually didn't make any money off the Farmers Market but on the Craft Fair we made \$2000. Stephanie: It wasn't designated to her they put it back in the general fund. Can she use that money? Mayor Hockenbury: Find out how much that was and let us know and maybe she can spend that. Is that what this Council wants to do? City Attorney Walt Sholar: You need to be careful about that. You can't be spending money that you don't have budgeted that's against the law. Stephanie: That's why I'm asking. What do we need to do? City Attorney Sholar: You need to amend the budget to put money

in for that. Stephanie: When we do the Amendment we can add something in there? City Attorney Sholar: You certainly can.

Community Planning Director Faith Portman: I met with the Farmers Market vendors and right now we have about 10 but I have a few more interested. A lot of them have fresh vegetables that want to come in. But there are a few concerns. I told them it looks like it will still be in the Park. I know we had talked about putting a parking lot and pavilion next to this building, but I don't know if that is going to happen. I can't wait so what I'm looking for is an awning type building to put on the concrete slab in the Park where we have the Farmers Market. I know I won't be able to get it all covered because it's pretty large. I called US Buildings to get a look at what their charge might be, and it was way too much. I know our City Engineer has a Park Plan and in the Plan there is a nice pavilion. What I'm looking at is trying to get a building put there and that's why Stephanie is lobbying for me some money and I figure if I have another Craft Fair and made another \$2000 that would help pay for it. I have a spreadsheet showing how much the Craft Fair generated. Another thing I have written an Ordinance with a cost fee. Mrs. Cline said she would sponsor it. I gave it to Walt. City Attorney Sholar: We have looked at it and there are some things that need to be changed so we're going to write an Ordinance and we will have it by the next Council meeting. Faith: Mt. Washington has a Farmers Market-type Ordinance and a license fee; they charge \$15 for the entire season. I'm looking at \$20. I don't want to go too much higher than Mt. Washington because they won't come here they will go to Mt. Washington. Most of my vendors to two weeks in Mt. Washington and two weeks in Shepherdsville. I want to keep it competitive and not too high where they won't come here because they have everything there; but we're just starting, and I reminded them of that. Season will run June 1 thru October. I wanted to ask if you all want me to reach out to Jim Reading about donating Port-A-Pots again, but he may say no. We're a way from the bathroom and the vendors need something close because they can't leave their booth. Gloria: Could we ask the vendor we currently use to not put 3 or 4 of them all in the same place? Faith: We could. That's find with me. I also wanted to give an update on our signs. I have talked to the Bullitt County Women's Club and they are going to participate; I also reached out to the State and right now is not a good time, but I may get in to do some work by June. I'm meeting tomorrow with Shepherdsville Elementary and the Extension Office, we are trying to get a Community Garden going. This is going to be more like a classroom garden. Shepherdsville 4th graders are going to be planting the garden; the Extension Office is donating everything and afterwards we're going to ask some of the kids in that class if their families can use the food and what's not taken I will put in the Shepherdsville Pantry. All of that is no cost to the City, the Extension Office is paying for everything, the kids are doing all the work, I will have to do watering during the summer and I've already got that figured out. I'll be doing that personally.

City Engineer Arthur Jones: Last week we got six bids on the project West Blue Lick Road Pump Station Elimination and Sewer Improvement. Those six bids as read at the bid opening, I gave you a copy of those and over the next two weeks we'll be diving into their credentials, references, etc. and I'll be giving you a recommendation at the next meeting for your approval on who to award the contract to. A Public Announcement on Conestoga, because of the construction along Conestoga, when it ties into Highway 61 there is going to have to be a shutdown of Conestoga during that tie-in so there will be about a two-week period coming up this spring where you will not be able to drive north on Conestoga past Medline. So essentially the hill section of Conestoga will be closed for approximately two weeks during that construction effort to be able to tie-in Conestoga with Highway 61. Just a heads up; it's coming, we don't know exact dates yet but as soon as those are made available to us they will be put out for the public to know.

Council Comments:

Gloria Taft: Stephanie thank you for all your hard work. The bids for the Public Works building were all over cost, are we just going to hold on that project now? Are we waiting for next year so maybe we can add some money to the budget to cover that? Tom LaFollette: We currently have \$289,000 in our budget line item for that. Unfortunately, the lowest bid was \$372,000 I believe. What we would like to do is Amend the budget and pull some money from another line item, so we go ahead and get that done. That is part of what Stephanie has been working on. Gloria: Have we gotten the deed for the building yet? City Clerk Richmond: I will make contact with Bill Reed at Settlers Point to inquire about it. Gloria: I've been asked by the property owner if the City is going to move on this. A couple weeks ago we received documentation from Mr. Bohannon about the

Shannon Lane property and the zoning; I believe we are waiting on an answer on a court case to deal with some of the parcels of land that have incorrect zoning or no zoning in the City. I know that Arthur was going to be working on that in this budget cycle that we put \$50,000 in mapping to accomplish this. Mr. Bohannon asked if the City is moving or doing anything or if we had even looked at this zoning. City Attorney Sholar: I've looked at it. In terms of whether it's zoned R-3 or R-1 my understanding from that letter and attachment I received is that there was a belief it was zoned a certain way because there was a placard that was put up at some point by the Planning Commission that said it was zoned a certain zone. What I have been trying to find is whether there is a zoning Ordinance or a zoning vote of the Council at some point that said it was zoned a certain way. I don't believe that we can operate with a zoning by placard. We have to nail down whether or not it was actually zoned a certain way and that's what I'm trying to find. I don't know anything about looking at a Court case; that may be something you are working with Arthur on, but I've not been researching any Court case.

Mike Hibbard Sr.: I'd just like to say I hope you see out here as much as we all want to move forward things keep coming up that require an awful lot of attention to fix something from the past before we can move forward. I think all of us want to move forward and that action a lot of times gets defeated. But we will persevere. I have some information I prepared that I will make copies and give to the other Council Members. I will put it in your box. I think you seen an awful lot of comments during the last couple weeks about our garbage situation and I have met with 3 people that asked for information and I have not given them this yet, but I wanted to pass it among the Council members before I do.

Lisa Carter: I'd like to thank Tom LaFollette and his guys that helped me on Friday. The Park had the aluminum gate that had gotten run over, so we are going to revamp those and make some Welcome to Shepherdsville signs out of those. I'm hoping by the end of the week I'll have those back and we can get started to go on 61 South and 44 West with some landscaping and maybe curbing. We're talking about hanging baskets, I've got my estimate back but I don't have it with me. I'm waiting on LG&E to get a clarification from them. If hanging baskets aren't a go we've decided to get some nice decorative trash cans, a couple new benches for Buckman Street and some flower bins that match the trashcans that are similar to what's down there. We're going to keep those in a red color to make it uniform down Buckman Street. If those baskets with LG&E doesn't work, we'll probably turn our efforts to purchase more trash cans and several more park benches. The trash bins similar to the ones in front of the Courthouse now; the cans themselves are \$750.00 a piece; park bench is \$1500.00; flower pots like the trash can runs \$600.00. We're actually going to try to get Melanie Roberts office to possibly purchase one. I'm kind of at a stand still until LG&E gets back with me with the baskets.

Donna Burke: I want to ditto Gloria on Stephanie and the good job she is doing. We had a Traffic Study meeting tonight and basically things got delayed a little bit because of negotiations but we are to a point where we are ready to finish the design probably within the next couple weeks and then be able to get RFPs out. We're scheduled to have another meeting on April 23rd unless we end up having things go quicker that what we expect and we need a vote to establish who is going to be doing the work. We have determined we probably are going to be it in two segments that would encompass Keystone and Adam Shepherd up in that area first where the need is greater and then the bigger part that would encompass Conestoga in the second part. As we get the design done we'll have more to report on that. I would like Faith to come back up. Some of the things that you have indicated from conversations with Lori appear that beautification is very much a part of her job. Faith: It is and should be part of mine too. Donna: The reason I want to find that out is because you seem to have an issue with whether you've got any money and I would propose, and I don't want to step on any toes but I don't guess there's any way around it, it seems odd to me that we would have Chairs over something that is long-standing where the possibility that person who Chairs won't be able to complete things within a term and we run. We as a Council should have people on Committees but if it's something that is likely to take longer than what we may be able to be in office I would propose that we not have Chairs on something that is a long-standing thing and I would like to make a motion that we disband the current Beautification Committee and allow that to come under Faith's description as it seems to be under Lori's in the same capacity in Mt. Washington. It seems like there are some conflicting things. You obviously are looking into some of the same things that Lisa is looking into and you have to worry about whether you're

stepping on toes of what you want to try and do so to me it would just make sense where you automatically solve the problem of whether you've got any monies available as well for things that are beautification so like I say I make a motion that we disband the current Beautification Committee and allow that responsibility to fall under Faith and if Faith requires a Committee that she establish one going forward that would consist of at least one Council member. Bonnie Enlow 2nd. Gloria: You mentioned having a City Council Person Chairing a Committee that would be long standing beyond what a Council person's term may run; we have a Council Person Chairing the Traffic Committee and that is going to also run longer than a single Councilperson's term. Donna: I understand that. Gloria: Should that not then be deemed the same reason to have someone else chairing the Traffic Committee? Donna: I agree, and I would even suggest that Arthur be the one that Chairs that. It just doesn't make sense; we have an issue that seems like it became an issue with our Audit Committee with someone that was a previous Council member who Chaired that Committee. That is part of what is in my thinking process. Knowing that I'm a Chair of a Committee I totally understood that when I was making that suggestion because I don't feel like it if it something that will be able to be completed within a term where I might now get re-elected it doesn't make sense for somebody to put in place plans that are not re-elected or they choose not to run again someone else has to pick up the ball and may not have the same idea or information and it's just self-defeating I believe. Gloria: You have Arthur on the Committee, so you have congruency because hopefully Arthur will be here for many years to come. The Beautification Committee has Faith on the Committee for continuity even after, if the Chairperson doesn't Chair after January. You have there again continuity. I don't see where the problem is if Mrs. Portman communicates really well with the Chairperson we wouldn't have this. Donna: To me it's a conflict. Lisa: I would just like to say personally in my years of being a citizen in Shepherdsville there was never ever a Beautification Committee to my knowledge. There was never ever a beautification fund with any money put in it until we came along. I don't really understand what the problem is. I've been working a year in April on those baskets. I've been working with the high school students since last year. Nothing comes the next day. Everything is a long process. I don't foresee a problem with the way that we've been. Faith is on the Committee. We have other people that aren't on the Committee that aren't present here tonight. I don't understand why this is just now coming up. Donna: Faith in the meeting you attended Friday what was the response to any suggestions that you made. Faith: The only suggestion I made was on flower pots and Lisa told me to look at them. I didn't take it any further because I wanted to see what she was doing. Donna: Again, it would solve the problem that she has no budget and has to wait until an Amendment and the fact that Lori actually does the beautification and some of what Faith indicated as things that she was looking into doing are beautification things. As Gloria brought up I knew full well that I was cutting off my nose despite my face as far as being a Chair of a Committee because that's my feeling; it doesn't make sense for someone on the Council to actually Chair a Committee unless it is something that is going to be easily accomplished in the term of that person. If it a long standing ongoing thing like beautification, certainly one of us needs to be on that committee but it doesn't make sense for a Council member to actually Chair the Committee. Mayor Hockenbury: Do you want to rescind or amend your motion? Donna amended her previous motion that would follow that I would also step down from Chairing the Traffic Committee and recommend that Arthur be put as Chair of that Committee going forward. Bonnie Enlow 2nd the amendment. Mike Hibbard: Does anybody have an objection to making this Committee an action Committee? It means that an individual has to come before the Council for approval to spend anything. The Committee can be an action committee that the majority vote of that Committee, you appropriate what funds we have for beautification to the Beautification Committee and a majority of that Committee has the authority to spend that money as long as it covers beautification. Donna: My motion was to disband the Beautification Committee. Mike: I don't see where we need to disband it. Donna: There is a motion and a second. Mayor Hockenbury: We'll go ahead and vote on it. Mike: Why do you feel disbanding a Committee that has 5 people on it and possibly take the funds out of it and give it to one person. Donna: It's not one person. It's the City. Mike: Who is going to make the ultimate decision then of how those funds are spent? Stacey: The Council. Donna: That person would still have to come before the Council for whatever spending they want to do. Mayor Hockenbury: It's still restricted so the Council would have to agree to spend that money. Mike: I'm going to make my personal feeling known, I don't think there is going to be any problem spending it. Mayor Hockenbury called for a vote. Gloria: I just want to be real clear because you want to completely disband the Beautification Committee and you are stepping down from the Traffic Committee recommending Arthur take over as the Chair. The Traffic Committee was set by Council vote; Mr. Sholar is a stepping down Chairperson recommending someone for Chair, is that okay? City Attorney Sholar: If

somebody determines that they are not going to serve as Chairperson can step down. Somebody that is stepping down can recommend anybody that they want too. That doesn't mean that person is going to become the Chair because typically speaking it would be the members of the Committee that would elect somebody from within the Committee to serve as Chair. Donna: Did the Council actually ask for this Committee to be Traffic Study or was it the Mayor? Gloria: It was the Council. Mike Hibbard: Wasn't it the same way with the Beautification Committee? Didn't we decide here? Four of the five members that are on it right now were mentioned the same way the same night. City Attorney Sholar: With regard to Committees, whether they are Committees that are set up by the Mayor or Committees that are established by a vote of the Council. The Mayor can spend money. The Mayor's agents can spend money. Committees set up by the Council cannot spend money. They can investigate things, look into things, find out cost, etc. and bring that back to the Council and the Council can then vote to request that the Mayor spend money, but the Mayor has the Executive authority of the City lies with the Mayor and the Mayor's agents. Vote: 3 votes in favor – 3 votes opposed. Mayor broke the tie in favor of disbanding the Beautification Committee. Motion carries 4-3.

Stacey Cline: Keep up the good work Stephanie. Arthur what about the Marshall's property on Old Beech Grove Road? Where do we stand with getting that fixed over there? Public Works Foreman Tom LaFollette: I spoke to him. Everything looks great right now. Since we changed the flow of that water he has not had any more issues. We've been over there looking for voids. Stacey: Where it is muddy and bad looking, were you going to sow grass there at the corner across the street from him on the concrete side by 2M, but I understood it was part of his property? Tom: I don't think so. That's a State right of way. Stacey: He was happy with everything? Tom: Yes. I've called him and stopped by and spoke to him as well. Stacey: I have some comments to make. I've been sitting on this Council for a year and three months and I'm pretty dissatisfied. First, I want to let the citizens know what a City Council is an elected legislative body with the authority to pass municipal ordinances and budgets, make appropriations and set local tax rates. I've sit on the Council 1 year and 3 months; I feel like as a Council we cannot come together on very many issues; it seems to me there is a clear divide with the Council, as what happened tonight. I think there is a communication problem. I also feel that some Council Members have an Agenda which is only hurting the citizens of Shepherdsville and the employees of the City. The citizens voted for us to work together and we owe it to them to do so. Many of you may not know but I did work for the Judge Executive's office. I was harassed, I feel some of our employees are being done the same way and I think the employees should be left alone to do their job. In the past working at the Judge Executive's office I would go home at night and worry if I would have a job; if I've got to come back tomorrow are they going to let me go; what's going to happen. I don't want any of the employees to feel this way. No one should feel pressured while doing their job. This weekend I received a phone call, like Mike did, on the garbage. Comments were on *All About Shepherdsville's* Facebook page. I personally think that posting on Facebook is childish. I would have hope that if anyone has a problem with the way a Council Member voted on the garbage or any issue you would call and discuss that with the person that you have the problem with. Don't turn to Facebook because all that does is bring negativity out. Also, the Council looks bad to people and we don't need that for Shepherdsville, we already have too many bad things going on now. I'm asking the Council to put your differences aside; let's try to work together so we can move the City of Shepherdsville forward.

Bonnie Enlow: Walt, why can't the Mayor vote to break a tie on zoning? City Attorney Sholar: KRS Chapter 100 doesn't allow for it and it's been litigated. The statute doesn't allow for it and the reason it doesn't is because the theory behind why they did the statute that way is that when you're going to be changing the use of property it needs to be a clear majority of the body. Bonnie: I also want to add to Stacey's comments. We started our year off on a really good foot, but we have come to a clear division. As hard as I've tried nothing seems to work to stop the division. I get complaints from taxpayers not liking our division; they had it in the last Council they don't want to see it in this one. We can't seem to move forward from the division. It isn't about whether we like each other it's about working together doing the right thing in a timely fashion. It's about being respectful in our talk and actions. Morale is low with the employees. I've had a lot of complaints from employees complaining about being harassed. It isn't our job to tell employees what to do that's the Mayor's job not ours. We need to leave it up to him to run that part of the City and we do what is our jobs to do.

Mike Hibbard: Who do you feel has an Agenda and what is it? Stacey: I think it's obvious. Mike: State it then. Who has the agenda? I'll simply state that, and this is my recollection, there has been a number of 3-3 ties in voting in which the Mayor had to break the tie. As far as I can remember the only time the Mayor voted for supposedly the people with the agenda we made a motion to do something and he voted against it. 3-3 tie; that's the only no vote he's cast. The rest of them I do believe have been in favor of the three I'm looking at. I don't know how I can be accused of having an Agenda ... Stacey: How do you know I'm accusing you? Mike: I just said I presume so if I'm incorrect say so. Stacey: I didn't say anybody's name. Mike: You're right, it's getting very difficult to remain polite and respectful when some things are just thrown at you at the last minute without any notice. Stacey: I agree. You all come in here more than we do. I never get to come in here because I work. Mike: Supposedly what employees are being harassed? Stacey: Why don't you ask the employees? Mike: I don't know who they are. Donna: If there is a concern why does it take three of you all to come in to address that concern? Mike: Because we can't have four. Lisa: Are you referring to last Friday? I came in because I had some things I wanted to talk with Stephanie about. Mike: We come in to acquire information. We didn't direct anybody to do anything. Donna: One could not acquire the information and pass it along? Mike: We could have I'm sure. Donna: How do you feel like that would affect an employee that is basically having three Council members come down on them. Mike: We weren't coming down on them. They have no idea what you're going to do. That would be intimidating. Mike: She did know because we sent email ahead of time asking for specific information or to discuss certain things and allowed her to set the meeting according to her schedule. Donna: You three were actually scheduled to meet with her? Mike: Actually one was. Others could attend yes. Donna: The intimidation occurs when more than one. Lisa: Stephanie was there any intimidation to you. I sent you a letter saying I would like to come in I had requested several things I wanted to look at. Is that not true? Stephanie: Yes, you did. Lisa: Did I intimidate you in any way whatsoever? Stephanie: No. Lisa: I don't think that's even my nature. Donna: That's not what I was referring too. You by yourself wouldn't have been an intimidation. Mike: At one point there were six people in there, did you feel intimidated at any time during that meeting. Scott Fleming: Who attended that meeting? Carol Richards: I did for one. Mike: Actually, there were some of us that came for one meeting and some others that came for another that asked us to remain. Bonnie: What about Gayla? Mike: What about Gayla. You mean when two of us met with Gayla? In an email to me that I got a copy of; two of us were accused of I think the word was terroristic method was used in that. That came from one of our members. They also informed us that there were employees in tears when we left. That was not the case. When that was brought up I'm going to ask the question did one Council member text, email, call me, in any way contact me and ask me about that meeting. The answer is no. If you want information all you got to do is ask. Donna: I will add on top of the information that has been on *All About Shepherdsville* most of what was put on *All About Shepherdsville* from the residents was negative and the issue after having a vote that was passed for a change to a new provider is that there is not any reason whatsoever that the public needed to be made aware of the fact that this this and this Council member voted for not switching and this, this and this Council member voted to switch. That is what promoted division. Gloria: That's public knowledge. It's public record. Donna: It promotes a division amongst the Council which is not necessary. Gloria: What promoted the division among the Council is when Council people accuse me of doing things when they haven't even bothered to call me or talk to me; stop me in the hallway to ask me my side of the story. When you only assume you're hearing the God's honest truth from one side and assuming that I am incorrect, and you've never talked to me. I sit on the Traffic Committee; I never received an email from you letting me know that there was a meeting tonight. The only reason I was able to make it to the meeting tonight is that a friend of mine came through the door last week took a picture of it and sent it to me. Donna: My email that went out included both of your names. I'm not sure why it didn't get to you. Gloria: I only have one shepcity email. Donna: That was not intentional, my email I sent out included both of your names. Mayor Hockenbury: I encourage us to agree to disagree.

Mayor Hockenbury asked for a motion to adjourn to Executive Session to discuss pending and potential litigation (KRS 61.810(1)(c)). Tom Barr, Editor of *The Pioneer News*: I just was to object if there is any discussion on what we've been discussing because that is not a reason. City Attorney Sholar: That would be improper to discuss those issues in Executive Session. Donna Burke made motion to adjourn to Executive Session. Stacey Cline 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.

Donna Burke made motion for the Mayor to notify the FOP with our decision as to the Collective Bargaining Agreement in writing stating we are going to be amending the Collective Bargaining Agreement. Bonnie Enlow 2nd. Motion carried 6-0. Bonnie: I would suggest we hold the letter until April 30th.

Donna Burke made motion to adjourn. Lisa Carter 2nd. Motion carried 6-0. Meeting adjourned at 10:06 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk