

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, March 9, 2015**

Brother Billy Green, Family Worship Center gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:30 p.m.

Council members present: Larry Hatfield, Dana Bischoff James, Bernie Brown, Gloria Taft and Randy Hammond.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 2/23/2015 regular meeting. Gloria Taft made motion to dispense with reading. Larry Hatfield 2nd. Motion carried 5-0-1 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 2/23/2015 regular meeting. Larry Hatfield made motion to approve 2/23/2015 minutes as written. Randy Hammond 2nd. Motion carried 4 in favor-1 abstain-1 absent.

Mayor Ellis announced the H.O.P.E. for Bullitt County meeting will be on March 19th, 6:30 at City Hall.

Presentations:

Mayor Ellis asked all the Council members to step out on to the floor for a presentation. He stated we have a special gentleman in the crowd tonight that we want to recognize. He's done a lot for the City of Shepherdsville. Several of us remember some financial shortfalls a few years back and he jumped in and helped the City out. Also, with firetrucks when they needed to be purchased. He's always been a great supporter; playground equipment in a park that's named after his father. So at this time I'd like to ask Mr. Nick Simon to come up and be presented with a Key to the City and Proclamation proclaiming March 9, 2015 as *Nick Simon Day* in the City of Shepherdsville. **Nick Simon:** This is great. I just want to thank everybody for this. The best thing the State of Kentucky ever did was in 1956 they built the Interstate, they called it Kentucky Turnpike then and my father was a First and Chestnut and they condemned his property. He came by her and talked to Burlyn Pike and moved out here and this was kind of a one horse town back in 1956 so the only thing they could give his was a fire hydrant. So he took the fire hydrant and for all the great people in this community put a pretty good business in. I just want to thank everybody. It's a great community and we're going to stay here and keep going. This is a special place, Bullitt County and Shepherdsville. Thank you very much.

Arthur Jones gave status of the City of Shepherdsville zoning map: Evening Council members. We have been working on the Shepherdsville City zoning map as of late and it came to our attention toward the mid to late portion of last year that we were going to have to do some efforts with the zoning map in order to get it up to standards as we see fit. So instead of trying to push that through Council at the end of last year, at the end of a Council season, we decided to bring that to you guys as a new Council this year so that we can get this resolved and get this moving in the right direction. So where are we? We've got about 5000 parcels in the City of Shepherdsville. Out of those 5000 parcels we have about 4400 of those zoned with an Ordinance. What we've done so far is we've taken all the Ordinances that have been submitted to the City since about 1988 so since then we've got a lot of Ordinances that we've gone through one by one by one designated exactly what piece of property they were pertaining to and took that zoning and built it in to the parcel layer that we were able to get shared with us from PVA her in Bullitt County. So as part of this operation we're trying to do a little bit of cooperation between departments so that we're fostering that atmosphere of we all work together, we all share data, there's no reason to reinvent the wheel twice. So about 88% of the parcels have already been delineated; they've already been designated as the zoning that they were meant to be; however now we've got about 570 parcels that still need work. So where do we go from here? Well I want to let you in on a little bit of where we see the hierarchy of our data quality. We think that Ordinance can be held high and that is very good information and that's the information we should use for our zoning map. Once we run out of Ordinances; once we get to a point where we don't have an

Ordinance for that piece of property, where do we go from there. That's kind of where I'm looking at it. We need to stair step down in the hierarchy of the best available data, let's use that first; and then let's move down to the next best available data and down and down until we have no more data to be able to designate those difference portions of the City. So as I've laid out here we've got Ordinance information the best and then the County database, they had zonings of pieces of the City before we annex them. And once we annex those portions of the City those portions weren't necessarily all the Ordinances and docket numbers and everything that was associated with that area wasn't automatically pushed to the City's records because it happened before we annexed that area and so our proposal right now is to go use that information to help populate the rest of our zoning map. If in fact that information isn't good enough then we do have a map that Qk4 came up with a few years ago that based a lot of the information that they had available at the time then beyond that there is an older zoning map that we found here at the City; a 1988 City map and so what we're doing is stair stepping through what's the best data and what's the least reliable data. So if we were to get past those checks then where would we go? What will we turn to? So the next think that I'm thinking if we can't go through there then we're going to have to look at what's around it. If this one doesn't have a zoning but every parcel around that parcel is R-2 are we going to have to call it R-2? So what I'm saying all this for is not to dictate what we're doing but to give you ideas. I'm coming to the Council tonight for you to dictate where do we go from here? So in this hierarchy we started up at Ordinances, we're going down to the County database, down to Qk4 and what I view as the hierarchy of the best available data. Now if your opinion is different by all means I want you to share and I'm giving this to you tonight so that you can start thinking this through and then over the next couple weeks come back to me with conversations and questions and concerns and comments and then as we go through this discussion two weeks from now or three weeks from now, we can get back together and come up with a plan of how we are going to move forward. Some of the other sources of zoning data that we found when we were going through the Ordinances are the information that was given to property owners from the County zoning. So County Planning & Zoning would pull up their database and their records and whenever you were going to rezone a piece of property they would tell you what was around that property. This piece that is on your screen right now designates a portion of the City that was annexed at a later time after we had most of our zonings kind of designated; and so this is a portion that the County has zoning information on but the City does not because it was already zoned before it was annexed. So we don't have the data here at the City but we think that the County does have this data and they are willing to work with us to be able to get that information and put it into our map. So once we go through this exercise and we put together this zoning map with the best available data where do we go from there? Do we just adopt this map? That's probably not the best way. We really need to build in some sort of checks and balances into this map creation and map revision. We need to have some sort of an input from the public in my opinion. So what I've put in front of you is the possibility of once we get this map in what we consider a complete condition one of the scenarios that we can do is display a large format of this map here at City Hall so the different citizens in the City could come take a look at their map and say okay I agree with the zoning that you have on my property, we're good to go; or they can come, take a look at the map and realize this is not exactly what I thought my property was supposed to be zoned; and at that point then we need to go okay so you think it should be something different. Please tell us why because we're not perfect, nobody is, so if you can give us good documentation that illustrates that your property is not properly zoned then we need to consider that information. So the information that I think is reliable would be if they were to produce a City Ordinance. Say we had an Ordinance pass here at the City but for some reason we had a paperwork snafu and something was lost. But somebody has a copy of that in the public we would want them to share that with us and we would make a copy and put in our records and we would update the zoning map to reflect that. Or if they were to have a County docket where they did it at Planning and Zoning and one would assume that it came to the City and then we looked that information up and then back that up and backtrack the documentation behind the history of it; for instance, if it's a parcel out in the County and it got rezoned while in the County, they gave us that information and then we went out and annexed that portion well then that's going to be good reliable data that we're going to want to use. So another document that may also be viable is any sort of legal documentation; like if something went through the Courts and the Court deemed that this property be zoned a certain zone, that's also going to be very good and reliable data that we should use and we should honor. Those are three of the scenarios that I can see and there could be more. Those are the ones that we have currently outlined and identified that we think would be reliable. These are all ideas to

the Council. We're not trying to make this decision for you but we want to give all this information to you so that you guys can start this discussion amongst yourselves and with us. Ask me as many questions as you'd like about the City's zoning map; how we got to where we are; and then at that point we can make a decision together of how to move forward and finish this. So as part of the public comment period we should try to make sure that we're doing this in a means that we're not being too rushed about it but we're not dragging our feet. So what I've tried to propose is a 90 day window so within three months somebody should have an opportunity to either come down to the City and take a look at the map or if given the permission we would also like to publish an online version of this map for people to go and view and comment. They can go, take a look at it online and then if they say okay yeah I've got a problem then they need to come down to City Hall and fill out some sort of form of paperwork tracking their submission. So they fill out this form saying I'm at this property and I think this property should be zoned XYZ because of QXR, whatever. That's where we're at. That's what I've proposed but that's where the discussion begins. That's not where the discussion ends. So once we come up with this plan and we're able to come forward with our zoning map there are a few things that we have identified that need to be addressed; for instance, we're building on top of the PVA parcel layer. If anybody knows the PVA parcel layer here in Bullitt County they know that it is lacking in its accuracy. And that's no dig on PVA because PVA did the best that they could at the time that they did it because honestly they came out with mapping way before any other department ever starting doing any sort of mapping. So at the time they came out they were way above the curve; way in front of everybody else. So at this point they need to do some updating; so as part of this, if it's deemed necessary we could also look at updating the parcel layers. Larry Hatfield: You're not telling me those red lines are running through those houses or lots are you? Arthur Jones: Bingo. These are just a couple examples. Larry Hatfield: How old is that because nowadays or in the last three, four, five years you had to have the house spotted on the lot by an engineer. Arthur Jones: This is true but the engineer did not digitally submit their subdivision plat to Frankfort that was mapping these and so what they did in Frankfort is they fitted as best they could with the technology that they had which was not CAD. They were not using good mapping software at that level so we have a deficiency in the mapping. Larry Hatfield: Well I don't think the taxpayers of Shepherdsville should have to pay for that. Because I bet you \$10,000 to a donut that from that subdivision, I don't even know where it's at, was laid out there was a plat given to the Planning and Zoning office every house that I built had to be engineered, signed on where it sat on that lot. So this didn't happen. Arthur Jones: I agree this is not good. This is not me. Larry Hatfield: I know it isn't. I tell you what I would like to see if the Council agrees, I would like to see a special meeting called with Planning and Zoning, and take an hour, because this is going to be very very important to some of the citizens in this City. Arthur Jones: I think that's a great approach. City Attorney Wantland: Council, at some point there is going to be what I refer to as some spots are going to be holes. There is not going to be any data for it; it's just there. When that happens we can talk about how you want to proceed on that but I've talked to Arthur and Brad and there are going to be a few not a whole lot but there are going to be a few holes. Larry Hatfield: Joe that's why I think we need a Special Meeting to talk about this because let's say there's a vacant lot in Sycamore Bend and ... City Attorney Wantland: True but I'd like to have the Council aware before we have this special meeting of where some of these holes are so they can gather information so you can talk about it so you have a lot of the facts of what's going on. Larry Hatfield: So you're saying these 569 parcels don't have numbers on them? City Attorney Wantland: There are 569 parcels of which there is going to be some that really don't have any zoning. There's nothing to substantiate what the map that we've been using with Brenda Taylor Weidekamp has been using; there's just not anything there. Gloria Taft: How long would it take for you to be in a position to have a Special Meeting? How far are you? I know you've got 4400 of them done which is 88% we don't want to have to deal with 570 parcels if we don't have too. Arthur Jones: I agree with that. So my discussion today is really to open this can of worms; start to get that thought process going because where do we go from here; what's the next best step? Randy Hammond: Going down the hierarchy of your importance how many of the 500 will be alleviated by the 1988 map and the Qk4 map? Arthur Jones: I can't tell you that. I don't know for sure because we haven't made it through that yet because what we've done is the City Ordinances; the stuff that we know is rock solid so that's what we've made it through. I wanted to give you that update of hey we're done with the Ordinances now our next step is we think we should go to the County zoning; County Planning and Zoning has a database that they have a lot of information in that we may or may not have. I would like to go there just for the sake of that's, in my opinion, the next best information but I want your approval before I do that. I know I don't want to run down

there and start doing all this work and looking up all these properties without first checking with you guys to make sure that's okay. Bernie Brown: Do you know that they are willing to do that? Arthur Jones: Yes. I've already had extensive discussions with Bryan and Roanne down at Planning and Zoning and they are wide open for us. City Attorney Wantland: In working with Arthur, Brad and Brenda, and this is a for instance, an example, there is a piece of property in the City that was rezoned. There is no Ordinance. Larry Hatfield: Right. We didn't do Ordinances back then. City Attorney Wantland: There was no advertisement, nothing. I advised Brad and Brenda particularly that in this particular case because the application remained intact; there weren't any changes, that after 90 days, that would become the zoning by operation of law. The Council had 90 days to act on it and didn't do it technically. So those will be that way. There are some that literally the developer would come to City Council after the application was made and then he did something and it's not what they applied for. It gets to be a little difficult at that point to try to figure out exactly what transpired. Larry Hatfield: The thing that concerns me is or one of the things that concerns me, there is a whole lot of things that concerns me but if somebody comes in right now and buys a lot and let's say I don't think they that bought the lot should have to prove what it's zoned; I think we should come up with the zoning. You follow me? City Attorney Wantland: We're working on it. Arthur Jones: Yes. We should be able to produce to them what the zoning is. Larry Hatfield: Or we're going to have to do the best scenario and go by the map or do something. Arthur Jones: Right. We've got to protect our citizens because it's not their fault that they don't have the zoning for their property. If they come in from Louisville and buy a piece of property here they should be able to ask us what the zoning is. Larry Hatfield: And out of these 569 just from my experience a large number of them are probably going to be East of Centerview, Eastview, Jackie Way, Circle Drive, before Ordinances ever existed. The old Shepherdsville I'm going to call it. Because they annexed a bunch of it years and years ago when they built Best Western to get liquor by the drink. They did a whole bunch of it. You had to have x amount of population and it had to be done x amount of ways because you couldn't buy mixed drinks here any time. But I would like to get everybody together, we don't have to do it real quick but at least have maybe John and some of the Planning and Zoning people, what do you all think? Dana Bischoff James: I think following up with the Homeowners Associations as well notifying them of the changes when we get a map making sure everybody is very aware. How do you even go back and fix that when you're got property lines running through homes? Arthur Jones: In those instances what we would do fortunately Brad has been working in this community for 20+ years so he's got a boat load of all of the subdivision plats so from all those digital subdivision plats that he's created over the years of going back through and digitizing we can take and overlay a large majority of the subdivisions and correct a lot of where the parcels are misaligned; where parcels are going through houses we can realign those parcel delineations so that they are going more closely to the lot lines. They won't be survey grade but they will be more accurate and they won't be cutting houses in two. That will be a convenience but the only reason I bring that up to you guys because this is PVA data that we're building off of and I'm telling you Mr. Hatfield is right on course where my thought process was going through this because we need to get more people involved because as a Community we're building on top of other information and we are able to make better information that we want to share back with them. So getting more people in to the conversation so that this can become more of a community effort and less of an I do my part you do your part stay off my grass. We need to be doing this more in cooperation so that at the end we've got a nice good map that we can rely on and that has good information tied to it. So Mr. Hatfield is right on point with getting more people involved so that we can make sure that this is done right from the beginning so that we don't get halfway through and go well we did the best we could oh well. Larry Hatfield: Arthur, too what I'm hearing out of my office is that they want to control the map; Planning and Zoning. Now that's a question I don't know I have an answer for right now because; well just because of the problems we have had. City Attorney Wantland: The previous County Attorney and the present County Attorney have all agreed kind of what I think the law is and the position is and that is each legislative body has its zoning map. Now they might have a consolidated zoning map at the Planning and Zoning office but the legislative body of each government, a member of the Planning Commission is responsible and is the holder of the official zoning map. I know that's come up and I have spoken with the past and the present and I think we're all on the same page that each legislative body has control of their zoning map. Arthur Jones: There has been a lot of deliberation on that topic and Mr. Wantland brings up a great point of yes that is the way we are going forward right now is that the City of Shepherdsville will be in charge of the map of the City of Shepherdsville. Mt. Washington would be in charge of their map. LJ in charge of theirs. But then the County would have everyone else's and because

the County and us have a good relationship they of course would have a copy of ours to plug in to theirs. City Attorney Wantland: Once we get our map established it's easy to furnish it. Arthur Jones: It's an easy push from us to them so that when they get a question from a citizen that lives in the City of Shepherdsville they don't have to go sorry we can't answer that go talk to them at Conestoga because believe it or not they would like to be helpful to the citizens in Shepherdsville because if you're in Shepherdsville you're in Bullitt County, it's not a mutually exclusive kind of thing. So whenever we're able to get our map up to snuff and show everybody else how it's supposed to be done and we push that to them they will be willing to help us to make sure that we're serving our citizens in the best way. That's been my discussions in the past few months when I've been trying to get this together. Larry Hatfield: When this gets closer should we as a Council send out letters to the ones that we're not sure of? City Attorney Wantland: Yes at some point we're going to put everybody on notice saying this is what we show. Randy Hammond: I think we have to notify everybody before we even start. Arthur Jones: That puts us where we are. We've done a lot of work so far; we've got 88% done, you would look at the map and say wow really good but what's all the white space. So that's where we are that's why I wanted to get you guys involved because I know that I can't wade out into this water alone; we need to link arms to make sure that nobody drowns because it's going to get deep really fast. That's why I'm just letting you guys know where we are and open it up for discussion and as we move forward just let me know. Larry Hatfield: When should we set up a meeting do you know? Arthur Jones: It depends whether you want me to proceed below the Ordinance level to go to the County and get everything that they have; if you would like us to go ahead with Ordinance level and have a meeting or go to County and get that information that will dictate when this meeting needs to happen because by my estimation we're talking about a couple months' worth of effort down at the County getting their information. This project is not going to be cheap. Larry Hatfield: You've done went through the ones with Ordinances? Arthur Jones: Yes. Ordinances check. The Ordinances that could be determined; now there are probably 20 Ordinances over the years that said Mr. Smith's property and that was it or Joe Brown's property down on 44; not 44 East, not 44 West just Joe Brown's property on 44; now an acreage. So the vagueness of some of these makes it where you can't do anything about it. So when we looked at where do we go from here we started digging back through Minutes of meetings to go okay if we go back to the Minutes of the Meetings of the City of Shepherdsville then we'll be able to track these down. Well it took about 15 minutes for me to realize that wasn't going to work out so well. Tammy was like this is what we've got and then we quickly determined because of the vagueness; because it was so wide open and it wasn't nailed down giving us good descriptions it wouldn't have been good for anybody to go through that. It would have wasted a lot of the City's money and it wouldn't have been good quality data that we could really stand behind. That's why we backed off and then came to you guys for more direction because we didn't want to spend money and a lot of effort that wasn't going to be fruitful. Gloria Taft: I'd like to make a suggestion that maybe we ask him to come back in two weeks; give him two weeks to go through the County records come back at that time to see what kind of progress you've made in two weeks to see if it's cost effective for him to do that. Larry Hatfield: I agree with that. Gloria Taft: Just to see if that is a cost effective way of using your time and the resources and maybe at that time you can revisit maybe another option.

Old Business:

Mayor Ellis asked if Regina Kessler of Bullitt Creek Home Owners Association was present. She was not present at the meeting.

Mayor Ellis: We still have on the Agenda to have further discussion on the request by Sheree and Norman Williams. Larry, myself, Bobby Powell and Rob are going to go out hopefully this week and meet with them and try to nail something down. If not this week then maybe next week and then we will be able to give everybody an update on it.

City Attorney Wantland had second reading of Ordinance 015-(number to be assigned) repealing Ordinance 005-678: The establishment of fees for police services reimbursement. Bernie Brown made motion to accept. Dana Bischoff James wanted to make sure the Police Chief did agree that this was okay. Police Chief Doug Puckett stated that was correct. Dana Bischoff James 2nd. Motion carried 5-0-1 absent.

New Business: None

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Jr. Dennison: I'm sure everybody knows why I'm here; it's about the chicken coop again. We went to Court and here's where I'm coming from; I want the Council to listen to me real close. This place I call a chicken coop is next door to me. I come up and showed you pictures about it. We went to Court over it. The Judge ruled that it was unfit to live in. Since then the man has sold it. I knew this was going to happen because I told you all before, he sold it five times in one year. It's been sold ten times in the last 8 years I guess. What he does he sells this piece of property off. He gets so much money down and so much rent a month or house payments, whatever you want to call it; it mounts up to the same thing. Same old story over and over. The Judge ruled that it was unfit to live in and he had sold it to a man named Rummage. Rummage is back there as far as I know he lives in it because he's in and out during the night; yesterday through all the snow he shoveled his way back to the old house and back there right now I guess. Ben Hammons bought the house for \$20,000; maybe I'm talking too much but I don't care. He bought the house for \$20,200; he called me on the phone and wanted to sell it to me and I said I'm not interested Mr. Hammons at all. But anyhow he sold it the other day for \$25,000; \$230 some odd a month payments on that. I was talking to Mr. Joe while ago and here is what I can't understand. How in the world can you people tell me that this man can buy this piece of property, go in and do the electrical system and all that stuff and not be certified for that? He said he bought it he's got a right too. He might have bought it but he don't own it. See what I'm saying Mayor? I can go down here to the car lot and buy a car for \$10,000 and if I give them \$1000 down I got to make payments; he's not the owner. And the Judge said that he should stay away from it, the man that owned it. I don't know what to do with it. I'm getting tired of living there. I wouldn't even know if the Judge had made a decision on the case if it wasn't for Mr. Brown calling me. Mayor Ellis: You knew because Joe told you that he ruled in the favor that the house was inhabitable. Mr. Dennison: But see when he does that if he keeps on it's going to be an apartment back there. He don't have no right to go in there and work on this stuff. That's like me I'm not going to your house and work on your electrical stuff Scott. Mayor Ellis: He should have somebody that is an electrician or the electrical code inspector looking at the electrical stuff; but we can go in and put drywall in this house anytime he wants too. There is nothing that says he can't. Mr. Dennison: I understand but in order to put drywall in you've got to cover up some electrical stuff. I'm smart enough to know that. Mayor Ellis: That is true. Larry Hatfield: Has he pulled any permits? Mr. Dennison: I talked to a lady up here the other day named Brenda and Scott was there. Larry Hatfield: I'm talking about from my office. Do you know if they've pulled any permits? Mr. Dennison: Well that's what I'm trying to tell you Larry. I come up here the other day and talked to a lady named Brenda and she was going to check in on this to see if he got any permits. I came back and talked to her and she says no, no permits. Larry Hatfield: If he's going to live there he can wire but he still has to have it inspected. But if he's not going to live there he has to have a licensed electrician to do the work. City Attorney Wantland: Mr. Dennison you really need to take photographs and document what's going on back there. Mr. Dennison: Joe, do you remember when we went to Court son? City Attorney Wantland: I remember Mr. Hammons said he didn't want to live there; wouldn't live there. We have got to prove; we collectively this community have got to prove what is transpiring and we have got to have some documentation that what we say is corroborated by photographs, documents, these types of things. Now Mr. Dennison we've got to have that. We do not have the manpower to put a Police Officer down there 24 hours a day, seven days a week. Mayor Ellis: Larry has he pulled a Building Permit from the County that you are aware of? Larry Hatfield: I can't tonight but I can tomorrow. Mayor Ellis: If you would check in to that. Larry Hatfield: I'll check on a building permit, I'll check on electrical permits. Mayor Ellis: Our Ordinance says here in the City that if he does any kind of work over \$1000 he has to have a building permit through the City. But of course how do you know that it's over \$1000. City Attorney Wantland: He's going to deny that they are doing that Mr. Dennison; I'm going to sit here and tell you. I'm just trying to tell you. Mr. Dennison: I don't care what they deny. City Attorney Wantland: I'd like for the Judge to feel comfortable about his decision when he says this is going to be boarded up and sealed. If you want the judge to act then you better give him the fact to do it. Mr. Dennison: Listen Joe, you remember as well as I do, now we're all here and I want the City Council to listen to this; remember the other day and I come around with all the pictures and stuff and showed you; it wasn't

admissible in Court, the Judge didn't want no part of them. Now why in the world would I want to run back down there Joe and take pictures? I made a fool out of myself; I'm foolish enough. City Attorney Wantland: The Judge gave you exactly what you were asking for. He believed you; he trusted what you were saying; he ruled in the City and your favor. Now you're saying all this is going on I'm just asking you to be able to document it. Mr. Dennison: It is going on. There hasn't been a City official, not a Policeman or nothing down there looking around since the Judge ruled on it. City Attorney Wantland: I don't agree with that. You're in a position to do it better than we are. Mr. Dennison: I live there I know. What do you want me to do Joe? City Attorney Wantland: Just what I told you. Mr. Dennison: Get locked up over something down there? Or get shot? City Attorney Wantland: Get yourself a camera and take some pictures of what's going on. When a truck shows up with drywall take pictures. Mr. Dennison: There aint showing up but the one guy that bought the place. If an electrician would show up I've got no bitch about that. You won't hear nothing out of me. What am I going to do; take and sell this thing for \$230 a month and rent it to this man here and his little kid goes down there and gets electrocuted over somebody doing something they aint even supposed to be doing? That's what I'm saying. Mayor Ellis: Like Councilman Hatfield said if he's going to live there he can do the electrical work but he's got to have somebody inspect it. Mr. Dennison: The Judge said it was unfit to live in Scott. Mayor Ellis: But if he's trying to make it habitable to where somebody can live in it he has the right to do that if he's the guy that's buying the property. Larry Hatfield: I'll check in the morning and see if they have a remodeling permit, electric permit, because I feel if something like that has happened if not he would not be having electric. Mr. Dennison: Well Brenda states there was no permits filed for at all. Listen I talked to City Code Enforcement out here one day. I said what am I going to do now? Myra Minton is her name; she said go see Rudy Hawkins. He said what do you want me to do? I said don't that sign say Code Enforcement; that's all I want him to do. Larry Hatfield: Let me check in the morning; I'm going to call you directly. I'll do what I can. Mr. Dennison: Seem like me and the City like this here if we're going to be a City that somebody could make; if you've got a Code Enforcement don't I have to be an electrician to do the electrical work? Don't I have to be a plumber to do plumbing work? I bet if you check back on this place, Lilly Mae Hoskins owned that house years and years ago. Her son was a Mayor here. I bet you can't even find a permit where they put the sewers in; I asked my next door neighbor who's been there all his life; I said who put them in and he said the City. But there you go that's what you're dealing with. I know. Myra Minton: Mr. Dennison just to clarify I've been out there four times in the last month and a half and every time I've gone there has not been anybody there at the house; I check the house, I've looked around and I've not been able to find anybody there. I was there this past Friday and there wasn't anybody there. Mr. Dennison: I'm going to say I don't stand here and lie. He's there all the time. Myra Minton: Well when I've been there I noticed the driveway had been plowed and I came back and told the Chief that the driveway had been plowed but I have been there. I don't want you to think that we haven't been back there because we have been back there. Chief Puckett: We're sending registered letters to Mr. Hammons and Mr. Rummage to tell them they will have to pull a permit to be able to do the work in there. We haven't seen anybody in there. Officer Bernardi has been in there twice today and there is nobody in there working.

Department Reports: None

Council Reports:

Larry Hatfield: The only thing do you think we can open up that sewer line on 44 once we start construction for building? I've got some people that want to buy a lot and they were in the office the other day and one of them wanted to build apartments and he kind of got confused so I'm just trying to give them some kind of heads up. Rob Campbell: Obviously they are going to need a connection but it's not going to be needed for three months or so or however long it takes to build a house so once we start construction we probably need to take a look at all the requests the City is getting and you probably do have some leeway to turn those loose because we'll have time.

Dana Bischoff James: I would like to see about moving the City Council meetings from Monday to Tuesday night and request that we start 30 minutes early would also be beneficial. Our meetings are on the same nights at the School Board's meetings and there are other public meetings as well. So if we can see about moving them from Monday to Tuesdays from 6:30 to 6:00 then that would be beneficial to Council members, Mayor Ellis: What do we have to do on that because I know we are set by Ordinance. City

Attorney Wantland: We have to set it by Ordinance. Mayor Ellis: Is everybody okay with Tuesday nights at 6:00. I have no problem with that.

Bernie Brown: I don't know if any of the rest of you have gotten any calls but I've had some calls and in talking to some people the amount of money involved is not great but I think it's the idea and principle. Here all of a sudden about maybe four, five, six weeks ago some of these restaurants started adding an additional tax; in some cases it only amounts to a penny or two. What it appears is happening; by the way I have talked to two State Reps who did not know anything about it; some of the public thought that we had done something in the City to cause that; and I assured them we had not. But what appears to be happening is there applying the 2% tax on the item in the restaurant and then taking 6% and actually they are taxing on the tax. Six percent is taxed on the 2%. I know they use to just figure a straight 8% tax; six percent to the State and 2% to restaurant tax. Now they have started and some of these restaurants tell me the State is going back four years and making them pay up. Have you all had any complaints or concerns about it? I've asked two State Reps about it and they are supposed to be looking in to it too but I think this is coming from the Revenue Department. Mayor Ellis: Gary Board came in last week before the snow and said this is what it is; it seems that there was an audit done there was a few restaurants here that were paying the tax differently so the Commonwealth has not come in and said you need to do this. I'm like I'm not speaking on this until somebody else can clarify that because that sounds fishy to me but it sounds exactly like what you're telling me. **Bernie Brown:** They are applying the six percent tax on to the two percent. It's actually more than 8%. It might be like 8.1 or 8.12%. Like I said it's not a matter about the amount of money but it's the principle of the thing.

Gloria Taft: Do we have any timeframe now on potholes? Mayor Ellis: I talked to Claude today and I'm sure that they are running into the same problem over on the County side; we don't have any cold patch right now. He has it ordered and has a rush on it. As soon as we get it we'll be able to start getting them done; Conestoga out here is a mess. I wanted to wait until some of the businesses were built but I think we're going to have to go ahead and bite the bullet and pave that whole road as soon as Walmart opens.

Dana Bischoff James made motion to adjourn. Larry Hatfield 2nd. Motion carried 5-0-1 absent. Meeting adjourned at 7:25 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk