

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, February 24, 2014**

Councilwoman Gloria Taft gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:35 p.m.

Council members present: Bernie Brown, Jose' Cubero, Dana Bischoff James, Clinton Kline, Faith Portman and Gloria Taft.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 2/10/2014 regular meeting. Jose' Cubero made motion to dispense with reading. Bernie Brown 2nd. Motion carried 6-0.

Mayor Ellis asked for a motion to approve minutes as written from the 2/10/2014 regular meeting. Jose' Cubero made motion to approve 2/10/2014 minutes as written. Clinton Kline 2nd. Motion carried 6-0.

Mayor Ellis announced that we have garbage appeals hearings Wednesday night at 6:30 p.m. And, one of the things we have on Old Business is the Blue Lick Drainage Project that we are looking at, that would need to be brought off the table but I would ask tonight that if no one has had the chance to sit down and talk to Rob and get their questions answered that we leave it tabled; give everyone a chance to speak with Rob and we meet at 6:00 Wednesday night before the garbage hearings to discuss this project further.

Old Business:

City Attorney Wantland had second reading of Ordinance 014-(number to be assigned) concerning compensation of the City Council Members of the City of Shepherdsville. Jose' Cubero: Mayor, City Attorney I've been reflecting on this and the things that we've discussed in trying to work in getting things taken care of and I'd like to make a motion to take this down. I don't think it's necessary at this point. Maybe there is another time but I think the things we've been discussing, there have been a lot of different battles, I really don't think this is necessary to increase it at this time. City Attorney Wantland: Your motion is to reject the Ordinance. Gloria Taft 2nd. Faith Portman: I'm the one that proposed this and I'm in favor of it. It's not going to affect me in any manner whatsoever. But I know it will affect you all and I know it's hard to make that kind of decision to raise what could be your pay, maybe not. I made these decisions several times while I was a Council member and it's not an easy thing to do. It's up to you all. Gloria Taft: I don't think politicians need any more pay. We do this because we love our City and because we want to serve the community now for a job per se. So I'd like to see the City keep the money and use it for more important things than politicians. Dana Bischoff James: I will say that the City does have a lot of projects and as big an uphill battle as voting the School Resource Officers was I think our children, the safety of our public, our Public Works Department, Sewer Department, there are so many things that we want to do in this City and we're trying to make good sound decisions even though this may be a small increase; I do think that more importantly we need to keep the City first and I don't want people doing it for the money they should do it because of the heart and the passion. So I agree. Motion to reject Ordinance carried 5-1.

New Business:

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) confirming Annexation of unincorporated territory of 2.15 acres by written consent of all property owners of record. Mayor Ellis stated 2nd reading and public comment will be March 10th. City Attorney Wantland: For members of the Council Mr. Hamilton's son, James, and Mary Hamilton, Momma; James has been out of town with work because of the inclement weather he's been stuck out of town on occasion; he has not gotten his mother's signature. Mom has said she would sign this so we will have it ready for you at the next meeting.

City Attorney Wantland had first reading of Ordinance 014-(number to be assigned) amending Ordinance 009-778 relating to the sale of distilled spirits, wine and malt beverages at retail, by the drink, on Sunday at restaurants and dining facilities located within the City. He asked Council to note the underlined addition,

malt beverages was left out of the old Ordinance. Mayor Ellis stated this would also have the second reading on March 10th.

Mayor Ellis: Everyone should have the Rental Agreement/Lease Renewal of 200 Frank E Simon Ave (old Police Department building). I met with those folks about a month ago and talked to them. I'm not happy with their terms and conditions that they want. If anyone has been in that old building when you go in the front door it's just a small lobby; they want us to knock the wall out, put a ceiling in, and extend it over another 500-600 square feet at our expense and they don't want to increase their rent. My thought at that point in time is we can't do that. If they want to pay for it; and that's what I told them, if you want to pay for it you can do that; but there is no way the City can spend \$150-\$200 a square foot and build this new room addition and replace all the carpet in the building. I know what building prices are, \$125-\$150/square foot. Jose' Cubero: How long have we had this Agreement with them? Mayor Ellis: They've been in there quite a while. Jose' Cubero: I actually remember this conversation that they were really happy with it and all the sudden now they want changes. Mayor Ellis: They've met with Claude and me. Faith Portman: They wanted us to redo some stuff last year and we told them no. Mayor Ellis: Right. We told them no and now they want us to extend the whole area into a waiting room with an office. I told them if they want to do it you can do it but there is no way we're going to do that. City Clerk Richmond: We can still sign the Lease without making the improvements. That's an option. Faith Portman: I don't care to extend the Lease but I don't want to do any remodeling. Bernie Brown: Do you think they would even do it without that renovation? Mayor Ellis: I don't know. Jose' Cubero: Like Faith said, we did the same thing last year and they didn't blink an eye they took it. Bernie Brown: It would be worth trying I guess. Mayor Ellis: We'll send it to them without the renovations. Faith Portman: This is for a year correct? Mayor Ellis: Yes. I've been trying to get them to buy it from us that we it's theirs and they can just do what they want to do but they are not biting on that either. Faith Portman: Does this need to be turned in soon? City Clerk Richmond: They want it back by March 3rd. City Attorney Wantland: Councilwoman Portman made motion to renew the Lease without any remodeling. Jose' Cubero 2nd. Motion carried 6-0.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Gary Board: Good afternoon. This month I've passed by two accidents at Buffalo Run and Cedar Grove. This afternoon being the latest. This afternoon the vehicles looked pretty bad. Is there anything the City can do to make the State do something to improve that intersection; a stop light, something. I don't know if anybody got killed today but it looked bad. Mayor Ellis: The State has a mandate that stop lights are supposed to be 800 feet. That's why we haven't been able to get them to change that. Scott Fleming, Rob Campbell and I went to District 5 in the spring of last year asking them what they were thinking when they decided to put the stop light at the bottom of the ramp and they said they had made the perfect study. Then we find out I think they screwed up and put it in the wrong place. Mr. Board: I know there has been I don't know if you call it a petition in Frankfort to possibly have an entrance a little further East of Buffalo Run to go on to Love's and a dedicated ramp to head North coming out of Love's where you don't get on 480. Faith Portman: That was supposed to be done in the beginning was my understanding. Mr. Board: I don't know if the Police Chief knows if anybody has been killed there or if there has been more than two accidents that I'm aware of this month but something is going to happen because you'll see cars just fly out of Buffalo Run just trying to beat traffic or truckers get tired of waiting if they get a little bit of an opening here they come. Faith Portman: When that light is green they are flying too. Mr. Board: its 55 right there by Love's. Comment from audience: They changed it to 45. Mr. Board: I don't know if maybe more Police presence there would help but somebody needs to do something before somebody does get killed. Mayor Ellis: We have met with Gary McGruder who is the gentleman that owns the area around Buffalo Run and he said that if the State wants to work with him on granting an easement to where he can put it in closer to the bridge; further east, he'd be more than happy to work to do that. His whole thing is I don't want to put it in unless you're going to guarantee me we're going to get a stop light in there. And nobody from Frankfort will guarantee it. Mr. Board: I just wanted to bring it to your attention. I know you're aware of it. Thank you all very much.

Department Reports:

Chief Troutman: I sent an email out to the Council this week. Over the years, even before I was here, we use what we call AFFF foam on fires and over time it's been used. It hasn't been replaced. Here lately we had five structure fires within three weeks in the City and we've used quite a bit of foam and what I want to do is go ahead and start replacing it; because it hasn't been replaced in a long time, we're short on it, we're required to have so much at the stations and so much on the apparatus and I'd like to replace the AFFF foam, ten five gallon pails of it, and I want to buy 25 five gallon pails of Class A foam which is for structure fires. We've been using the AFFF which is for fuel fires, if a tanker truck turns over, that's what you cover the fuel with, they've been using that on the structure fires which is a little more expensive foam. What I want to do is buy the 25 pails plus the 10 gallons to replaced what we've used so we meet NFPA standards and OSHA standards and have something that when we fight the fires, that's what we can use on it. It's a quicker knock down on the fire; it saves less time on overhaul, it saves wear and tear on equipment; and it also saves your manpower. It doesn't wear them out as bad being able to use that on it. Also I included helmets; I want to buy 15 helmets. We've got several people that want to join the Fire Department and we have no extra helmets to issue out. We have some older helmets that guys have. I'd like to replace theirs with a new helmet and use those for the new recruits. All this is out of mitigation which is the fund that we collect on for the Fire Department. The total on that is \$6522.50. Clinton Kline made motion to approve the purchases. Faith Portman 2nd. Motion carried 6-0. City Attorney Wantland: The City has filed suit against Ryder and the truck driver and the League of Cities over the incident of August 2013 with our Fire Truck. I would like to have something in the record that if it need be and the Chief would have to go to Wisconsin that we would give him permission to go to talk to the people at Seagrave and to Ryder about the equipment and how it's to be replaced on the vehicle. We may have to have that done. Bernie Brown made motion. Clinton Kline 2nd. Motion carried 6-0.

Council Reports:

Jose' Cubero: The only thing in our meeting a couple weeks ago as we discussed, we're just trying to do a different format of presenting out how each Department, I know Chief Puckett you've seen this, Bob thank you for doing it. Just as a different way of proposing so the Council up here knows that you're aware of your Budgets, where you stand with them when you're proposing any expenses that may not have been budgeted out. You shouldn't be penalized if you've been managing; what we've got in front of us is actually showing the proposal if you go to the fourth page of the Police Department Budget we want to make sure from now what we'd like for you to do take where you're at on your budget, look at your accounts where you have an opportunity; if we can do something in the Fiscal Year we're in because obviously we project some pretty low numbers; not only in revenue but also on expenditures. Each Department Head probably has five or six things out there but because of the numbers that we budgeted you're not able to put them in there. Part of that is to make sure we protect the City and the money that we're actually going to bring in. So it's important we keep a conservative approach to the Budget but this is a nice format for all of us to have something in front of us that says hey look at line by line where we're at for the year; and if we've got money in there and there is something we know we desperately need for the City, it give an opportunity for the taxpayers to know that the Departments are going through their Budgets and spending the money that they have been allocated to do. And I think it's just a good way for us instead of just saying we want to do this, and we think we've got the money, it's outlined a little bit more; you can look at each of the columns and you can show if you look at the bottom the \$94,000 credit toward their Budget, that doesn't even include the rent. So at this point after January we're at almost \$95,000 better than the Budget for the Police Department in order to compensate for putting these two resource officers in the school. And again, we've not talked about Revenue in the aspect of that. And a couple comments made by a couple of fine gentlemen we're just going to make sure that some of the challengers we had when we put our budgets together, numbers are in the right categories. We've done this thing with the rent for I know many years; when we get in to our Budget workshops let's do something to allocate that in the right account so we're not having this phantom money for rent in the Police and Fire Department. Just leave it where it's supposed to be paid out and obviously the challenge will be that we all keep that in mind when we're moving forward on our Budgets. This is just a better way of presenting to the Council if you're looking for money you want to spend out of your Departments. I think this is a good way for us. It's easy to understand this way. So if we're wondering

where you're getting your money from we can look down through the columns. If you go back to one through four you can go through there and see where they are at versus their budget and that makes it really nice and again that justifies more if we're going to vote for something for the City to do we can justify it through the Departments that the money is allocated. We're not asking for money we're not taking any loans, and we're doing the right thing. Because everything we've done up here I think that we all has always tried to do the best thing for the City. In this case it's just a better way to justify not only to the people here, to Department Heads and for the folks that want to come out and see us. So we want to make sure you guys understand we really are watching the money. Also too one other thing we made as a tool is that we can monitor this. We've got four more months to monitor to make sure those numbers that you give us, because just because you said its better than you budget it means you can't start blowing that budget number. We know that money has been allocated for these School Resource Officers so it's a good way for us to check on you too.

Dana Bischoff James: I just want to commend Scott Fleming, he's been so patient with the many questions and of course, Qk4, we've sent several emails back and forth but I really feel like our City is trying to move forward and do the things that are needed to be done in the City and just the communication, and Layne thank you for your emails and getting back and answering questions. Some were curiosity but just helping us understand what you do and why. With the Departments coming together working together, I really think our City is moving forward. Hands down I want to also say congratulations to our Police Department. Again as soon as we voted in the School Resource Officers, I'm sure you all know, Riverview went from a soft lockdown to a hard lockdown and the gentleman has been arrested and once again our City is safe and I thank everybody because it takes every Department Head to pull together to do your part whether it's sanitation issues, or cleaning debris out of the roads, or simply just taking care of what needs to be done. Thank you to the whole City because it is a group effort and we have to stick together and communicate to keep moving forward. So thank you to everyone.

Faith Portman: You brought up workshops. Are we going to do them again this year? Mayor Ellis: Yes we are. We'll be starting those probably next month. Faith Portman: Are we going to do them one Department at a time? Mayor Ellis: I think we need too. If we can start them early enough I think we need to. Jose' Cubero: We did them all at once last year but it was a little long though. Mayor Ellis: I think we need to do them separate. I think it will be easier if we can separate them out. Faith Portman: It's confusing because everybody wants to chime in. When are we going to start on those? Mayor Ellis: Bob and I will get with you. It will be sometime in March that we start. I think we need to get them all lined out and have them ready to go by the first of June. That way we can have the first reading in May and pass it the first meeting in June. Jose' Cubero: It might not be a bad idea to have availability to you guys when we can meet and try to schedule us in each week. Mayor Ellis: Bob and I will sit down and talk about it in the next couple days and pick out some dates. Clinton Kline: Why don't the Council pick out days instead of Bob? Mayor Ellis: We can do that too. Whatever days you guys want is fine too. Look at your schedules, send me a message and we'll go from there. Faith Portman: I also wanted to address the ad that was put in today's paper. The editorial that was put in the *Pioneer News*, I think it was last Wednesday, it's perfect, it's talking about election time, people are going to use anything and everything to get elected and he also talked about the Council made that decision based on how they felt and if you haven't read it I have a copy of it. I'll be glad to share it with anybody. I want to address that ad that was put in there by a candidate for City Council. And yes the vote was to hire two new police officers but that ad failed to mention that there was two fully equipped cars, costing approximately \$80,000 and that was part of the vote and that wasn't to do that; and it was also put in there that we discussed it quite lengthy and we did, but we were given the financial statement like five minutes before the vote; and to me it wasn't clear enough to make that vote. I had no problem hiring two officers but I will not be bullied or pressured into making rash decisions that cost the taxpayers and that's how I felt. We asked to wait two weeks and two weeks wouldn't have made that big of a difference, not to me, just so we could see for ourselves, and I know I wanted too, be able to look at the statements and compare it with the budget because how do we know we're not going to have to raise taxes in the future to pay for this. I want people to know that I'm a 25 year employee of the Board of Education and I love kids more than anything on this earth. I have three grandchildren in Shepherdsville schools as a matter of fact and you think I don't want them safe; I'd jump right in front of a bullet in front of any kid in this

school system. I do still believe that the Board of Education should help fund that. I don't think that taxpayers of the City should have to fund that completely at all and that's my opinion. We're still millions of dollars in debt. We needed to sit back and look at this before we made this decision. I'm not going to be bullied or pressured into any more votes. It's on the Agenda to discuss it not to vote on it; and two weeks would have made no difference. Let's stop spending money like crazy and start looking at what we're doing with our money instead of just making rash decisions every time we turn around. Clinton Kline: Rash emotion decisions. Faith Portman: Rash emotion decisions. That's very good. That's one thing you should look at. And I'm a person that wears my heart on my sleeve anybody that knows me knows that. You cannot make a decision of how your heart leads you. You have to make it on what people of the City want you to do. And I received several phone calls from people discussing this when they seen it in the paper in December and if I'm going to have to be pressured into making a decision I'm just not going to do it. It's not that I don't love the children, I love them more than anything in the world, but I'm not going to make a decision based on somebody's numbers that has been scribbled out and redone and look at it for five minutes. I'm sorry if that offends you I'm sorry about that but like I said I had no problem hiring the officers if we could have just looked at the numbers beforehand. Not five minutes beforehand, if we were going to vote on that we should have had that information days in advance. And we did not have it. I just can't do it. And if anybody has any questions you can call me or see me after the meeting I'll be glad to discuss how I feel. That's all I have to say. I just want people to know it's not about the children it's not about the election, it shouldn't be about the election, it should be about what's right for the taxpayers of the community. And that's all I have to say. **Bernie Brown:** Faith I have to agree with you. I think you've brought out some very good and interesting points. I would like to just add that I don't think safety for the children should not be a political issue. And for anybody to suggest that it's political I think is absolutely wrong. **Jose' Cubero:** That's not why we decided to do this. Politics is not involved. **Faith Portman:** I felt like I was pressured in to it and that's my opinion. I was not given any financial information until five minutes before the vote Jose'. **Jose' Cubero:** You spoke for ten minutes I got it. **Dana Bischoff James:** I'm just going to chime in because I was the one who laid this out. Since the beginning of me coming on City Council this has been something that's weighed on me. Prior to my departure to Europe I did say that I was going to come back and this was going to be something that was brought up. The Chief had numbers in the box for three weeks. **Faith Portman:** He had numbers in the box but there was no financial statement on how much money had been spent. **Dana Bischoff James:** But it is our responsibility to go and ask and Bob has been great. He has always had an open door policy; and I have popped in on him several times and he has always taken the time. **Faith Portman:** And that information should have been put in every Council member's box Dana so we could see the numbers. And that's my opinion. Mayor Ellis: Let's not argue about it it's been voted on and it's done. There's no need in arguing about it.

Gloria Taft: I just want to say I'm glad that I have the God given ability to think on my feet because sometimes as an elected official you have to make quick decisions based on what you know is best for the City.

Jim Smothers: For the rest of the people here in the audience I wrote that article. And it just so happens that while that article was being written and while we were waiting for it to be published didn't we have a wacko that threatened some kids and didn't this Police Department have to go arrest him. And I am going to say one other thing there has never been an issue discussed or voted on at a Council meeting that didn't have politics attached to it. I don't care what you say. That's what it's about is politics. Who is right and who is wrong. It is about the taxpayers and what they expect out of you people that sit up there. I'd write that article again no matter what because it's the most important thing in the world is to protect these kids and something could happen in two weeks God forbid I'd hate to be sitting there and say I voted no and we could have had somebody up there.

Denise Arnold: I work at Nazarene Day Care and I called and left a message. I spoke with the Chief that my concern was of course kids; my day care is the next street over. I saw the officer patrolman there and circle our parking lot several times. My question is why weren't we notified because it was they were on a soft lock down. I was just concerned, we have all those kids there; prime opportunity. Mayor Ellis: Get with the Chief or the Sergeant sitting in the back by the door, to sign up for an email alert system; that way you get these

alerts any time this kind of thing comes out. Denis Arnold: They said if they felt like we were in danger they would have notified us but then when I hung up and an hour later it's on the news that they are looking for this man then my whole attitude changed as to where this was more serious than what it was presented as. Mayor Ellis: The reason they put it out to look for this guy was because we had so many different addresses of where he was at; we had addresses in Indiana, Southern Kentucky, and Oldham County. Denise Arnold: I understand that I was just concerned. Do I need to lock my doors; the children at the daycare, if anyone wanted to hold a hostage prime area right next to there. I was just very concerned for our safety and what we need to do. We seen the Police Officer, somebody text somebody and said they were looking for a kid. We automatically locked our doors as safety. But I would like some kind of notification if it was ever that serious that they do go on a lock down, Breaking News, I really think it's important that we are notified. Mayor Ellis: Absolutely. If you get with the Sergeant or Chief they will put you on the email alert system. Chief Puckett: I don't think it ever went to a hard lock down; it was always a soft lock down. I was there the whole time, myself and Col. Patchin. We've got an email alert system and it went out on that so anytime there is anything going on in the City you'll get an email from us.

Dana Bischoff James made motion to adjourn. Jose' Cubero 2nd. Motion carried 6-0. Meeting adjourned at 7:16 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk