

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, JUNE 11, 2018**

Tony Thompson gave the invocation

Boy Scout Troop 376 led The Pledge of Allegiance

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

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

Mayor Hockenbury asked for motion to dispense with reading of the 5/14/2018 regular meeting minutes. Gloria Taft made motion. Stacey Cline 2nd. Motion carried 4 in favor-1 abstain (LC)-1 absent (MH).

Mayor Hockenbury asked for motion to approve 5/14/2018 regular meeting minutes as written. Donna Burke made motion. Stacey Cline 2nd. Motion carried 4 in favor-1 abstain-1 absent.

Mayor Hockenbury asked for motion to dispense with reading of the 5/23/2018 special meeting minutes. Bonnie Enlow made motion. Gloria Taft 2nd. Motion carried 4 in favor-1 abstain-1 absent.

Mayor Hockenbury asked for motion to approve 5/23/2018 special meeting minutes as written. Donna Burke made motion. Stacey Cline 2nd. Motion carried 4 in favor-1 abstain-1 absent.

Mayor Hockenbury asked for motion to dispense with reading of the 5/31/2018 special meeting minutes. Donna Burke made motion. Gloria Taft 2nd. Motion carried 4 in favor-1 abstain-1 absent.

Mayor Hockenbury asked for motion to approve 5/31/2018 special meeting minutes as written. Bonnie Enlow made motion. Donna Burke 2nd. Motion carried 4 in favor-1 abstain-1 absent.

Old Business:

City Attorney Walt Sholar had second reading and public hearing for Ordinance 018-259 A request from New Flyer of America Inc./DPIF KY 1 I-65 Cedar Grove, LLC to rezone with restriction 32.26 acres, more or less, from IL to IG General Industrial for property located at 857 Park Loop Rd listed in the PVA Office as Parcel #046-000-00-017E in the City of Shepherdsville. Jon Baker, Wyatt Tarrant & Combs, here tonight on behalf of ... City Attorney Sholar: If I may, as an officer of the Court the Council does not require that you be sworn but if your client is going to give any statements or testimony we would want to get his name and address and have him sworn. John Baker: This is Dan Murry, General Manager of the New Flyer facility in Shepherdsville and I'll let him enter his address for the record. Daniel Murry, 15221 Champion Lakes Place, Louisville. City Attorney Sholar administered the oath to Mr. Murry. Jon Baker: We are here today to present on behalf of the owner which is DPIF Kentucky 1 I-65 Cedar Grove LLC and the applicant, New Flyer of America Inc for a rezoning application from IL Light Industrial to IG General Industrial for property at 857 Park Loop Road. We believe through the statement that is stated in the record that our application is in fact compliant with the Comprehensive Plan in Bullitt County and we believe the property is a perfect place for New Flyer to locate where they plan on bringing more than 500 jobs. New Flyer of American is a subsidiary of New Flyer Inc. and New Flyer Industries Group which has a number of parts to its group one of which is the biggest manufacturer of transit buses and motor coach lines in all of North America as well as auto parts. This facility, what we are proposing to do here is primarily part fabrication which is permitted in IL Light Industrial but there will be times when there will be a number of buses, less than ten at a time, that will be dropped off for further assembly from the location in Shepherdsville. We believe this property is a perfect place, that it's an as built already facility that we are fitting inside for the processing that New Flyer will have. No new construction here just interior construction; there is already infrastructure that is built out for this type of use and will be situated at an employment center with other buildings in like appearance that our facility will look like. Though there will a lot of jobs here it's a low impact use as far as the output that we put out. We feel really good about being

able to locate in Shepherdsville and bring the jobs. It's a substantial investment on New Flyer of America's behalf and they are looking very excitedly to be a part of the Community. Lisa Carter: How many employees do you have there now? Mr. Murry: Currently we have approximately 60 employees at this time; by the end of 2019 we expect to have over 500 employees. Gloria Taft made motion to accept. Donna Burke 2nd. Motion carried 5-0-1.

City Attorney Sholar had second reading of Ordinance 018-265 An Ordinance Amending Ordinance 017-235 as previously Amended by Ordinance 017-246 The City of Shepherdsville, Bullitt County, Kentucky, Annual Budget for Fiscal Year July 1, 2017 through June 30, 2018, by estimating Revenues and Resources and Appropriating Funds for the Operation of City Government. (Sponsored by Donna Burke) Gloria Taft: Our current line item budget would need to be attached with the old number crossed off and the new number input on each line item we are going to change. City Attorney Sholar: Your point is well taken. What may resolve that issue is adding a Section Six that sets out that any line, clause or section of Ordinance 017-235 and 017-246 not specifically referenced herein shall continue in full force and effect. Gloria Taft: I'm good with that. Bonnie Enlow made motion to accept as read. Stacey Cline 2nd. Motion carried 5-0-1.

New Business:

City Attorney Sholar had first reading of Ordinance 018-260 An Ordinance Adopting the City of Shepherdsville, Bullitt County, Kentucky, Annual Budget for Fiscal Year July 1, 2018 through June 30, 2019, by estimating Revenues and Resources and Appropriating Funds for the Operation of City Government. Stacey Cline made motion to open discussion. Lisa Carter 2nd. Motion carried 5-0-1. Bonnie Enlow: We've had some discussion with John Snider, Scott and Arthur today. Does anybody need an explanation of what this is all about; we can ask Scott to come up and explain it. We are now looking at putting that back into the Budget because we now understand what it's about. Stacey Cline: I'm the one who asked to take it off the table because I didn't understand. We were never approached but now we know because John Snider sent us an email explaining it. There was no communication and we didn't know what it meant. Scott Fleming: It's basically giving the City a seat at the table and helping fund the study to decide on how that corridor builds out. Lack of planning has been a problem in the City so we're trying to get ahead of that. Bonnie Enlow: It will give us a voice. Bonnie Enlow made motion to add the line item Economic Retail Development for \$20,000 back into the Admin Budget. Stacey Cline 2nd. Motion carried 5-0-1. Lisa Carter: Just so the citizens realize we were here last Monday and Tuesday. After looking at my paperwork I see several items have been changed figure wise, so I personally think that we as a Council should sit back down and go over these numbers again at another Special Meeting. On the City Council, we talked about this last year, when the City Council comes into City Hall we have no computer to use or when we have things we need to look up. We had asked for a laptop last year, so I would like to add \$1000 for a laptop in the City Council budget so any Council coming in will have a computer to be able to access when they come down here to do City business. I would also like to have a Special Meeting again for those numbers that have been changed; and there are a lot in here. Bonnie Enlow: You mean on the City Council that has been changed? Lisa Carter: The whole packet; some stuff that we've asked to be broken down, so I would like the City Council to reschedule and have another budget meeting to discuss this. Faith Portman: I had the laptop that I had used for a while. Mayor Hockenbury: We can use that to save money. I'll look into it. Donna Burke: Did you have full access to that laptop online and being able to access everything? Faith Portman: I could get on Shared Files. Gloria Taft: We would be able to update it. Donna Burke: It could be kept with Tammy and we could get it when we get here and use the Conference Room. Mayor Hockenbury: What would you want access to? Lisa Carter: Our emails to print whatever you send us. We can compile what we think we might need and get it to you. Stacey Cline: Lisa, I want to understand, even the changes we made in the budget you're saying that other things changed? Lisa Carter: I looked at certain line item; item 5150 and there are several more that I've got written down. A Special Meeting was set for Thursday, June 14th at 5:30.

City Attorney Sholar had first reading of Ordinance 018-261 An Ordinance Adopting the City of Shepherdsville, Bullitt County, Kentucky, Sewer Operation and Maintenance Budget for Fiscal Year July 1, 2018 through June 30, 2019, by Estimating Revenues and Resources and Appropriating Funds for the Operation of the Sewer Department.

City Attorney Sholar had first reading by Summary of Ordinance 018-262 An Ordinance of the City of Shepherdsville, Bullitt County, Kentucky Establishing a Code Enforcement Board, to abate nuisance, provide remedies, impose fines, and generally enforce Ordinances concerning enforcement of existing and future City Ordinances concerning the condition of property within the Corporate Boundaries of the City. Donna Burke made motion to open discussion. Bonnie Enlow 2nd. Motion carried 5-0-1. Bonnie Enlow: I have a question on the fees for junk cars. Is that per car on the property or just because they have the junk cars on the property? Code Enforcement Officer John Bradley: One junk vehicle is one fine; another junk vehicle on the property is two. Bonnie Enlow: Shouldn't that be defined in the Ordinance? City Attorney Sholar: I hope it is defined in the Ordinance. I would urge everybody to take a look at the Ordinance and if you have questions call and check with me or John and we'll get that lined up. Something that I would suggest, bear I mind if you have to have a hearing on a first offense on grass and weeds. The first offense is a max of \$75. It's going to cost \$50 a person for everybody on the Board plus the time of the Code Enforcement Officer to be there; plus, whatever you have to pay the Attorney that is going to represent the Board or the City. It's going to cost you a lot more than \$75 to conduct that hearing. You might want to consider increasing that fine. The Board would have discretion of not going to the maximum but if it's some person that just doesn't care and it's not the fine because you're probably not going to get the fine. But you are going to put a lien on the property. Bonnie Enlow: The Board would normally meet once a month; is that correct? John Bradley: Correct. Bonnie Enlow: Would we hold all our hearings then? City Attorney Sholar: I represent the Mt. Washington Code Enforcement Board. We have been in existence for a year and we haven't had a hearing. Nobody has appealed. I'm told by Ms. Baker at Hillview that they have not have a hearing. But if we do what we would be doing; the City Clerk is supposed to, or somebody in the City Clerk's office, serves as the Clerk for the Code Enforcement Board. They are supposed to let us, and the Code Enforcement Officer know whether or not there is anybody that has filed an appeal. What we would wind up doing at a meeting of the Board; we meet on the second Thursday, and we're informed we've got a hearing to hold. They would probably hold that hearing at the next regular meeting of the Board. You're out the \$50 anyway. The whole purpose of this is to motivate people and somebody who hasn't been notified enough by John getting in touch with them I don't know that they are going to be motivated with that extra \$25. Code Enforcement Officer John Bradley: Last month I wrote over 40 cases. I have on my desk returned, unclaimed certified letters. At \$6.76 a piece you can see how much is going out. Gloria Taft: If they don't claim their letter is there anything the City can do to proceed with getting it to them. John Bradley: I'm going to another Attorney tomorrow to try to file a criminal complaint on a couple. City Attorney Sholar: That's under the current Ordinance you have in place which is going to get repealed by this Ordinance when it passes. Under the Code Enforcement Board system that you're talking about passing, if somebody doesn't accept their mail, as long as we have complied with the electronic means by letting the Bank know they have the ability; once they said they want to be notified we let them know. The key is going to be but if it's a piece of property that I own and I don't pay it and you all don't want to go to the trouble of foreclosing when I get ready to sell that property and these various subdivisions when these properties move or the Bank forecloses because they are not getting paid somebody will wind up paying that freight but if you don't put a high enough fine on it to make it worth the City's while then you still wind up three-quarters of the way in the hole. John Bradley: The fine is just a starting point. You all can make recommendations. I had to start somewhere. Also, the lien notification that Walt showed, it's on our website and passed to all other Departments for posting. Donna Burke: I have a question about Section 17 where we would take immediate action where necessary; what is the way we handle a situation like where the market is; that high grown grass. John Bradley: Tom cuts it and we have filed numerous liens on it. Donna Burke: Do we have anything in this Ordinance that addresses the added cost of those things. City Attorney Sholar: There is some language in here about abatement and the cost of abatement. Also, the affidavit that will be filed by the Code Enforcement Officer is prima facia evidence to the reasonableness of it. If we came along and charged \$1000 for cutting grass the due process of it all would hang us but as long as it's a reasonable expense you won't have any trouble with that. You're not going to get your money immediately but if that property sells you should have a good lien. Gloria Taft: Do we want to increase fines now or just send you an email? John Bradley: Send me an email. Bonnie Enlow: Stephanie did you include in your budget for paying the Code Enforcement Board? Controller Stephanie Kellerman: No, I didn't know we were going to do that. Bonnie Enlow: It's \$50 a person, three people once a month so it is \$1800 and we better budget a little over in case they have extra meetings. Donna Burke: Do we want to require that every month? Are they meeting every month? City Attorney Sholar: Yes, they are. City Attorney Sholar: I have cautioned Mt. Washington about that because the Code Enforcement Board is a quasi-judicial body. We have to be a little bit careful because people get on Boards and they want to

be team players, so they are inclined to say to the Code Enforcement people what's going on, how are we doing, is the whole program doing a good job. That's like if we were to have a meeting with the Judge every week or month and ask questions; then if something did happen and we had to have that hearing and somebody wanted to talk about the Chief having had a conversation with the Judge about this once a month that can be I frankly have cautioned them generalities fine, for them to tell how things are going; but we don't want to be talking about details of cases that are not final yet. The Code Enforcement Officer should not discuss non-final cases with the Board because they need to hear whatever they are going to hear about that while they are sitting as a Body and hearing it as a case. Stacey Cline: Have we picked a Board? John Bradley: I've got several people interested. City Attorney Sholar: One other thing I'll point out because we haven't had any hearings; Mt. Washington currently have 3 Board members and 2 Alternates. They ask all of them to appear; some meetings one of the regulars won't be there but what they wanted to make sure of is that they always have a quorum which is they have to have no less than two people there to conduct any business and they were a bit concerned that if they just had three there might be an issue. But when five show up you have to pay them as well. I think this Ordinance only calls for three. Donna Burke: We might need to adjust that so that would make \$3000 that we would need to worry about. Bonnie Enlow: It would probably not be a bad idea to put \$3000 in the budget for that. Controller Stephanie Kellerman: What about the revenue. Bonnie Enlow: We still have to have a line item. Donna Burke: We would need another line item for Code Enforcement Revenue.

City Attorney Sholar had first reading of Ordinance 018-263 An Ordinance prohibiting signage within the public right of ways in the City of Shepherdsville and restricting the placement of any sign in any place in a public right of way.

City Attorney Sholar had first reading of Ordinance 018-264 An Ordinance establishing the requirements to erect a fence around garbage containers located in Commercial, Residential, and Industrial areas within the Municipal Boundaries of the City of Shepherdsville. Donna Burke made motion to open discussion. Bonnie Enlow 2nd. Motion carried 5-0-1. Bonnie Enlow: Under Section Six the types of fences where it says a fence of non-deteriorating material. Code Enforcement Officer John Bradley: Most of them have chain link fence. Bonnie Enlow: Is a wood privacy fence okay? John Bradley: Yes. It has to be treated wood; if it's not treated it will rot. Lisa Carter: Can we do away with privacy fences? The wood slats and make them use block, vinyl. Stacey Cline: I don't think we can do that. Lisa Carter: I don't like the privacy fence enclosures around dumpster areas. I would like to see concrete cinder block or hedging and chain link versus the privacy fence. Stacey Cline: So people who have put up those fences now you're saying they are going to have to rebuild a new one. Lisa Carter: I'm just going to say the one on your street they have already torn the gates off the front of it. Unless they make those structurally sound such as 6" heavy conduit material ... Stacey Cline: We have the same type of fence he has around our dumpster and we couldn't keep the front; because somebody keeps dumping in it, so my husband put a chain link fence on the front with a lock and key and gave it to everybody. I don't think it's fair to the people who have put the money out and put those up; all the new places across from Walmart have all put up wooden fences. Lisa Carter: I have had some complaints that when coming off the Interstate about the business next door to us says their fence looks kind of tacky. Bonnie Enlow: Could it be a requirement for future businesses. Lisa Carter: From this point on when voted it the fence has to be a particular hedging, fencing, concrete. Stacey Cline: What do you think about that John? John Bradley: I think it's a good idea because people have already gone to the expense to put them up and to make them tear all that down and start over would be a cost they have to endure. Donna Burke: The only issue you're going to have is height. If somebody doesn't have the height and ends up not having that and you have a good number of those. Bonnie Enlow: That would still be for future businesses. For those that are grandfathered if that enclosure they have comes down for any reason they have to follow the new regulations.

Daryl Lee, Planning & Zoning Appointee: No report.

Duane Price, Board of Adjustments Appointee: No report.

Sign in Speakers:

Steve Larimore, 185 Michelle Dr: Eleven months ago, I came to talk to you about my City Street that you took into the system, soon to be four years ago; and the first time I came I was promised I would be contacted

regarding what you all were going to do, and it's been 11 months now and I have yet to hear back from any one of you. We discussed this for about five straight Council meetings; I got tired of not getting an answer and I went away. The people that I represent in my Homeowners Association are very upset and I'm back here to find out what you are going to do this year or if you're not going to do anything. If you're not going to do anything just tell me, you are not because coming up here every other Monday night is not something I really enjoy doing to have to stand up here and raise this issue. Mayor Hockenbury: We paved up to a certain area. Mr. Larimore: You haven't touched my area in four years. Mayor Hockenbury: And we took that street over. Mr. Larimore: The 14th of November 2014. City Engineer Arthur Jones: Heritage Hills evidently by the work of the Council being taken into the City's network and I know that we've paved the cul de sacs that have been built out thus far. When we went out there and inspected it last year we felt like we had paved to a point that had been constructed ... Mr. Larimore: Let's just stop this conversation. I'm not talking about Heritage Hill. I'm talking about the Patio Homes in The Greens; a totally separate Homeowners Association, we've seen nothing done in our area. That's what I addressed last year and that's what I'm here to address. The Heritage Hill Homeowners Association where you did a lot of blacktopping up there is a whole different ballgame. I have nothing to do with that. City Engineer Arthur Jones: What would you say the percentage of build out is in the Patio Homes? Mr. Larimore: Phase I has been complete for ten years. Mayor Hockenbury: Are you in Phase 1? Mr. Larimore: Yes. Do you know Jamie Weck? Is he in Phase I? Mr. Larimore: Yes. Mayor Hockenbury: He came to see me today and I asked him about the streets and he said they were fine. Mr. Larimore: Well Jamie is one of 24 residents sir. I don't see Jamie here tonight. Jamie has no authority to represent our Association. Jamie is a good friend of mine but whatever he says is not what the Association says. I'm the President of a five Member Board duly elected and I'm here to address our issue of the Homeowners Association that has been on the table for nearly four years. My biggest concern is you guys told me 11 months ago you would give me an answer. If you're not going to give me an answer this time tell me and quit wasting my time. Mayor Hockenbury: Why don't you come see me tomorrow? Mr. Larimore: Why don't you all as a Council give me an answer. This is getting out of hand. It's really ridiculous that I have to go back and tell 27 residents, mostly senior citizens that a safety issue that exists in our area the City Council is ignoring. Lisa Carter: I would like to say I did reach out. I did look your number up in the book many many months ago after the last Council meeting; you were sitting in the audience and you left and you haven't been back since. I do know that this is the first meeting you have been too since you were out here, and I don't believe you spoke that evening that you were here, but I did reach out and I did speak to your mother, I did call. Mr. Larimore: You spoke to my mother? My 82-year-old mother that doesn't live there. Lisa Carter: I spoke to her because her name was in the book. Mr. Larimore: Let me make a correction to my statement. Somebody at this City has reached out to me, Tammy Richmond. She sent me a document that was dated, that was a list of roads that were being looked at within a week of my first appearance here. I have heard nothing from anybody else. My mother is 82 years old. Lisa Carter: I called her because ... Mr. Larimore: Tammy has my number and my email address. Lisa Carter: I didn't go through Tammy sir I looked in the phone book and I called your number. Mr. Larimore: All my information is here. Mayor you asked me for my contact information, Tammy spoke up at that point and said I have all his contact information. Can you put that area on the top of the priority list? Mayor Hockenbury: Steve, I can't answer that question tonight. I will specifically get over there tomorrow with Tom LaFollette and Arthur Jones and I'll take a look at it and we'll see what we can do from there. Mr. Larimore: You all carried a significant amount of money across the budget last year that was a good opportunity when you had the money to use it to satisfy some of the citizens. Mayor Hockenbury: I will surely look into that tomorrow. Mr. Larimore: Mayor, that you for saying that. I have no confidence whatsoever that you are going to do anything to answer my question because you sat there and told me 11 months ago I will get you the answer this week. I'm 11 months later. I'll be back again to the next meeting. Tammy has my information. If anybody wants to contact me I'm not hard to find.

Department Head Reports:

City Engineer Arthur Jones: We've got several projects going on right now; you guys are well aware of that. We've been talking about it in budget workshops that we've been going through. I want to give you a heads up, an update on where we stand on a lot of those right now. Our annexation/resolution we have finally found a design consultant surveying company that will tackle that project and be able to go through this north west quadrant of the City and go through those resolutions of those annexations that need to take place. Their name is Jacoby Toomes and Lands and they have given a proposal of \$50,000 to be able to rectify and solve

those 17 annexations that we need to be fixed. The other projects that we have going on right now are the modeling project of the entire system of the sewer, JTL is working on the west side of the City right now and then I would like to action them on behalf of the Council tonight to go ahead and award the remainder of the model and the flow-metering through Hydromax and the rest of the model through HDR, that total cost for the flow-metering at \$32,000 and the model and report being the remainder of the agreement total of \$91,360. That's reflected in our budget that you have seen. We also have two large construction projects that are getting ready to go. One of which has been awarded to TNT who is going to be doing the rehabilitation of the manholes on the South Bullitt Interceptor "Jim Beam line" that comes down to Bardstown Junction Lift Station. That effort is underway. The contract will be signed later this week on that effort. Jim Beam recently had a little bit of a hiccup on their side with their baffle tank, the provider that they had providing that serpentine tank that was going to help with dissipation and also act as an equalization tank they fell through, so they will not be meeting their July 1 deadline that we set out in their Agreement so the Agreement between us and Jim Beam is currently in flux. They are not going to be able to hold up their end of the bargain on their time line, so they immediately switched gears and given that project over to their design engineers to go forward and get that back in the works and try to expedite that design and get approval and get that in as fast as possible, but we do not have a time frame exactly when that is going to go in. The project was let with the understanding that we would be able to handle that flow that is coming at us, so we don't have to delay we can go ahead and move forward with the epoxy coating and rehabilitation of those manholes. Associated with that I also request Council action in the amount of \$76,490 to Award the inspection of that project to Qk4, they did the design work and letting of that project and I recommend that they be awarded the inspection work of that line to make sure that we get the product that we expect out of that rehabilitation project. Gloria Taft: Is that amount included in the original amount? Arthur Jones: Yes ma'am. I just went ahead and broke it out that way. It is in the big figure of the total sum of money that is already in there, but I broke this one out to be very clear about what we're spending and how we're spending it. Also, on the Blue Lick Pump Station Elimination project we had bid that project out. We got several bids. I shared that bid tabulation with you again last week. The apparent low bidder on that project was Basham Construction. They are a reputable construction company and I think that they will do a good job for us based on their references. So, I do recommend that we go ahead and award that project to Basham Construction and that effort is on the order of \$585,000 for the construction and associated with that construction effort we will need inspection as well. Best contract was let by Qk4, designed by Qk4, I also ask that the Council award the inspection to them to keep that continuity so that no one misses a beat, and everybody knows what's going on. That would be in the amount of \$67,786. At this point the four items I brought up are the Annexation/Resolution, \$50,000 to Jacoby Toomes and Lands; Model effort and Flow-Metering effort for HDR for \$91,360; and the two inspections, Blue Lick Pump Station Elimination to Qk4 for \$67,786; and the Jim Beam line for \$76,490. Lisa Carter: Can we in the near future when you are going present these at the Council meeting can we have them in a written form? Arthur Jones: I apologize, that was my intention today but being out of the office most of the day I did not get it done. Bonnie Enlow: Can you still send us one? Arthur Jones: Yes, tomorrow morning I can most definitely give you guys a complete summary. Bonnie Enlow made motion to approve these expenditures. Donna Burke 2nd. Motion carried 5-0-1. Donna Burke: Arthur can you go ahead and address where the Traffic Committee stands. Arthur Jones: The Traffic Study results put us into a reaction mode of trying to get a solution built for Keystone Crossroads. Because of that and the development that was initially happening we went ahead and negotiated terms with the developer and at this point we have another meeting that I just became aware of today that is happening tomorrow that may actually affect how things are going to play out; so as soon as the results of that meeting occur tomorrow mid-day to afternoon, I'll be able to plan a Traffic Study Committee meeting to bring you guys a proposal that we've not received from the design firms. We've got three very qualified design firms that have put in a proposal for the work that we need along Conestoga, Adam Shepherd and 44 in order to improve that area traffic-wise and we currently have been working with LD&D (Land Design and Development) who is doing the realignment of the roadway. We've got a proposal from them for that cost, so I'll be bringing that to the Committee as well as these other three firms and their qualifications as soon as I find out this next piece of do we need to expand the scope or contract the scope to be able to get all this done within our agreement because we've got a deadline we've got to bid it. As long as all the negotiations are final and done tomorrow we should be good to go. To give you guys an update, we've already met with Ken Towery to give them the alignment we are looking at; they are two thumbs up on it. Cattleman's also two thumbs up, we were actually able to get them more parking than we anticipated and of course they were elated to get

that news. As soon as we get this more finalized the neighboring property we'll also coordinate a meeting with them as well. Mr. Kenny Patel, I've not met with him yet, he's not effected by this project yet, but he will be in the next Phase. I just want to keep everybody in the loop, so nobody loses traction.

Council Comments:

Stacey Cline: John I got a complaint on 313 Jackie Way at the corner of Melwood and Jackie Way right behind my building. Junk cars. Tom, I got a complaint about High School Drive and I know we didn't take that road in, but the potholes are terrible. So, what as a Council can we do about that. City Attorney Sholar: I've looked at a document where property in that area was purchased that said it was on Gap In Knob Road. That was when it was not annexed by the City. This is the law, I took this case to the Supreme Court, the law is that if a County road exists and that area is annexed by the City that County road becomes a City Street. Norman Lemme and I struggled over that; me on behalf of the County, he on behalf of the City of Pioneer Village and the Kentucky Supreme Court agreed with the County at that time. It becomes a City Street when it has been a County Road. I don't know and my understanding from communication with Eric Farris for the School Board, he says that their property does not come all the way over to what accesses the edge of that pavement. Tom LaFollette: We actually did patch the potholes. However, we have found no documentation, but we've not looked at that angle as well. The other thing we have to look at is where the road ended at some point. City Attorney Sholar: This is from Mr. Jim Hammond, he was speaking on behalf of the Bullitt Lodge and he used to be with the County Road Department and he says before I-65 was there that road went to Gap In Knob and on out. It was cut off when they built I-65 so he advises, and I can't sit here and swear to you at what point it was a County Road but I'm saying if it was a County Road and if it went to Gap In Knob when it was annexed by the City it became a City Street. Bonnie Enlow: We need to pave the road. Mayor Hockenbury: Can you get us an estimate on High School Drive? Gloria Taft: I know there was a culvert there a couple years ago that was collapsing. We require whoever owns the road to bring it up to City standards before we take it over. Bonnie Enlow: There is nobody for us to go after. It's not us taking it over, it's ours, right? City Attorney Sholar: If it was a County Road and the City annexed it, it becomes a City Street. Mayor Hockenbury: Tom will you get over there again and look at the potholes. Tom LaFollette: I was over there today. Measured a lot of it. We have a meeting set up Wednesday with some folks from the Masonic Lodge. We're trying to resolve it for everybody. Repair has to be done first before you even think about resurfacing. Then again there had got to be some determination on where it ends; it's been brought up in conversation that if that's the case we've got ball fields and all sorts of other things sitting on it. Stacey Cline: I think part of that needs to be Bullitt Central's. Mayor Hockenbury: Will you get with me after than meeting and get a cost to pave the roads Steve talked about. If we're talking about fixing High School, they are in the City too. We need to do theirs too. Bonnie got a complaint from a couple different people that live over in Salt River and we went over and looked at their property; they are saying that the concrete company over on 61, they say that concrete is blowing when they mix it. And they are concerned about the dust all over the property, so I went over and knocked on a couple doors, but nobody answered. This lady says they run all night long and they wake them up, the dust is bad, have you all gotten any complaints on that? We spoke with some people that lived closer to the company and they don't have any complaint about it. We're not sure if it's just the people we got the call from or if there really is a problem with the concrete plant. They also said the concrete plant was only supposed to be there long enough for the jail to be built. I couldn't find anything on it.

Donna Burke: I wanted to bring up the fact that I'm continuing to get issues that have been brought up about the Room In The Inn program that might make us want to rethink because of liability of us allowing that building to continue to be used. One in particular being the fact that at the Library one of the people actually had an overdose in the bathroom. Another situation where supposedly at one of the churches where they are allowed to stay possible documentation that might come forward of people being high while they are there. The individual that is potentially going to bring forth some of this information has been in and out of the program four times because of alcoholism and I'm not real sure whether they've got any timeframe required for when they are able to get back in the program and the fact that Carl admitted to us in a meeting here that the ones that have oversight at our Community Center and Library are people that have gone through the program. So, if you're dealing with people that have gone through the program that could possibly be in and out of the program for whatever it's kind of a scary thing to know that we might have that kind of liability. I'm

still researching it and as I get more information I'll be probably checking to see what more you might have Chief that comes to your attention.

Lisa Carter: I don't know if any of you all had any complaints with Charlie who walks the streets. Chief have you got any complaints on Charlie. Stacey Cline: I've had complaints from people who go to Mr. Gatti's. Lisa Carter: I've had two complaints about him urinating on Second Street in flower pots and I've had two complaints one from a woman one from a guy that he stands out on the sidewalk in the presence of the traffic going through at 7:00 a.m. in the morning and does those things so I was wondering if maybe you could have the officers ... Chief McCubbin: We can have a chat with Charlie.

Mayor Hockenbury asked for a motion to adjourn to Executive Session to discuss potential litigation (KRS 61.810(1)(c)) and personnel (KRS 61.810(1)(f)). He invited Steve Emly and Arthur Jones to join Executive Session. Donna Burke made motion to adjourn to Executive Session. Lisa Carter 2nd. Motion carried 5-0-1 absent.

Gloria Taft made motion to return to Regular Session. Lisa Carter 2nd. Motion carried 5-0-1 absent. Mayor Hockenbury reported there was no action taken.

Donna Burke made motion to adjourn. Stacey Cline 2nd. Motion carried 5-0-1. Meeting adjourned at 9:50 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk