

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, August 11, 2014**

Pastor Randy Pace, Family Worship Center gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:31 p.m.

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

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 7/28/2014 regular meeting. Dana Bischoff James made motion to dispense with reading. Bernie Brown 2nd. Motion carried 5-0-1 abstain.

Mayor Ellis asked for a motion to approve minutes as written from the 7/28/2014 regular meeting. Clinton Kline made motion to approve 7/28/2014 minutes as written. Dana Bischoff James 2nd. Motion carried 5-0-1 abstain.

Old Business: None

New Business:

Discussion followed on the YMCA Lease extension. June Daugherty was present on behalf of the YMCA. She asked the Council if they had any questions for her. Faith Portman: I see that you all want the softball fields and the soccer fields? June Daugherty: No. This is just the same Lease that we've been operating under since 1995; it's been modified here and there. It want from being renewable every five years to renewable annually. Faith Portman: The softball fields weren't included before were they? June Daugherty: The softball field that is not there any longer; the old softball field. Then when the two new fields were put in the building wasn't finished so I came to the Council in 2011 and offered to help the City finish it. We figured it was going to take about \$20,000 so I offered to pay \$10,000 out of the YMCA funds and the Council to pay \$10,000. But as it turned out the Council didn't have \$10,000; you all had \$7,000 something so we ended up paying the electric to get the outfield lights turned on and we're waiting to be told that the electric could be finished in the concession stand. That's the year we also put a new sump pump in up at the front concession stand which was around \$4,000-\$5,000 and the City was going to pay for the overhead windows and the Plexiglas in the top and metal steel door at the top but you all didn't have all the money to do it so we did part of that. That's when that language was added which was in 2011. Now it's my understanding that the City wants to use the softball fields for actually what they were built for which is baseball/softball. Mayor Ellis: I met with June and Chris O'Brien and Nikki from the Shepherdsville Titans last Wednesday and went over some different things on how we're going to squeeze everybody in and I think we came up with a good plan on how we were going to do that. June Daugherty: There's enough empty space out there for football and for soccer to practice in the front half of the park and not be on the baseball fields. Mine and Nikki's only concern is parking. Faith Portman: Right. We talked about that. Do we own all that where the saddle club is? Mayor Ellis: Not over around the saddle club. June Daugherty: The Saddle Club owns that section but there is a pretty large piece of land on the other side of the gravel roadway that leads in to the barn where the City stores equipment; that in 2009 Chuck Keith and some of his men were going to level that out and turn it in to an additional soccer field but there would still need to be some dirt put in there. Mayor Ellis: The side closest to what would be the Saddle Club area on that road; opposite side; could be parking where several football folks would be able to park at because this side of the road closest to the soccer fields now we're going to try and level that off in time for next year so that can be used for football; running next to the big field would be football area; we're getting ready to take up those railroad ties that you and I talked about; and I'm working now with an electrician to get those lights fixed for us. June Daugherty: The old dug out and fencing and the old ball field; all that has been removed. Where the poles were just needs some dirt put in there and some grass seed. We had seeded and put hay down in several spots in the front part of the park and played the majority of the age groups behind Roby this Spring

because the fields had gotten in such rough shape from just pick up games being out there on the weekends and when it's wet it just tears the fields up. Dana Bischoff James: So all parties have been contacted that will be sharing the park? June Daugherty: We are going to continue to use Roby for certain age groups. We've got a lot of complaints from the age groups that were playing closest to the Interstate that it was very hard to communicate from coach to player; we've got about 500-600 kids in spring soccer and 500-600 in fall. It fluctuates. Faith Portman: I'm happy with it as long as everybody is taken care of. I don't want to see football removed or another team come in; they've been using the park for years and you all have too. Bernie Brown: All the other teams, it's been worked out where there is no problem or conflict. June Daugherty: We're willing to work it out. We haven't put paint down on fields to designate space but we believe there is enough space there for both sports to practice in the front end. Bernie Brown: Is there any plumbing or electrical work that is going to be required? Mayor Ellis: There is going to be electrical work because we need to get some overhead lights fixed over there. The plumbing is already in the concession stand. Bernie Brown: Is the City going to do that? Mayor Ellis: Yes. We'll get an electrician to do it. Bernie Brown: Have you gotten any estimates? Mayor Ellis: No I've got a gentleman that is supposed to look at them and tell me how much he will charge and we'll get 3 or 4 bids on it and see what happened. June Daugherty: There is currently water and electricity in the existing concession stand up front; not in the concession in the back. Mayor Ellis: There is no water to the one in the back but there is electricity. Dana Bischoff James made motion to approve Lease. Faith Portman 2nd. Bernie Brown: Has the City been given information verifying the insurance? June Daugherty: I emailed that to Tammy. Mayor Ellis: We have both of them actually for the Football League and for the YMCA. Actually, Nikki, if you would; this is Nikki Simmons, she's with the Shepherdsville Titans, she's the President of that League now. June Daugherty: How many do you guys have playing football? Nikki Simmons: Right now we have 117; that's cheer and football. We keep adding every year so that's a good thing. City Attorney Wantland: We have a motion and a second but because of what I'm hearing is just growing pains; have we looked at what the City needs to do in the future to accommodate these children? June Daugherty: Scott met us out there, we walked around. We've tagged several places that just need a little bit of dirt and leveling to be fine for either football or soccer to play on. Parking is the biggest need. Mayor Ellis: A perfect world would be if we could buy the horse riding place over there and expand over but I don't think they will sell that. Discussion followed on parking issues and possible remedies. Mayor Ellis: I have a motion and second. Motion carried 6-0. June Daugherty: I don't know if this goes back to Faith's question but will our Lease change once the City enters into a Lease with football because like you said it's got all that designated in the current Lease that was just approved? Faith Portman: It shouldn't change. Mayor Ellis: It shouldn't. It's going to be the "gentlemen's" agreement like we had when we were out there. We'll get together and get everything lined out.

Discussion on Cityworks, an asset management software package. Mayor Ellis asked Scott Fleming to come to the podium for this discussion. We didn't get any bids other than from the Cityworks group. City Clerk Richmond: This was advertised three different times in the paper and I didn't get anything. Bernie Brown: Was this advertised? And you got how many responses? Mayor Ellis: Yes it was advertised three different times and we got one response. Faith Portman: Did they submit anything Scott? Scott Fleming: They submitted pricing on everything. We've actually been looking at them for a couple years. We tried to get off on a cheaper software and it just wasn't working. With this particular software you've got inventory, a module for CCTV and it generates daily work orders. It's going to organize both departments. Faith Portman: What was the price? Scott Fleming: \$56,000. Gloria Taft: What is the storage on that? Scott Fleming: It's cloud based it's not on site. We did have servers installed for the mapping aspect of it on our end. Gloria Taft: What's your storage on your servers? Scott Fleming: I believe it's 2 terabytes. Clinton Kline: Is there an annual support cost? Scott Fleming: It's about \$10,000 every year. Dana Bischoff James: Any additional cost as far as training? Scott Fleming: No. That's included in the \$56,000. Dana Bischoff James: And this is the software you've been looking at for two years? Scott Fleming: Yes. And this is another step in our Agreed Order with the EPA. Asset Management is kind of a big deal to them. Dana Bischoff James: You feel like this is the best for the Sewer Department? Scott Fleming: It is. I've spoken to several different municipalities and of course with a lot of them it's been trial and error where they've been big enough to build their own but with this it's really tailor made for what we need. Dana Bischoff James made motion to accept. Jose' Cubero 2nd. Bernie Brown: Did you open the bids? City Attorney Wantland: There were no bids to open. Bernie Brown: You did not get anything in writing? Scott Fleming: I've got

everything on Cityworks. Bernie Brown: How much was this? Scott Fleming: \$56,000. Bernie Brown: What were you expecting it to be? Clinton Kline: Do you have this in the budget? Scott Fleming: Actually \$65,000. That's what we were expecting. Clinton Kline: Do we owe the \$10,000 support the first year or does that kick in the second? Scott Fleming: The second year. Gloria Taft: That's covering both Departments? Scott Fleming: We're going to initially start out with Sewer and once we get it up and running we'll move over the Public Works with it. Bernie Brown: Does that include Technical Support and Training? Scott Fleming: Yes. Vote taken at this time; motion carried 6-0.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers: None

Department Reports:

Chief Layne Troutman: I have report on the truck. They sent us the contract and in reading over it it covers everything that it's supposed to cover. However, they are requesting money up front from the City to start working on it. Once we sign the contract within ten days of us signing the contract for them to start repairing the apparatus we'll owe them \$48,849.14, that's just to get started. Then within ten days of the delivery of the Third Party Pump Test results we'll owe another \$43,964.23 and then before the truck is actually delivered to us we'll owe \$4,884.91. All of this will be recouped except for \$5,600. There is \$5,600 of this of repairs they are going to do to the apparatus that needed to be repaired that are going to be upgraded and done that was wrong with the truck before it was wrecked. In the end all of this will be paid back from what we understand from the Insurance Company. City Attorney Wantland: The League of Cities has said they will pay \$83,000 total. We're still fighting with Ryder; not only does Ryder owe us basically \$100,000 for the damages but they also owe us for the loss of use of the machinery. Seagrave is the firm that was selected by the Fire Department to repair this vehicle. It's a piece of valuable City property and we're in the position where we need to get it repaired and then we have to collect our money back on the back end not on the front end. Clinton Kline: Bob, we won't have a problem with cash flowing this \$100,000? Controller Bob Ryan: No not at all. Clinton Kline made motion to approve expenditures. Gloria Taft: What kind of guarantee are we going to get with this work? Chief Troutman: It's the manufacturing company that actually built the truck. It will be put back in to the original condition. Gloria Taft: If it's not in writing it doesn't exist. Chief Troutman: It's all in writing. Jose' Cubero 2nd the motion. Chief Troutman: It could cover us on other things that if they come across something; because there are some inspections like on the tank of the truck, the pump of the truck, once they get things apart and they start inspecting it, if they find something wrong there will be a written agreement with it, and we'll have to sign off on it and then it will be something else that will be taken up with the insurance company at that point in time. Dana Bischoff James: What is the \$56,000 you said that there were other things that were wrong with it before we started? Chief Troutman: \$5,600. Dana Bischoff James: Okay. What are those issues? Chief Troutman: It could be anything from a hinge on a door that was broke to some work on the transmission to a part on the engine. There are numerous things that it covers. There are some seatbelts that were frayed and torn that needed to be replaced on the truck. Some of the seatbelts I've asked the insurance company to replace because there were people in those seats the night that it was hit and as people understand if you are wearing a seatbelt and it locks those seatbelts should be replaced so we've instructed the insurance company we'd like that to be paid too. Vote taken at this time; motion carried 6-0.

Council Reports:

Jose' Cubero: I'm glad to be back. I just want to piggyback on what Gloria mentioned as I was reading through the minutes in congratulating all the Departments on their finishing up the year. Excellent job on all Departments. Great job. We got a lot of things done; paid off debt and got some things that were very valuable to the City. I want to commend all of you. Bob, thank you for your work on all this. We appreciate it. It takes everybody's effort so thank you all for that.

Dana Bischoff James: It's good to hear good positive things and feedback. I want to congratulate the Police Department, they just went through an audit of some sort for their accreditation and they passed with flying colors so congratulations. Department Heads keep us informed on things that are going on; the good as well as the bad.

Faith Portman: I had a call from people who live on 480 where that new building is right there next to the Flea Market. It's not really new but there is a berm and in the agreement, and I remember the agreement, there was going to be a fence put up and the fence is on top of the berm; but they are supposed to maintain that and they are not. So the homeowners down through there are having to maintain the berm and they wanted to bring that to our attention. Mayor Ellis: We'll talk to the folks that are renting it. Faith Portman: I also wanted to say thank you to the Police Department, they know what it's all about. I've had some incidents on my street the last two weeks and they really saved my butt and I want to thank them. Also I had somebody call, and Scott can answer this; over there where El Nopal is, when are we going to clean that out? Scott Fleming: That's our next big project. Faith Portman: I also want to congratulate Rocco on a job well done. He received an award for Seatbelt Safety so congratulations to him. I hope you all tell him that for me.

Jose' Cubero: I just want to thank Scott and whoever went out with him to Hibbert's place. I got an email back from him on the quick response going out and checking it out. I know you guys are working on that with him. Scott Fleming: We've still got some seed and straw we need to do there but we cut everything cut.

Gloria Taft made motion to adjourn to Executive Session to discuss land acquisition and litigation. Clinton Kline 2nd. Motion carried 6-0. City Attorney Wantland stated he would like to invite Mr. Hatfield & Mr. Hatfield in to the discussion on property acquisition and Chief Puckett and Officer Myra Minton in to the discussion on litigation.

Gloria Taft made motion to return to Regular Session. Clinton Kline 2nd. Motion carried 6-0. **City Attorney Wantland:** May it please members of the Council there are several issued that we discussed tonight. Litigation was discussed; the City Attorney and local law enforcement have been given instructions by the Council on how to precede in certain litigation scenarios. We're going to follow up on that. There is talk of a land acquisition. They Mayor has been authorized to enter into negotiations and to acquire an appraisal concerning a sale of an acquisition of real property.

Clinton Kline made motion to adjourn. Dana Bischoff James 2nd. Motion carried 6-0. Meeting adjourned at 8:05 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk