

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, APRIL 8, 2019
6:30 PM**

CALL TO ORDER

With an invocation by Councilmember Bonnie Enlow, and the recital of the Pledge of Allegiance, Mayor Curtis L. Hockenbury called the meeting to order at 6:3 PM.

ROLL CALL

Present was Mmes. Lisa Carter, Stacey Cline, Bonnie Enlow and Deb Huffman as well as Messrs. Larry Hatfield and Kenny Newton.

APPROVAL OF MINUTES

Approve 3/25/19 regular meeting minutes as submitted.

Motion: Bonnie Enlow

Second: Stacey Cline

Ayes carried.

Approval of 4/1/19 and 4/8/19 special meeting minutes were moved to the 4/22/19 meeting.

UNFINISHED BUSINESS

- A. **Second reading ORDINANCE NO. 019-286**
AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 31 ACRES, MORE OR LESS, LOCATED AT HIGHWAY 44 EAST IN THE CITY OF SHEPHERDSVILLE, KENTUCKY, ALSO KNOWN AS PARCEL 045-000-00-024A FROM B-2 CENTRAL BUSINESS AND STREAM RESERVE TO B-1 HIGHWAY BUSINESS.

Second reading of the ordinance in its entirety by City Attorney Tammy Baker.

Motion: Larry Hatfield

Second: Stacey Cline

Ayes carried.

NEW BUSINESS

- A. **First reading and Public Hearing ORDINANCE NO. 019-287**
AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 0.64 ACRES, MORE OR LESS, LOCATED AT 1708 HIGHWAY 44 EAST IN THE CITY OF SHEPHERDSVILLE, KENTUCKY, ALSO KNOWN AS PARCEL 045-W00-03-001 FROM R-1 RESIDENTIAL TO B-1.

First reading of the ordinance in its entirety by City Attorney Tammy Baker.

Eric Farris, Buckman Farris & Mills, counsel for the applicant, spoke to council on the history of the address:

- * Complies with the comprehensive plan of Bullitt County

- * It is called A to Z Preschool and is currently operational
- * It has a conditional use permit
- * KY 44 East front platted lot
- * Deeded off from Lee's Lane, before restrictions were recorded therefore the restrictions do not apply
- * There were no constraints added at the Bullitt County Planning and Zoning
 - Applicant willing to enter into prohibiting access from Lee's Lane, any adult entertainment, and any B-1 use that allows outside storage.
- * 6' privacy fence, tree buffer
- * 25' setback requirement in a B-1 zone
- * The hope and the interest is to keep the daycare there because it is full all the time but this gives them flexibility and value and they do not want anything in there that would not be compatible.

John Medder – 199 Lee's Lane, spoke on behalf of 12 other residents, who stood in opposition to the rezoning, passed out paperwork obtained at the courthouse and a copy of the plat of record showing measurements taken on July 24, 1957 and filed at the Bullitt County Courthouse on October 2, 1958. The restrictions were filed March 13, 1962. Also distributed was a petition signed by residents on Lee's Lane, copy of a deed from 2016 with the words *is free and clear of all encumbrances except planning and zoning regulations, easements and restrictions of record* highlighted.

Mr. Medder and Mr. Farris traded statements about the property: the property was conveyed out of the subdivision in June 1960 and the restrictions were recorded in 1962, so the property is not subject to the same..... It was not conveyed out and yes, it is subject.

It was stated at the Planning and Zoning meeting that the intention of rezoning the property was to resell but that was not being stated..... they may sell as anyone may and they would like to get the most out of it.

Mail and garbage services access the property from Lee's Lane and frequently parents use the sidewalk that run to the street to drop off their children.

Acceptance of Surplus Property List

Chief Rick McCubbin assured that the list had been through all departments for possible reuse of equipment and this was all that remained. Motion to surplus the list as per policy made by Larry Hatfield, seconded by Deb Huffman. Ayes carried.

COMMITTEE REPORTS

Planning and Zoning - Mr. Daryl Lee was not present to give a report.

Board of Adjustment – Mr. Duane Price stated they were going to have a meeting this Thursday night.

Other Speakers

Paula Crawley – 1348 Blue Lick Rd. # 118 – the drainage is terrible in the rear lot of her property and due to that her back porch is falling off.

Louise Reynolds – 245 Forest Hills Rd. – wants speeding to stop. There was a truck wreck in her front yard.

Becki Hester – 360 Hwy 44 W. #4 and Shannon Layman 297 Cherry St. – Standing water in their yards for over two weeks. Lighthouse storage now moving people in and has done nothing about the drainage issues.

Department Head/Specialty Reports

None

Council Comments

Ms. Cline desired Arthur Jones, to check out the pipe at Lighthouse Storage again and thought they were going to put in a catch basin. He explained that they installed the most economical, an 8” pipe.

Ms. Huffman noted the complaints about potholes on Conestoga Parkway and the railroad tracks by Goodwill.

EXECUTIVE SESSION

Motion made to adjourn to executive session at 7:12PM to discuss hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee’s, member’s or student’s right to a public hearing if requested. This exception shall not be interpreted to permit discussion of personnel matters in secret;

Discussions between a public agency and a representative of a business entity and discussions concerning a specific proposal, if open discussions would jeopardize the siting, retention, expansion, or upgrading of the business.

Pursuant to KRS 61.810.1(F,G).

Motion: Bonnie Enlow

Second: Larry Hatfield

Ayes carried.

Motion made to return to regular session at 7:59 PM with no action having been taken in the executive session.

Motion: Lisa Carter

Second: Deb Huffman

Ayes carried.

Motion to adjourn made by Bonnie Enlow, seconded by Larry Hatfield, at 8:00 PM. Ayes carried.

Mayor Curtis L. Hockenbury

City Clerk C.R. Wirthlin