

**CITY OF SHEPHERDSVILLE  
REGULAR COUNCIL MEETING MINUTES  
MONDAY, April 13, 2015**

Councilwoman Gloria Taft gave the invocation  
Pledge of Allegiance was recited  
Mayor Ellis called the meeting to order at 6:3 p.m.

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

Mayor Ellis asked for a motion to dispense with reading of the minutes from the 3/23/2015 regular meeting. Larry Hatfield made motion to dispense with reading. Randy Hammond 2<sup>nd</sup>. Motion carried 6-0.

Mayor Ellis asked for a motion to approve minutes as written from the 3/23/2015 regular meeting. Gloria Taft made motion to approve 3/23/2015 minutes as written. Dana Bischoff James 2<sup>nd</sup>. Motion carried 6-0.

Mayor Ellis announced there will be a Special Meeting on April 20<sup>th</sup> at 6:00 p.m. to open sealed bids on the KY 44 Sewer Improvement project.

**Presentation: None**

**Old Business:**

City Attorney Joe Wantland had second reading of Ordinance 015-(number to be assigned) confirming Annexation of unincorporated territory of 102.32 acres by written consent of all property owners. Mayor Ellis asked for any public comment. There was none. Gloria Taft made motion to approve. Dana Bischoff James 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Wantland had second reading of Ordinance 015-(number to be assigned) confirming Annexation of unincorporated territory of 120.652 acres (+,-) by written consent of all property owners. Mayor Ellis asked for any public comment. There was none. Larry Hatfield made motion to approve. Ashley Bratcher 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Wantland had second reading of Ordinance 015-(number to be assigned) confirming Annexation of unincorporated territory of 210.02 acres (+,-) by written consent of all property owners. Mayor Ellis asked for any public comment. There was none. Ashley Bratcher made motion to approve. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0.

City Attorney Wantland had second reading of Ordinance 015-(number to be assigned) establishing the Regular Meeting night and place of meeting of the Shepherdsville City Council. Dana Bischoff James made motion to approve. Randy Hammond 2<sup>nd</sup>. Motion carried 6-0. City Attorney Wantland stated July 1<sup>st</sup> is the effective date so it would be the first meeting in July (July 14<sup>th</sup>).

**New Business:**

Mayor Ellis: Everyone should have a copy of the renewal agreement for the Drug Court building which is the old Police building. Dana Bischoff James: Is this all the same as before? Mayor Ellis: Here's one of the things they are asking for. They are asking for some updates to the building. We haven't put them out for any kind of pricing; they are asking to knock the window out, drywall and add that as a waiting room area; and replace the carpet. Bernie Brown: Have you got a cost estimate? Mayor Ellis: No I have not. They went out and got a bid on the work and I told them there was no way we could accept their bid; we would have to actually put it out for bid. Their bid was about \$25,000. I think we can go a lot cheaper. They did also add into this that they could raise their rent to help cover that cost. Dana Bischoff James: Is this something we have to vote on right away or should we table it until we get some bids? Mayor Ellis: The Lease Agreement should have been voted on probably last week because it expired. I think it is something we can put out for

prices and vote on it at the next meeting if that is what we wish to do. Bernie Brown: I think that would be a good idea. Dana Bischoff James made motion to table. Bernie Brown 2<sup>nd</sup>. Larry Hatfield: The motion is we're going to have somebody look at it and get pricing? Mayor Ellis: Yes. I'll get some prices. Motion to table carried 6-0.

City Attorney Wantland had first reading of Ordinance 015-(number to be assigned) confirming annexation of unincorporated territory of 1.73 acres by written consent of all property owners. Mark Edison was present on behalf of the property owners. Larry Hatfield: Is this the entire section behind the City also? Mark Edison: It's only the lot being purchased by the new business that is going in. The rest of it will stay Agricultural. Bernie Brown: What's the zoning on that now? Mark Edison: The zoning on the front; we are requesting a rezoning. The front 200 feet is already in the City; we're requesting B-1. Currently is it zoned Conservation/Agricultural. Mayor Ellis stated we will have the second reading on April 27<sup>th</sup>.

City Attorney Wantland had first reading of Ordinance 015-(number to be assigned) amending Ordinances 004-649, 011-079 and 014-169 imposing a license upon Insurance Companies doing business within the corporate boundaries of Shepherdsville. Dana Bischoff James: Is this the one regarding the 1% Insurance Tax? Mayor Ellis: Yes. Dana Bischoff James: I've called Melanie Roberts and left her a voice mail and Keith Griffiee and I are planning on meeting next Monday and since 2015 is obsolete anyway may we table this for the next meeting because it's not time sensitive at this time. So I'm requesting to table so I can meet with Keith Griffiee. Would that be acceptable? City Attorney Wantland: Is that a motion? Dana Bischoff James: Yes that's a motion. Bernie Brown: To do what? Dana Bischoff James: I just want to postpone this; I'm hoping to be able to meet with Keith Griffiee next Monday and I've contacted Melanie Roberts. Since we're not looking at it for 2015; we've already submitted everything, so it's not super time sensitive but that does give me two weeks. Bernie Brown: I realize that but this will be first reading and then there will have to be another reading. Dana Bischoff James: I just want to make sure that I have full information. Bernie Brown: The one thing that comes to my mind and I don't know how critical it would be for the County but I know now they are working on a budget for next Fiscal Year and I don't know if that's something they need to know fairly soon so they know how to plan their budget. Dana Bischoff James: I think it would be wise for them to plan it without it so that way they are very very conservative on their numbers. Again I'm not for or against it but I just want to make sure that I can meet with them. Bernie Brown: How long do you anticipate that taking? Dana Bischoff James: I put a request for Keith to meet with me next Monday. But then if I meet and there is a need for another follow up meeting I just want to make sure that I have the full amount of time to meet with whomever because what I found out when I went to their office is; I met with Melanie and Kenann and I tried to meet with Keith Griffiee and he wasn't there. I'm seeing I have to meet with a few different people and what I'm looking at is they're a little jumbled and what I'm thinking is I might also want to meet with some of their Department chairs and other various people as well to make sure that everybody; looking at their things such as the same as our Departments are is what I'm thinking so I may be meeting with multiple people outside of just Keith Griffiee; the various Departments as well. That's my motion; to table it just until the next meeting. Ashley Bratcher 2<sup>nd</sup>. I think we need full information before we move forward with it. Mayor Ellis: We have a motion and a 2<sup>nd</sup> to table the first reading until the next meeting. Motion carried 6-0.

City Attorney Wantland had first reading of Ordinance 015-(number to be assigned) relating to a Telephone and Communications Franchise. Mayor Ellis stated the second reading will be April 27<sup>th</sup>.

**Daryl Lee:** You will be receiving; this goes in regard to the Annexation you have; Mr. Shepherd has filed for a zoning change on the back part of that property and the Planning Commission's recommendation is favorable. You will be getting that file and if you have any question just let me know. Larry Hatfield: What about the front part of it? Mr. Lee: The front part is in the City, it's already zoned B.

**Duane Price:** No report.

**Sign in Speakers:**

**Bruce Johnson:** I want to thank you all for opportunity to come before you. We have a Board of Assessment which is our property tax Board of Appeals; if you appeal your assessment you have a right to go before a local board. It's made up of three people knowledgeable in real estate. The County Judge Executive, Fiscal Court, and the Mayor with the largest City who uses our tax roll have the right to appoint someone to that Board. The City of Shepherdsville has the largest assessment so we plan on meeting June 15<sup>th</sup> at 8:45 on the second floor of the Nina Mooney Annex Building. If you could send somebody down we would appreciate it. It's basically if anyone wants to appeal their assessment; the last several years we haven't had a lot of property owners to appeal because we've had a lot of large businesses appeal; especially the Cedar Grove complex and Conestoga so we need to have an input from the City of Shepherdsville. Mayor Ellis: I sent a message over the weekend to Don Miles with Century 21; hopefully he'll be getting back with me and as soon as he does and if he accepts it we'll get that information to you.

**Faith Portman:** Good evening. I'm here about the H.O.P.E. and I just wanted to remind everyone that we have a meeting Thursday at 6:30 here at City Hall. I also wanted to give you some good news; Carl Rogers, I don't know if you all know Carl, he's with the Heart of my City; and myself and Denise Arnold have been working together and we have churches in the Community; all of Bullitt County, that are going to take the homeless in one night a week. We have enough churches I know of right now 7 to 8 churches. That will start Wednesday; so Wednesday will be our first night for the homeless to have shelter. That's a big accomplishment and a lot of people worked hard on it. We've got plenty of food; we need blankets. It's going good. Look up our Facebook page: HOPE.

**Department Reports:**

**Bob Ryan:** The past couple months receipts from Beam have gone up dramatically and that has put a lot of cash into the operating account. I called Kentucky Infrastructure Authority last week and spoke with Denise Pitts who is my counterpart of KIA; and we talked about the one note that the City has. Right now it has a balance of \$1.2 million. It's one that is paid once a year and there are semi-annual interest payments on it. Once again faced with a situation of paying out 4-5% interest on a note and earning nothing at the banks; .5% is what they advertise. So this note with KIA is a note not a bond and is not subject to all these other payout things that you would have to do. I'm asking Council's permission that when I get the next statement and Denise says it's coming out the end of this month for the semi-annual payment of the interest and the annual payment of the principle; I'm asking Council for permission to write a \$500,000 check against this note. Right now in the Bank of Bullitt County there is \$1.2 million sitting in the Sewer operating account. It's not earning anything and it could be used to pay down this note and it would have a substantial reflection on the interest that is eventually paid. Dana Bischoff James: No penalties for early payoff? Bob Ryan: No, in fact this could have had early payoffs periodically the same as we're doing with Republic's note. It's not subject to those penalties; it's not a bond it's a note. There is capital in the bank in the operating account to pay at least \$500,000 down on it and have enough left for daily operations because like I said the Beam payment has gone from \$150,000 to \$400,000 a month. Larry Hatfield: Why is that? Bob Ryan: Because they are distilling rye that's putting a strain on the system and if they keep that up that means that this money is going to have to go to another clarifier being built; a major upgrade at the sewer plant. Larry Hatfield: How much do we have total in the Sewer? Bob Ryan: In the operating account \$1.2 million. Larry Hatfield: What about any other account? Bob Ryan: They are all restricted funds, they can't be touched. Four of them are tied to four bonds as reserve funds and there is the Poe account with \$509,000; and the Construction Reserve Fund with \$300,000. So of the total funds that are in various banks in the Sewer, \$2.7 million all but \$1.2 million is restricted; \$1.2 million is free. Bernie Brown: Can you outline this on paper and give it to us. Bob Ryan: I could but it couldn't be anymore simple. Bernie Brown: It sounds like a good idea but personally I'd like to know what more of the figures are. Larry Hatfield: We've got \$700,000 that we're going to have to pay on the 44 line. Bob Ryan: We've got the money for that. Mayor Ellis: I think the \$700,000 is going to be the West Blue Lick and the 44 combined. Larry Hatfield: I think I'd like to sit down which I didn't get to do Thursday with some more information. Bob Ryan: This is going to be again replaced with the \$400,000 that is coming in monthly from Beam. Dana Bischoff James: Do you know how much a clarifier would be? Larry Hatfield: About \$3-\$4 million. Mayor Ellis: About \$2 million is what Chuck and Scott have told me in the past. Bernie Brown: Bob it sounds like a good idea to do what you are suggesting; I

don't have a problem there but I'd just like to have a little more information; have the numbers and have a little time to think about it and digest it rather than being hit cold here. Dana Bischoff James: Can we go ahead and add this to Monday's meeting since we have a Special Meeting anyway? Bernie Brown: That would be alright if you could give us these figures. Bob Ryan: I can call Denise and see if she can get me the statement early. I get them twice a year; KIA sends a statement out in June and December. I can take that statement showing that the principle is due at that particular time less the \$500,000 would be a balance of about \$700,000 remaining and over that life show the savings. This will pay the bond down substantially and reduce future interest charges. Mayor Ellis: We'll add this discussion to the Special meeting Agenda for Monday. Bob Ryan: Taking the \$500,000 out of the operating capital is in no way going to put in jeopardy any of the remaining funds that are needed for day to day operations. Bernie Brown: There will be money there to make all the bond payments? Bob Ryan: Yes sir. Mayor Ellis: I was told today that the Beam monthly for this past month will be almost \$500,000. Larry Hatfield: What kind of effect is that having on the plant is what I'm concerned with? Mayor Ellis: They guys have now switched to four ten hour shifts; they are pressing more. I think he said they were pressing 2-1/2-3 dumpsters a day. City Clerk Richmond: They have a meeting set up with Cyndy Leasor and a rep from Beam to discuss why the flow and what they are going to do because the plant is suffering a little bit and they were talking about a clarifier and something else that if this keeps up they are going to have to invest in with the plant. Mayor Ellis: New digester. Larry Hatfield: That's my question; I don't know right now until I talk to them a little bit more if I'd be in favor of this because there is just a whole lot going on at that plant that if we're getting hit that hard with solids; there is something going on. City Attorney Wantland: Can we put it on for two weeks so we can do some investigating and try to figure out exactly what's happening. If Beam decides tomorrow to cut off the flow instead of \$500,000 we may not have any. Bob Ryan: But you'll still have the \$150,000 coming in. Mayor Ellis: Let's discuss it at the next regular meeting; that way it gives everybody an opportunity to see where we are at on it. Dana Bischoff James: In two weeks would it be when their income comes in depending on Beam so if we can leave that open as well because if they are continuing and we can pay more I'd like to keep that open. City Attorney Wantland: I think we've got the information from Bob tonight but I'm looking at Councilman Hatfield; we need to know what the impact is to the sewer plant. Larry Hatfield: I'm concerned with the line too coming in to the lift station pumping in to the gravity fed line on 61; how much could that be impacting?

### **Council Reports:**

**Larry Hatfield:** Joe, you said something about meeting with Planning & Zoning; what day? City Attorney Wantland: We don't have a date. The County Attorney is working with the Planning Commission and what Mr. Wooldridge would like to have it set up is this Council would meet, it would have to be advertised; with the Planning Commission at the Planning Commission's meeting room on a Thursday, their regular meeting day, 30-45 minutes before the meeting would start. Larry: Okay. I just wanted to let some of the public know if we meet there they can come. City Attorney Wantland: If we meet there they can come but everybody understands it's going to be a Special Meeting, it's going to be advertised, as I expressed to Mr. Wooldridge I said this Council will meet anywhere, anytime, anyplace; it's getting the members at the Planning Commission also at the same and time. Larry: I was just more concerned with John, Roanne and Brian. City Attorney Wantland: It's however you all want to do it. I'm just trying to set it up. Larry: No, that's fine. Larry: When are we going to get or budget? Bob Ryan: I have them right here. Larry: Can we get them this week? Bob Ryan: Yes sir.

**Dana Bischoff James:** I have something to throw out and get feedback from the Council and/or Public Works. As far as doing a little bit of research on, this season I noticed that it's been harder to keep up with the potholes. Our website is great. We've got it reported but I know that you all ran out of the filling a couple times and maybe we put it out and make sure that it's very clear, we put it out for bid with a company that we're seeking to see which option would be cheaper to subcontract with a company who can come out and drive around and fill in as they go versus us doing it in-house. I don't think it would impact this season quite as much as the following season. But I know that you all ran out several times and if we had a company on-hand our citizen's cars are not being beat up, tires, rims whatever because there were some pretty substantial potholes. Something to think about; it would pretty much be for next season at this point but something to take into consideration. Bernie Brown: You talking about potholes? Dana: Yes. Bernie Brown: Also, in some places there are some bad cracks in the blacktop and I think they need to be filled. If we don't

the water is going to get down there in the winter time and this winter has been hard on some of the blacktop. Dana Bischoff James: This one has seemed to be more so than what I recall in the past. So maybe that is something it would alleviate so that more can be done. Mayor Ellis: I know that Scott has met with Mago one day last week and they are meeting again tomorrow to look at some stuff so I'll make sure to pass that on to Scott about the cracks. Bernie Brown: It would be a whole lot cheaper to fill in cracks than having to resurface the whole road. Dana: My next question I ask every season, when are we spraying for mosquitos? Have we started that process yet? Claude Middleton: Not yet.

**Bernie Brown:** The railroad crossing at 44. It was set up for somebody to meet with us and I appreciate you taking care of that. City Attorney Wantland: The Commonwealth. Bernie: I showed up there and nobody came and I did find out later that they had cancelled and it never got rescheduled. Have they rescheduled yet? Mayor Ellis: I've not heard anything on a reschedule have you? Bernie: Honestly I don't that CSX Railroad is too concerned about that. But it is a bad crossing and it's terrible and it needs to have something done. We need to get a letter sent to them on City letterhead. City Attorney Wantland: CSX is not going to repair the crossing. Bernie: Did they say that? City Attorney Wantland: The Commonwealth of Kentucky is going to repair the crossing. CSX has got the same contractual set up with the State that they have with us at the City at Adam Shepherd. The City pays to upgrade and maintain that crossing. I've talked to District 5, District 5 needs to be present onsite and that's who we need to contact to work with CSX to get that crossing a 44 worked on and put in a state of repair. Bernie: Alright then what can we do to make sure that will happen. City Attorney Wantland: We can start working with District 5. Bernie: Something needs to be done. City Attorney Wantland: We've documented our concerns; we've documented the information of what we would like to have done. As explained to me very directly by CSX that crossing will be repaired pursuant to their directions at the cost of the Commonwealth of Kentucky. So the person writing the check is the Commonwealth. Bernie: Did you talk to the Commonwealth? City Attorney Wantland: Mr. Ron Genevdan at District 5. I'll contact him again tomorrow and try to set up something with the State but it's the State who is going to write the check as I understand it. Bernie: That's good. I just think something needs to be done. Another issue and it's going to involve the State too. There are some drainage areas around here that need to be cleaned out. There are several different locations and a lot of these are going to be the State I know but I think we need to document some requests with the State to come and look at them and we need to get something done about it. In some areas the water is either draining down away from the road in to other people's yards or across the road and that is hard on the roads. Those are two issues that I'm concerned about.

**Gloria Taft:** Family Day Ministries is going to be sending tornado relief to Fairdale, Illinois. Pastor Mike Miller has put on his website the needs of these people and on April 25<sup>th</sup> the truck is going to be leaving. Family Day Ministries is asking for canned food, cases of water, baby wipes, diapers, I have an entire list or if you don't have time to go shopping if you would like to mail a donation to Family Day Ministries, P.O. Box 6524 in Shepherdsville, 100% of all donations will be going to purchase the above list of items. Like I said they will be delivered on April 25<sup>th</sup>. So any help our Community can be to Fairdale, Illinois who lost everything I think would be a good show of a caring Community which we really are.

Dana Bischoff James made motion to adjourn. Larry Hatfield 2<sup>nd</sup>. Motion carried 6-0. Meeting adjourned at 7:20 p.m.

\_\_\_\_\_  
R. Scott Ellis III, Mayor

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