

**CITY OF SHEPHERDSVILLE  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, JUNE 24, 2013**

Councilwoman Gloria Taft gave the invocation  
Pledge of Allegiance was recited  
Mayor Ellis called the meeting to order at 6:33 p.m.

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

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 6/10/2013 regular meeting. Jose' Cubero made motion to dispense with reading. Dana Bischoff James 2<sup>nd</sup>. Motion carried 5-0-1 absent.

Mayor Ellis called for a motion to approve minutes as written from the 6/10/2013 regular meeting. Clinton Kline made motion to approve. Jose' Cubero 2<sup>nd</sup>. Motion carried 5-0-1 absent.

**Old Business:**

Mayor Ellis asked City Attorney Wantland to have second reading of Ordinance 013-(number to be assigned) repealing Ordinance 006-690, Ordinance 007-721 and Ordinance 009-777 relating to the establishment of a Civil Service Commission for the employees of Shepherdsville, Kentucky prescribing the duties and declaring qualifications of the Commission Members, providing for the appointment/dismissal/promotion of covered employees of the City and further providing for appeals by aggrieved parties to disciplinary hiring or promotional actions of the City. Gloria Taft made motion to accept. Jose' Cubero 2<sup>nd</sup>. Motion carried 5-0-1 absent.

City Attorney Wantland had 2<sup>nd</sup> reading by summary Ordinance 013-(number to be assigned) adopting civil service for the employees of Shepherdsville. City Clerk Richmond stated there was one typo to be corrected, on page 23 under dismissal; it should be Section 34 instead of 31. Bernie Brown: Qualification requirements and job descriptions do not need to be a part of this. Isn't that correct? Mayor Ellis: That's correct. Bernie Brown: In fact they could be a separate Ordinance couldn't it? Mayor Ellis: As far as I would say, yes. City Attorney Wantland: I've been instructed by the Clerk and the Mayor to have a separate Ordinance prepared for you, I just didn't have enough time to get it done by today. Bernie Brown: I didn't know that but I think that would be a better way to handle it. City Attorney Wantland: The Ordinance is going to adopt by incorporation the Policy and Procedures Manual that you do have a copy. Bernie Brown: But it's not included in that right now. City Clerk Richmond: The new Personnel Policy does include the Civil Service Ordinance; it does not have job descriptions in it. Bernie Brown: Are we going to deal with that tonight? Mayor Ellis: No. City Clerk Richmond: That will be on the Agenda for the first meeting in July. Bernie Brown: I think there needs to be some discussion with the job descriptions. City Clerk Richmond: There are several things wrong with the job descriptions and I have been going through correcting them. I'm waiting on a couple departments to get me theirs back and actually I'm making the changes to those. When I get those all done I'll get those to you. But I feel like we needed to do Civil Service first, then the personnel policy and then job descriptions. Bernie Brown: There are some qualification requirements in this Ordinance though. City Clerk Richmond: I think they parallel what's in the policy. Tom Rosselli: They are just general. Bernie Brown: The question I have it do we want any qualification requirements in one Ordinance and then some others in a different Ordinance. Dana Bischoff James: I would say that being general in the Civil Service and then we do a separate Ordinance. Tom Rosselli: I basically just did the fire and police department. I didn't know anything about the works or sewer department. Mayor Ellis: It has what it takes to be a captain, lieutenant, and a sergeant in the police department and a captain and sergeant in the fire department. I think this particular thing would be a general civil service before you're even able to take the test to become those positions which is going to have to be a tested thing. I think this would be totally separate from your personnel job descriptions. I think this needs to stay in here because it tells the Civil Service board if somebody is even eligible to test for this position. City Clerk Richmond: Actually this is listed under promotions. Mayor Ellis: That just dictates is somebody is able to test for a position for a

promotion. Bernie Brown: It also gives qualifications for applicants; Section 17. Mayor Ellis: That just explains how the Civil Service is going to go about hiring. It's still not going to tell you what your job description is for the actual job. Bernie Brown: You don't see any conflict or problem then with having another Ordinance Mr. Wantland? City Attorney Wantland: No. I really don't. Dana Bischoff James made motion to accept this Ordinance. Jose' Cubero 2<sup>nd</sup>. Motion carried 5-0-1 absent.

City Attorney Wantland had second reading by Summary of Ordinance 013-(number to be assigned) the new Sewer Use Ordinance. Mayor Ellis opened the floor for any questions from the Council. Bernie Brown: I'd like to hear our Sewer Superintendent in just a few words tell us what the benefits are and why this is necessary and who prepared it. Chuck Keith: Cyndy Leasor with Hall & Associates, who is our pre-treatment person, is who prepared it. What this does first of all, once it goes into effect, it does away with the other Ordinance and all the Amendments. This is one sewer use ordinance and construction manual. And once we put it posted on our webpage anybody will be able to go to it and know what they have to do. It's got how the bond procedure works; how we enforce; warranties; it will stop some of the stuff that we're doing right now and the problems we are having. It's needed to protect the City, the taxpayers, and the developers. Bernie Brown: This covers a lot of information. Can the City fully comply with this Ordinance right now? Chuck Keith: Yes sir I believe we can. I'll give you an example, Scott and I have gone over this several times and then we went over it a couple times with Cyndy Leasor who prepared it; we took what we thought was the best out of other city ordinances and applied it here to us because the way the City is growing and the way we're headed, it's needed. It's got a good warranty in there now; if we would have had this in the past; up to this point we paid for something sometimes and then the taxpayers had to pay for it again because it wasn't done right and there was no enforcement. We have enforcement now; we have good people up here that will back us; and we can do it. Jose' Cubero: What's the protocol when somebody comes into the City? They obviously have to apply to do any development in the City; but my question is, you're not just sending them to a website; obviously if they just want to find out if they want to be in the City that may be a good point of reference for them so they understand what they are getting in to because a lot of times and with the way some things have happened over the years is people decide to do something and we didn't enforce it for whatever reasons, then we come back because we didn't do our job the first time, the taxpayers pay for it. Bernie Brown: I've got a question for our Counsel. Would this whole Ordinance have to be published or can we do it by Summary? City Attorney Wantland: We're doing it by Summary. Bernie Brown: Is that adequate for letting the public know? City Attorney Wantland: Yes. Gloria Taft: There are numerous references to City Engineer, which is a position at the City currently vacant. Whom are you going to use instead of City Engineer should that need come up? Chuck Keith: As of right now it's still Qk4, Rob Campbell. Once the City gets our own engineer then of course it will be that person whoever it may be. Bernie Brown: I know you can't get in to their minds but how do you think this is going to go over with the business world? Chuck Keith: It shouldn't have any problem with any developer or any business person that wants to do stuff right. If they do it right that shouldn't be an issue whatsoever. City Attorney Wantland: Part of the issue in the past is that the rules were not applied uniformly to all citizens and some citizens were allowed much more liberty than over citizens. It was not uniform and many times the taxpayer, the sewer user, would be the one picking up the tab rather than the developer or the user of the service. Chuck Keith: We've extended the warranty coverage because it needed to be on certain things. City Attorney Wantland: Superintendent Keith one of the issues that we're addressing is we're making some people mad because they are not being privileged any longer. It's called uniform and we're really stressing trying to treat everyone the same. Jose' Cubero: This now streamlines it for everybody. The same rules apply to anybody coming in to the City of Shepherdsville. Chuck Keith: A level playing field. Jose' Cubero: We've not had that before it's just been done when something goes wrong we do something to react to that moment. City Attorney Wantland: Many times the taxpayer or user of the service pays the increased cost because it wasn't handled properly initially. There is a balance between the taxpayer, the service user and the developer. There is some balance there. Jose' Cubero: Developers, they want consistency. Good developers want to be treated like anybody else. If they know the rules before they go in and they are treated the same way, they'll come in and they'll also encourage other people to come in because they will see the consistency. Bernie Brown: Who is the pretreatment coordinator? Chuck Keith: Cyndy Leasor. She takes care of all that. Bernie Brown: She'll be doing that on contract with the City? Mayor Ellis: Yes this is what was voted on by the last Council. Chuck Keith: Bernie we looked at the cost of hiring a person for that

and it was actually cheaper having her do it. Bernie Brown: She's well qualified too. I don't have a problem with that I just wanted to know who it was. Bernie Brown made motion to adopt new sewer use ordinance. Clinton Kline 2<sup>nd</sup>. Motion carried 5-0-1 absent.

### **New Business:**

County Attorney Monica Robinson addressed the Council. County Attorney Robinson: Thank you all for allowing me to come talk to you today. I know it's a bit unorthodox with the County Attorney coming to talk about budgets but the fact is my budget affects you all directly in relation to public protection. I would have been here a month ago had I thought to do this. I actually had a law enforcement officer from the North end make the suggestion based on what he had seen in my own office to come talk to all the cities that have police departments because this is what happens. We're kind of where the rubber meets the road and we handle pretty much everything that goes on during the day. So if someone comes in our office to file complaints we need to be there to take them and process them. Where that directly affects you all is if we're not available or I have no one to do that that falls back on the cities. The budget is serious enough that if I do not get the money I told them I need to operate which Fiscal Court pays for about 31% of my operating budget, the rest comes from the State or tax revenue, we will have to shut down to the public most days of every day just to cover court. It won't be my lawyers that are losing jobs because I can barely cover court with all of us; it will be the secretaries, the receptionist, there will be no one there to help the public. It's really that serious. What I gave you was a presentation I made to Fiscal Court back in March because I started talking about the budget then. And the reason I started then last year I had asked for a budget increase largely because of the additional cost of retirement and health insurance. That's what's killing us. Our budget increase was denied so I terminated 2-1/2 people from my office and if one of my lawyer's hadn't taken a cut in pay it would have been more people than that. This is the proposed budget I gave; for 2013-14 from Fiscal Court funds and I also wrote them a note that this is to maintain. This is what I receive now, I was just asking for that back. And a promise that would happen because that's what I need to maintain the service we have now. I am periodically shutting down at certain times of the day to take complaints from the public because I don't have anybody to take those complaints. What does that mean? That was one thing I really wanted to change when I came into the County Attorney's office. Before you never met with a lawyer, or it was rare, you took a complaint with a Secretary and in 3-5 days somebody would send you a letter. That's fine as long as no one is holding a gun of you in your property. And the number one cause of death in this County because of people getting in fights in over property dispute. I really wanted people to be able to see an attorney at the moment that way we could assess the seriousness of it and call the police if we need to or refer them back for investigation; and it's worked great until now; we're really pinched to cover. So I wrote in there if Fiscal Court wanted me to be able to hopefully have somebody on duty that we would need another \$35,000. It is my understanding that has been proposed to be voted on for Thursday. But in the interim I've lost 3 employees because they didn't know whether they would have a job or not. This is what happens to us every year; people I've got trained are now gone. I also attached a copy of the reason I wrote down these three comparison is not because I think I am the County Clerk or the Road Department. Last year there was a big production made at Fiscal Court on the differences between departments, non-departments, and fee based offices. I am not a fee based office. Which means the Sheriff and the County Clerk are fee based offices which means they run their budget off the money that they bring in for large part. I am not. Like I said I am a split between the County and the Commonwealth so I get money from the State, I get money from the County and then I have to make my own on tax collection. I have listed my staff salaries. You will notice a lot of these people are part time. I simply cannot afford to pay their benefits. The County Clerk in the middle was an example for Fiscal Court, which is a fee office; they operate on what they collect. Those are their salaries compared to ours. Then I compared an all-County department on the side because Road was the closest I could come up with and make the numbers jive. The next page is a quick summary to show you what I mean about the increase in retirement and I know everybody has been pinched under the same terms; but I have KERS instead of CERS. The retirement rate I started with when I came into office was 16.98. July 1<sup>st</sup> it goes to 26.79. So if you use the example I wrote on the bottom which is the \$265,000 basically that we receive, that's almost a \$30,000 increase right there without factoring in the health insurance. Health insurance is hard because people get all different policies so it's easier to give you an example like that. I also put in here an idea so you can see what my office generates from tax revenue since I collect your taxes now. This will be the second year that we processed

those so if somebody doesn't pay it's my office that sues to collect on your behalf. Here is a breakdown of the revenues of the County Attorney's office. 2009-10 is prior to me; 2010-11 I'm half way through; 2011-12 and 2012-13 are what we are now. What's important to look at here is the big clerk sale because that's where I get the majority of the money to operate my office during the year because we have to come up with a little over \$200,000 just to pay salaries. If you look in '09 that was \$101,000 and in July 2010 it was \$116,000. The first tax year I had it went to \$110,000 and then last year it was \$84,000; that's very deceiving because it was really closer to \$65,000. The only reason we have the extra money was because Kevin had a couple hundred tax bills left over from 2007 that we also sold. You can see the revenue is almost in half, depends on what year you go to and I can't explain that. I've talked to other County Attorneys, I've talked to our PVA, I've talked to the County Clerk and I've got an appointment now to talk to the State Auditor because I don't know what the difference is; we are generating more tax bills that we ever have and I have the same person doing the taxes. The next page you'll see where we set up payment plan agreements and a lot of those agreements are what we do to help people pay back their tax bills when they are running behind. As long as they ask us to do that we can do it. I've given you an overview of where our revenue comes from; I wanted to stop of minute and tell you a little bit about the duties of the County Attorney. A lot of people ask what we do; I'm never there. We prosecute all traffic and misdemeanor offenses in District Court; we handle all felonies through the probable cause stage; I handle every juvenile offense in this County, whether it's a criminal act or whether it's a child being neglected or abused; I rarely miss the neglect and abused dockets; we handle extraditions; we oversee mental inquests and disability cases; we prosecute the delinquent property tax; I represent Fiscal Court, any county districts, commissions and County officials as long as it's in our official capacity; we file all claims on behalf of the County and if the County needs to sue someone; we collect the cold check program, a civil collection program by Statute; we actually also collect the civil delinquent child support, when I took that contract back the County Attorney's office had not collected civil child support in 7 years; so that's now done out of our office; and we've picked up representation of the Mt. Washington Fire Protection District, the Nichols Fire District and the Bullitt County Sanitation District. They asked and we shall provide is what the Statute says. We're glad to do so. I just briefly wanted to skim through some ideas so you know how many cases I'm talking about because Shepherdsville is clearly the largest City in the County. I can't break it down by police departments but outside the Sheriff you all handle the highest volume without doubt. I've made a list of all the traffic cases, misdemeanor, everything that is in District Court by year; I've also pointed out the DUI cases we had in 2011 and 2012. I don't know if people realize, last year we have 651 DUIs in this County. When I came in to office I saw that as a significant problem. I have sent every full time Attorney I have has been to a specialized DUI class training that we have not paid for. We have done it through the National Traffic Safety Board and we've taken law enforcement officers with us free of charge to every single training through the same program so we've now covered all the cities in the area and everybody is getting up to speed. Prior to me being County Attorney and I do this full time, I am your only full time County Attorney we've ever had, there were 4 jury trials in the 4 years prior to me being County Attorney; we did 2 jury trials last week in one day. We do a lot more trials but what that means is the reason it is important to get this training and take the police with us; it's been a long time since anybody has had to testify and you have to get up to speed; a DUI is not as simple anymore as saying yeah they are drunk and a jury says yes they are. It's not that simple at all. The next thing I've put in here is revenue we've made for the County. It says Detention Center Fiscal Year 2010-11; I came aboard in January of 11, this is money we made from HIP which is what is called a home incarceration program. Basically, I'm not all of this, but I'm the big chunk of it, if I offer someone home incarceration the County makes money off that. Really it was about June-July 2011, I was 4 months in before I started realizing we could really make money from that. So you can see it steadily going up. Flip to 2011-12 we doubled the amount that we generate because I started offering people double. If I wanted them to serve 30 days, I would say you can do HIP for 60 days and the County makes money off it. The next page I'm very proud of and I think some of our Chiefs are, I don't know that some of the rank and file are, when I first came in to Court if any of you have ever been over there on traffic docket days we had like every police officer it seemed like in Bullitt County sitting there in the Court House. And you're asking who is working the streets. They are waiting for their cases to be called. I'm not saying that's right or wrong, what I'm saying is the policy was if you had a case on the County Attorney's office subpoenaed you to everything regardless if you needed to testify or not. I had a lot of pressure at the Court House to get these folks out; I opened up the trusty dusty rule book, read the rules of discovery, I'm not entitled to produce my officer at a

pre-trial so we quit subpoenaing officers to come to anything other than a trial or a hearing. I sat down with all the Chiefs so that they were aware of the process so their officers should be emailing us either the day they charge somebody or shortly thereafter if there is something special they want us to know or they may want to be there, whatever their situation is. Then I tried to figure out how much this is saving the community, all the cities and the County. Dan Patchin helped me here. He's the number guy. He helped me try to figure out how in the world we can figure out how much money we've saved. I open records all the cities, everybody counts it a different way, so we had to throw that out and scrap it; and Dan had the idea how many people have we subpoenaed. The Sheriff does break that down separate than the general population. That's where I came up with these numbers here. In 2009-10 that was the number of folks subpoenaed on average in the red; and 2011-12 is the average I have subpoenaed. What does that mean; it costs most cities and the Sheriff about \$50 per officer to send somebody to court. So we've saved roughly the County and cities over \$150,000 annually by that one change. I'm not saying it's perfect but I'm saying it works. Also legal fees we've saved just by being available. To my knowledge this is the first time any fire protection district has asked the County Attorney's office for representation. We provide that. I cannot charge a fee; again I'm not a fee office. I had Mt. Washington put together what their fees had been for the last 4 years up to me taking over, we've saved them a little over \$46,000; Nichols kept their numbers a little different, they are looking at about an \$8500 savings and then the next page is the Sanitation District. I listed every legal fee they have paid since 2001 which totals almost \$163,000. We have not charged them anything for representation. That's saving a district that's barely working on a shoestring quite a bit of money. We also spend a lot of time working with the school. I don't think people realize that. We've worked hand in hand with the school system. One of my biggest things is to stop educational neglect. Educational neglect is when a parent is not sending a child, and by child I mean under 11; mostly kindergarten, first, second grade to school. I know that sounds minor but it is huge. There are all kinds of settings that what these kids know by the 4<sup>th</sup> grade is what they know for life. Whether it's important to show up on something, whether to show up for work, follow rules, the whole nine yards. These are the same kids that I see when they are in kindergarten that we later see start committing crimes and we have to put a stop to it. So I worked with the school system and we made lots of changes; they made lots of changes. They have the biggest credit in this. But last year was the end of our first year on my watch and Bullitt County School System had the highest attendance rate in the history of Bullitt County. We are not totally responsible for that but we're trying to get people in the Court system faster. I'm prosecuting parents now criminally. That has never happened in Bullitt County before. It's sad when it has to happen. But if it gets somebody's attention; the only thing it's going to take is a couple cases to get the word out. This year the number is not final, I talked with the School Board today, I think we're looking at 94.94% where last year we were at 95% so we're really close to being right back where we were last year and I'm very proud of that. The last thing, most of my people do live here in the County. Some of them in your City. These are things my folks go over and beyond to participate in. We raise money for CASA, we do KidsFest, we work Halloween celebrations at all 3 fire departments that do it; we work with the Boy Scout Merit Badge University; and lots of other things but I did want them to get the credit of that because my lawyers are on call 24 hours a day, 7 days a week. I take a week of that in rotation and I'm always back-up. That's what we do. City Attorney Wantland: What do you want the Council to do? County Attorney Robinson: You all have Magistrates, I'm asking for your help. That's what I'm here for to ask you to contact them and let them know how important it is because if I shut my office down I know someone will be hurt. I pray that they will not be killed. And it's going to push everybody straight back to either the Sheriff or the City they came from.

Mayor Ellis: I know everyone is aware of the fire truck that was involved in an accident a couple weeks ago. One of the things we have looked at is the insurance that we have on these vehicles; the fire trucks, new police cars, anything of this nature. Our insurance of course pays xyz amount of dollars on the vehicle that's damaged. With the price of a fire truck I'd like for us to look at changing the insurance on the fire trucks, and anything over \$100,000 for full replacement value. Dana Bischoff James: How much is that going to change our annual premium? City Clerk Richmond: \$13,296 for Fiscal Year starting 7/1/2013. Our total premium for the new fiscal year is \$166,174. Adding the full replacement coverage will bring in to \$179,470. City Attorney Wantland: Most individuals and their motor vehicles, and what I'm saying is we're talking about our citizens, would not begin to have the property damage coverage if they struck one of our vehicles. That's one of the things I was looking at when I started looking at some of these values. People just don't

carry that kind of liability coverage. That's what my first thought was if we had a vehicle struck by the use of another vehicle, we would have a claim against that individual but many times it would be valueless. When you put things in perspective and you get hit by a fellow who's driving his 2000 pickup truck with 400,000 miles on it and he runs into your sewer sterling vector truck and it's valued at \$190,000 and he's got \$25,000 in coverage. Gloria Taft: When was the last time we had an occurrence with one of the vehicles that was \$100,000 outside of this last one? City Clerk Richmond: Not since I've been here. Gloria Taft: So if we took the difference of this \$13,000 a year and we banked it for 5, 10 years, if we don't have an occurrence we're keeping the money to ourselves and yet we're saving it to pay for the difference should we lose another vehicle. Clinton Kline: Ten years of that is only going to be \$130,000. Dana Bischoff James: I was thinking that too Gloria but like he said in 10 years that would have been us getting back \$132,960. Clinton Kline: God forbid it happens twice in the same year. Gloria Taft: If we don't have two in the same year. Dana Bischoff James: Even in 10 years the margin doesn't touch what we're losing. City Clerk Richmond: When this came up I told her I wanted to get the cost together to present to you all because we've never had actual replacement cost we've only had actual cost value so I asked her to get the numbers together so I could present them to you to see what you wanted to do. Jose' Cubero: It's not like we have a choice not to replace them. Mayor Ellis: The City got lucky this past week when Chief Troutman and a couple firefighters went to New York they brought a truck home, 100 foot aerial truck that we got for \$175,000. That's a \$350,000 truck. If something happens to that truck God forbid, yes we stole it for \$175,000 but that's truck is gone if we don't get replacement on it. Bernie Brown: Where did these values come from? How were they determined on each of these vehicles? City Clerk Richmond: When I get the paperwork from the dealer a vehicle is purchased from I fax it all to the insurance company so they got the information from us. Dana Bischoff James made motion to add full replacement value to all vehicles listed. Clinton Kline 2<sup>nd</sup>. Motion carried 5-0-1 absent.

**Daryl Lee:** You're going to have a case coming up on North Buckman Street for the trailer sales business. They want to change zoning from B-2 to B-1 to be able to sale and do repair work.

**Duane Price:** Nothing to report.

**Sign in Speakers:**

Depp Rasner: Mayor thank you very much for the opportunity to talk to you guys. Council thank you all. I want to talk about an issue that many residents have talked about over the last couple years, it's a constant issue and it's the appearance of our City; mainly two things that I want to talk about are the graffiti on numerous private buildings and on a couple public buildings in our City. The second issue is the curbs on our streets. I have a proposal here that I want to submit to you guys with some solutions on how we can address this and resolve it. This isn't a comprehensive beautification renovation plan of our Cityscape I'm just looking for us to clean up our driveway if you will. I've spoken to a couple Council members and talked about the importance of this. This is a brief proposal; the purpose mainly to make you guys aware which I know you are on the importance of keeping our City streets and curbs clean and maintaining a clean appearance and addressing and resolving the numerous locations where the graffiti is located. The objective is to identify the littered areas of concern and hopefully someone on the Council or yourself Mayor would step up and take the initiative to make this happen. Again this isn't a proposal to do a comprehensive beautification plan. We just want to get the curbs clean and get rid of the graffiti. The appearance issues are street curbs. Highway 61 and Highway 44 start where the curbs begin. On Highway 61 North at Big O all the way in to the 44 Intersection on Highway 61 South from the Salt River Bridge in to the Intersection. Highway 44 West probably from the car wash a very short distance to the red light. Highway 44 East from Roby Elementary School all the way up to the Interstate. There aren't many curbs from the end of the Interstate to the railroad tracks but picking up from the railroad tracks to the Intersection. Then Paroquet Springs and Settlers Point. Viable solutions to address these areas; we could utilize the litter abatement. It's my understanding that you are getting ready to submit your budget and I don't know if litter abatement is in that budget, but in the past it's been somewhere in the ballpark of \$5000-\$6000 range that the City is awarded if the application is made to Frankfort to pay for costs associated with keeping our streets clean. The City Council could appropriate a set amount of funds, perhaps \$3000-\$5000; it wouldn't take much, to match that abatement. We could partner with Tourism. As we know Tourism has had a record year and economic

impact, some \$125 million in economic impact so they are doing very well. And it would be in their interest for us to have a clean City so if someone could step up and speak with Tourism about maybe forming some kind of partnership to keep our City clean. You could engage the Middle School and the High School athletic booster club teams. You may or may not know the athletic teams at our local schools receive no funding from the public school system here. They have to go out and raise all their own money for equipment, balls, gas to fill their buses for their away games, anything that they want to do they have to raise their own funds. I think it would be relatively easy to engage these booster clubs and offer them payment from the abatement to clean the streets. You could engage the inmates. We see the inmates out all the time. Once the streets are clean then we could outsource the maintenance and upkeep with an appropriation four times a year. The graffiti in the following locations, Mayor in your proposal I have an attachment, we took some images of the locations I'm talking about. I'm guessing that most of the Council members are aware of those locations. There are 3 or 4 in the City of Shepherdsville; there is one at the end of Conestoga. The solutions for those are basically to contact the property owners and ask them to repaint their buildings to remove the graffiti. It could be an opportunity to align property owners with some of these booster clubs and some of these kids and give them an opportunity to do some community service in the City. Obviously we need to punish the offenders and enforce current laws that we have. This graffiti has been in our City for well over a year, probably two years. And it's time we do something about it. We need to show a little pride in our City and keep it clean. What are the benefits of a clean City? It's a great impression to attract valuable tourism dollars when folks pull off and come in to our City. It can instill a sense of pride in our Community and citizens take ownership in our Community and the looks of our Community. Over the long haul littering is a behavior. If we get our kids involved it's not going to happen overnight but if we can keep our kids involved in keeping our City clean over time hopefully their behavior would change. We can show alignment with a long range planning committee which on their short list one of their objectives is to increase tourism dollars. So this would give the City an opportunity to show some alignment with that plan. And improve the ability to attract business and new residents with a clean community. That's it. I appreciate your time. I'm hopeful that someone on the Council would step up and make some of this happen. If there is anything I can do to help let me know.

#### **Department Reports:**

**Mayor Ellis:** I'll say this before Chief Troutman comes up. Chief spent last week in New York and brought home a 110 foot truck and there is another one he's going to tell you about now.

**Chief Troutman:** As I've told you all before we had a truck in Louisville that we were looking at; we made the offer on it and 10 minutes after we walked out the door somebody offered \$50,000 more than we offered and they got the truck so we lost out on the truck that was in Louisville. So we went to Indianapolis, Beechwood, Ohio, Buffalo, New York and Rochester, New York. In those places we looked at several trucks. The first two trucks we looked at were junk. I can't even believe the departments still had those vehicles and were trying to sell them for what they were trying to sell them for. They would probably get more out of them by scrapping them. When we went on up into New York the first department we stopped at had an 85 foot platform truck that they were asking right at \$100,000 for. We talked to them and looked at it; it has 16,000 miles on it, it's in really good shape, the only thing it's in dire need of is a paint job due to the weather conditions up there. It's an aluminum body on the truck so it has some corrosion in the paint which would just be taking the paint off and repainting the truck. We can get that truck for \$76,000. It's well worth it. The truck is probably worth \$200,000-\$250,000. It's in very good shape engine wise, aerial wise, pump wise; it's in very good shape. The other truck that we went and looked at was the 110 foot; it's a 2001 American LaFrance. It was in excellent shape. The Department that we got it from was the only nationally accredited department in New York State. We learned a lot from them. We spent a lot of time with their guys, with the Chief, his assistant Chief, we learned a whole lot from them especially about the accreditations and what departments go through to be accredited and how that works. The truck that we got from them, like the Mayor was saying, is worth \$330,000-\$350,000. They were just trying to off load it because as soon as they got rid of the truck they were placing their order for a brand new ladder truck and they were going to pay for it and bring it in. We made them an offer for \$175,000. We actually thought we were going to lose it because they had a couple other offers on it but luckily when our accident occurred our story hit Firehouse.com which is a firehouse magazine and it's on the Internet that goes national. This

department actually saw that article about our accident so they kind of felt for us and they gave the bid to us. That's how we ended up with the truck. The name of the department is the Ridge Road Fire Protection District in Greece, New York. They made about 8,000 runs a year out of three stations and they probably have 70 some firefighters. Bernie Brown: You have any good estimate what it would take to get it fixed up and ready. Chief Troutman: We've been working on that all day. The paint job is going to be roughly \$5000 to get it painted the colors we need too and the body work done. As far as the working order of the truck everything is in good shape. Due to the ride down we emptied the water out of it, there was some jarring, there is something we had to send up to the shop that works on our pumps and stuff, they had to replace a valve in it that broke but other than that the truck is in really good shape. It's the same year truck that we wrecked; however it was a dual tandem axle on it and it also has a 110 foot ladder on it which the other one had a 75 foot ladder which is more of what we need in this area with all the industrial and motels. Jose' Cubero: That a great job on that. I know we've said this to you before but nice job on that. It comes out of the insurance money so we've been able to actually turn a pretty good deal out of it. Chief Troutman: If we get this other truck it will replace the 1975 American LaFrance we have with a much newer truck, a much better truck and something we can use here in the City to protect the City. Jose' Cubero: I know you're going to do a great job. Mayor I want to bring this up as kind of a side bar to all this but I know that we've had discussions about the mitigation funds from the Fire Department. Not picking on Chief Puckett or Dan or anybody else but obviously they don't have to follow the same protocol as you do. I'd like to make a motion that Chief Troutman doesn't have to make a presentation; we obviously want to know what he's doing with it whether it's an email or paper documentation; but I don't think it's this venue that he should have to come up here for mitigation to utilize his funds for the fire department. I know that you've come up here a number of times and we're going to ask you questions, we're obviously going to do that as good stewards but I think at the same time if we don't do it for one department I'd prefer not to do it to that department. I'd like you to be in the same venue that you have funds there that you can utilize you've shown with this situation that you've done much better with money and you've done it throughout your budgets and I just don't think you should be in a different venue on the way you proposal to that. If you want to make sure that we have it, we're going to make sure we ask questions, I know all of us up here will always do that no matter who it is but we know that your heart is in the right place. You've proven that you are going to spend the taxpayer's money in the proper way. So I'd like to make a motion that he doesn't have to make the presentation. I'm not sure how to word this. City Attorney Wantland: I'm going to recommend to the Council not to do that. The Council needs to be the one to authorize the spenditure of any money. Jose' Cubero: But on mitigation we don't do it with the Police Department why do we do it with the Fire Department? City Attorney Wantland: We do it on the Police Department too. Mayor Ellis: No. They have their seized fund account they just make purchases out of with no approval. Jose' Cubero: We need to be consistent with it. City Attorney Wantland: If they have forfeiture money they need to account for that and present it to the Council. The office that may direct the money to be paid to the Police Department may be by Federal or State Statute for confiscation forfeiture of money that requires them to go to the Police Department. Jose' Cubero: I don't want it to be two different ways. City Attorney Wantland: Still the idea of spending money is by rule of the Council. Jose' Cubero: That doesn't change. I'm just wondering if it has to be in the venue. City Attorney Wantland: It would be the Department's money but it should be done. Jose' Cubero: We still should be notified. Chief Puckett: Federal seized funds, federal mandate says I'm the person who says where that goes on what we spend it on. That comes from the Federal Government. We have to send forms to the Federal Government saying what we did with the money every year. City Attorney Wantland: Technically that's Federal money. Mayor Ellis: What about the cost recovery that comes in? Chief Puckett: Cost recovery goes in the City budget. Bernie Brown: Chief does it create a hardship for you to come and address when there is something that needs to be discussed; not only with the Council but with the public? Chief Troutman: The only thing it hampers me on with mitigation funds is it was created to replenish what we use out on the scenes and it slows me down from being able to get the stuff back in that we need to replenish our stock for the mitigation runs. Jose' Cubero: I'm not saying we don't have an oversight on it. What I'm saying is I just think that we have this venue that you're the only one that comes up here and asked for their mitigation funds. I just want to decide what the best venue is because we've got a proven person here. You still need to give us what you're going to do with it. That's fine. I just don't think it's this venue when we don't do it for any other department. City Attorney Wantland: I've asked the Chief to present it to you in writing before the meeting so you could summarily review it. Jose' Cubero: I would like

that. But more importantly I just don't think this is the venue we should have him. City Attorney Wantland: I think it needs to be in writing and have the Council review it and vote on it. That keeps the Chief out of trouble. Jose' Cubero: I just want to be consistent. I'm just trying to figure out why we do one way and one the other. City Attorney Wantland: The tow lot comes to the City Treasury? Chief Puckett: It goes into an account where a certain amount of it is designated to go in the City Treasury. City Attorney Wantland: Then the City authorized its use for whatever purpose, generally for the Police Department I would think. Jose' Cubero: I understand that I just watch the two ways we do this; I think we ought to be consistent on what we're doing as far as these funds. City Attorney Wantland: I'd like to have it in the Clerk's records that you all spent that money. That's how I would recommend it should be done. Jose' Cubero: I'd like to look at it a little further. In our conversations I was just trying to figure out why we do one department differently than the other and then I think at the same time we're talking about funds that obviously your funds to spend but we just want to know where they go.

**Claude Middleton:** I have samples of the sign colors. Blue with white letters; Green with white letters; brown with white letters; black with white letters. Mayor Ellis: We did a light test to them to see what the reflection was going to be, the green and blue both are going to be reflective; blue seemed to be more reflective than the green; the black all you saw were just the letters; I'm afraid if somebody spray paints over it you're not going to see it. The black does not reflect any at all. Ruthie Ashbaugh: I went to a meeting in Frankfort on Thursday over these signs. Are you changing all your signs now? Jose Cubero: We have to by 2015. Ruthie Ashbaugh: You've got until 2015. Mayor Ellis: You have to have the Street signs by next year, the caution signs, stop signs, and child at play signs by 2016. Ruthie Ashbaugh: They have now extended the time to have all signs changed. Mayor Ellis: They talked to the folks with the sign company today and they gave them what the mandate is. Ruthie Ashbaugh: Call the Transportation Department. Mayor Ellis: We're just going to have to call them and get a clarification. They've got people confused on what they're doing. The last we had heard the street signs by 2015; speed limit, stop signs, child at play signs, those needed to be changed to the reflective by 2016. You've got something in your packets on how we want to handle it over the next two years.

#### **Council Reports:**

**Dana Bischoff James:** Asked Mayor Ellis is Linda Belcher had contact him yet? Mayor Ellis stated yes. Dana Bischoff James: This kind of goes with the proposal that we had tonight. They are actually constructing a meeting group and something that they are looking to do is right across from the Walgreens in Shepherdsville we have the Shepherdsville sign and area. They want to be the ones who take care of that and post a sign. Mayor Ellis: She stopped by today and asked me if it would be okay for them to adopt that area and plant some flowers and stuff and I told her sure. Dana Bischoff James: That would be something that we as a City can do; if churches or whoever would want to adopt an area to help beautify the areas and make something look a lot better. That's something I'm kind of excited about seeing happen. Mayor Ellis: I was excited when she came in and asked me about it today. Dana Bischoff James: As far as that goes if there are other places that we are able to get involved and really embrace this how they should go about that. Should they contact you? Mayor Ellis: They can contact me at City Hall and I'll get them in touch with Claude.

**Jose' Cubero:** The only thing that I want to add to that we've been discussing what's State responsibility and as far as our responsibility and we're just going to take the initiative on it because if we don't it won't get done in a timely manner. I know we talked to you Claude and I know there are issues with manpower and schedule looking at some of the exit ramps. I don't know how we can assist you because I know it's still about having the number of people, the time to do it and going through and maybe hitting some of the areas around the exit ramps we've talked about. The sidewalk areas you've done look good. I just want to know somehow how we can be part of that. I want to get out there and test out one of the new weed eaters. The only other this I want to throw out I think that, Depp brought this up, one of the things too with schools, they don't really have any money. I know going through college at Bellarmine we always had fund raising. I don't think that is a bad way to look at it. We have to look at the cost and how to do that. But I think there is some venue there that we can work with schools and there is a lot of pride in doing that. They take ownership to it too. I mean don't think that it's all going to happen at once, it's a slow process but I can't imagine that some

people that have picked all that up and there was some people throwing something out, them saying hey wait a minute I just cleaned all that up kind of attitude. So there is going to be some ownership taken in slow process with teenagers and 20 year olds take ownership to some of that. But with sports it's a way for them to raise money and like I said we cheer our sports on, we want to make sure that all of our sports have all the proper equipment and things and this is the way to help it. I thought he had a really good idea with that. I think the sports thing is where maybe we need to try and talk about that.

**Bernie Brown:** In talking about cleaning up I had a manager of a business just today brought up that up here on the South side of 44 as you go up towards the interstate, there is a section there between the road and a fence; it belongs to the State and I think last year may be or the year before they cleaned up a lot of that. This manager of the business told me today that he contacted the State about cleaning that up and they said we're not doing anything except they will spray along the fence there and that's it. They aren't going to do anything more. I don't know if we can put some pressure on the State or not. Mayor Ellis: I think the only thing you do is Claude take a look at that and let's get that cleaned up. Dana Bischoff James: Can we post signs, for instance at Roby Elementary where the basketball court is, I went out there one day and I just picked up every water bottle. There's just so much trash out there. Can we post signs that say please keep area clean? Mayor Ellis: That's going to be on school property. Dana Bischoff James: If they agreed would that be something the City would do since we're getting ready to do signs anyway, take pride in your City or something. City Attorney Wantland: It's not on City property. Mayor Ellis: We're going to get ourselves in trouble by buying a sign and putting it there. Dana Bischoff James: Given that the Board of Education is behind it. If we're trying to do something and they get behind us as well. It would be everybody. Bernie Brown: Another issue that had been mentioned to me and I've seen it happen. People going west on 44 cross over the Interstate they come down Adam Shepherd Parkway and they will make a U turn there. There's not a sign there that say No U Turn. I wonder if that couldn't or shouldn't be done. That's really not a safe thing to be doing. But they do it almost every day. Mayor Ellis: We can contact them about a sign and see what they say. Bernie Brown: Mayor I know that's a State Road there. Mayor Ellis: We can contact them and I'm sure we've got a NO U TURN sign lying around somewhere if nothing else. Chief Puckett: If it's posted it is illegal. Mayor Ellis stated we would call District 5 about it in the morning.

Mayor Ellis asked for a motion to adjourn to Executive Session to discuss property acquisition.

City Attorney Wantland asked Chief Troutman to get a list of inventory that he customarily uses in the fire operation and submit it to the Council so he can have an inventory built up and then have it replenished. Just submit that and it goes along with what Councilman Cubero is trying to get you to do.

Clinton Kline made motion to go into Executive Session. Gloria Taft 2<sup>nd</sup>. Motion carried 5-0-1 absent.

Clinton Kline made motion to return to Regular Session. Dana Bischoff James 2<sup>nd</sup>. Motion carried 5-0-1 absent. City Attorney Wantland: The City Attorney has been instructed by the Council not to take any action on the discussion.

Dana Bischoff James made motion to adjourn. Jose' Cubero 2<sup>nd</sup>. Motion carried 5-0-1 absent. Meeting adjourned at 8:08 p.m.

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R. Scott Ellis III, Mayor

Attest: \_\_\_\_\_  
Tammy Richmond, City Clerk