

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
TUESDAY, August 25, 2015**

Councilwoman Dana Bischoff James gave the invocation
Pledge of Allegiance was recited
Mayor Ellis called the meeting to order at 6:31 p.m.

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

Mayor Ellis asked for a motion to dispense with reading of the minutes from the 8/11/2015 regular meeting. Larry Hatfield made motion to dispense with reading. Dana Bischoff James 2nd. Motion carried 4-0-2 absent.

Mayor Ellis asked for a motion to dispense with reading of the minutes from the 8/19/2015 special meeting. Dana Bischoff James made motion to dispense with reading. Bernie Brown 2nd. Motion carried 4-0-2 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 8/11/2015 regular meeting. Gloria Taft made motion to approve 8/11/2015 minutes as written. Dana Bischoff James 2nd. Motion carried 4-0-2 absent.

Mayor Ellis asked for a motion to approve minutes as written from the 8/19/2015 special meeting. Larry Hatfield made motion to approve 8/19/2015 special minutes as written. Bernie Brown 2nd. Motion carried 4-0-2 absent.

Mayor Ellis announced City Hall would be closed Monday, September 7th in observance of Labor Day and there would be no meeting on September 22nd due to not having a quorum. He also announced we have the last needed easement for the Beech Grove Road Bypass and per the State they will be starting on the bypass at any time.

Presentations:

Mayor Ellis called Arthur Jones to the podium to discuss drainage issues in the City. **Arthur Jones:** Council it's a pleasure to see you this evening. Thank you for allowing me this opportunity. I wanted to make you aware of the fact that we got together over the past two weeks and tried to look at what others cities are doing to help solve some of their drainage issues and how are the categorizing these or prioritizing their list of problems to be able to attack in a way that they can fit it in to their budget without one, going over the amount of money they can spend on it but two, providing a good service to their citizens while ongoing services are still taking place. We looked at several different cities and how they approach it and what I've shared with you tonight is just a simple front and back of one page of how we would rank these different drainage issues. It is a simplistic checklist given those rankings. Some of the points value from 1 to 10 points based on the severity of that individual project and what parameters we are looking at for instance if we are looking at the frequency of flooding; if this is an event that happens very regularly, five times a year or more, then of course it needs to be looked at with more intensity than a place that only floods once every two or three years or once over a ten year period. Looking at the different parameters that we have here this is our first draft of what we've put together; we've then shared that throughout the Departments with Scott Fleming of course, Josh Edwards, our MS4 Coordinator, and also Tom LaFollette who is doing a large role in Public Works at this point; trying to keep everybody involved and everybody on board. The next step is what are our drainage issues? We need to begin the cataloging of all of the drainage issues throughout the City and probably the most effective and efficient way to do that without costing us a lot of research is to allow the citizens to come to us with their drainage issues that they are seeing and having out in the Community. We can integrate this into the software that we are installing right now at the City of Shepherdsville, the Cityworks program that is in charge of all of our asset management; we are also rolling in to our permitting so that we can have a better handle on all of our records here at the City level. Our intentions are to have an extension of Cityworks allow people to come to us with requests and complaints about different drainage issues throughout the City. That is currently or plan to be able to catalog all of the

problems and then if someone had difficulty with trying to get that into the system they would be able to call that in to City Hall and then we could put that in to the system so that we're not excluding anyone but in fact enabling them to get that information to us more quickly. At this point do you guys have any direction other than that? Bernie Brown: What kind of time frame are you talking about in gathering all this information? Arthur Jones: At this point Cityworks is just now being implemented at City Hall and to be able to give you a time line of it will be two months from now we'll know everything about the system would be premature. I think a realistic goal would be to have everything cataloged; once Cityworks is up and running we would need a few months of input before we could feel like we had a good grasp on the system. I think it will be some time in 2016 before we know the full breadth of how many issues we have in the City. With or meetings that we have with Department Heads we can already catalog a large amount of the system that we already know about because of complaints in the past or just things that people have brought up over time but to have a full breadth of the entire system I think it will be six months down the road before that occurs. We could take a more aggressive approach and spend some money doing some research and trying to dive in to it and spend a bunch of cash trying to get that together and that is an option; but I would like to rely on our citizens to bring things to our attention so that we're not going out and seeking these problems but rely on them to help showcase these problems so that we're not investing money just going out and trying to dive in to things and find the issues. But that's only my approach and I'll open that up to you guys; that's why I come to you with a draft tonight because if you have another approach or a different perspective I would love to take that in to consideration and go that route. Bernie Brown: There are some specific drainage problems, specific locations that we've known about for years. I would just like to at least start taking care of some of those as soon as possible. This is a logical approach; I like it but it may take a long time and I think some of these bad situations need to be taken care of with within the next year especially. Arthur Jones: I agree with you and to be able to take these two options and marry them together I think is a great option. If we were to go and find the issues that we've known about here in the recent past that I've been made aware of and that other Department Heads have been speaking about already, we can go ahead and take those and catalog those that we already have and just leave the door open because there will always be more problems or issues crop up in the future so we do need that long term input but at the same time I do agree with you that we need to address the issues at hand first; the ones that have already reared their ugly heads. Larry Hatfield: I had a guy contact me on Circle Drive that's had issues in the past; Downs, if he grants us an easement to his property would the City then go in there and fix it? He's asked me to ask everybody. It started in 2006 with another project; Norman Lemme was the City Attorney is how long ago that's been. Dana Bischoff James: Which property? Larry Hatfield: Downs is the last name; it's right on the corner, evidently it's where the entire street drains; there is a huge amount of water even when it's not raining running through there. So he just asked if they deeded us an easement would be rip rap it or tile it or??? City Attorney Wantland: I think, from what I remember, it's a good idea. I would like for Arthur or Brad to look at it and come back with their opinion. Mayor Ellis: Scott and I went and looked at it. Arthur Jones: Back in 2010 there was a movement to try to get an easement in that area to help alleviate this problem and this issue because it really comes from Circle Drive and then runs parallel to Cedarview before it loops back around into the lake. It's a really flat area through there and so really grade needs to be reestablished and cleaned back out to a point where it can drain with positive drainage but one of the issues there that we're all making aware of is we don't have an easement right now. But if they did make an easement then it would be up to the City if they have an easement there would we go in and fix it. That's up to the City. I think that we do have the capability of solving that issue. It is a problem. (Larry Clark brought pictures of flooding on Steven Drive to the Council to look at.) Arthur Jones: If we were to go through an open forum and everyone raise issues about every drainage process we could be here until this time tomorrow so although all drainage issues need to be addressed now may not be the perfect time because we do have a lot of stuff to address this evening; but that doesn't mean it doesn't need to be addressed. We do need to take that in to consideration just like Councilman Brown brought up; we need to look at this; what are the issues we need to solve now and then what are the issues we need to put on the table to solve in the years to come. Taking that dual prong approach of let's find out what issues are really important right now but let's also keep a full catalog of everything else that's out there. I think that's a great way to address this problem. Dana Bischoff James: Where do you want these issues directed to from citizens? Should there be some type of form where they can send concerns? Arthur Jones: At this point we have not gotten to the point of saying this is our point of operation and this is our point of contact (the person everything is

going through); but hopefully here in the next month or so we'll come back to this at the next Council meeting or following but I think what we're going to adapt is when they call in they will speak probably with Margaret and then hopefully she will have the ability to input that complaint or issue and if she were to have trouble or an issue with it they also will have the opportunity to submit that online themselves. That's the dynamic we're trying to foster of if you can do it yourself online that's great; if you have issues please call in and we'll assist getting it in the system. That springboards in to the fact that this same system we also need to be making sure that we are gearing up for all of our zoning issues that we've been seeing over the last few months. Everybody is inquiring what's my zoning; what can I do here; how can I get this; and why isn't my zoning correct; what's the zoning here. A bombardment on Brenda's part trying to field all of these questions and I see Tammy shaking her head because she knows all too well the stress that it's putting on our people here at City Hall trying to answer all these questions. Having been involved myself I can attest to the fact how difficult it is and just how much work it takes to get a good clear zoning out of a property and I bring that up tonight because we spoke about it a few months ago and I think it's about the time to get back in to it and take that project to completion so that we have a good solid zoning map going forward because with all the development that we've got going on right now we need that ability. Larry Hatfield: Why couldn't we funnel on the County's? Get that same program. Arthur Jones: We absolutely need to be doing what the County has done. But what they didn't do on our behalf is do any zoning inside the City. Larry Hatfield: That doesn't mean we couldn't do the same thing they did. Arthur Jones: Exactly, and that's why I took your advice and went and talked to Mr. Wooldridge and asked what approach did you guys take; we need to take the same approach, right? And he said yes you guys need to sit down, have a workshop and get together and find what zonings we have issue with or where are we missing zonings; let's determine our zonings in those areas then open that up to the public for two months comment period; let them bring us any documentation that would prove otherwise and then at that point let's pass the zoning and publish it so that everybody is on the same page. Currently that's the direction I've been given. Larry Hatfield: So we've not done anything on this for two months? Arthur Jones: Right. We've not made any movement or any traction whatsoever since the last time that I presented to the Council. Bernie Brown: Wasn't there a plan a few months ago to meet with Planning & Zoning? Larry Hatfield: We never did do it. Arthur Jones: That's right. Bernie Brown: Who was going to schedule that? City Attorney Wantland: Mr. Wantland with Mr. Wooldridge. And Mr. Wooldridge has done everything he can to schedule it and we have not been successful. Arthur Jones: He's a very busy man. But we do have direction from Mr. Wantland about the direction we need to head at this point and so I would love the opportunity to schedule a meeting with the Council; it can be a Special Meeting, it probably needs to be so that we can go through all of these hidden issues in the City and attack it and finalize it so that we can keep moving forward. I don't want to kick this can down the road because it is making it more and more difficult for Brenda and Tammy here at City Hall. Do you guys agree that sometime in the next month we should have a special meeting as a Council and address zoning issues? Bernie Brown: I think next week. Larry Hatfield: We can call one next week. Arthur Jones: I love that idea. I think getting on this as fast as possible is great. It will help us move forward. I will contact you guys via email. I'll put this out to you guys this week and we'll schedule a day in the next two weeks to meet as a Council and start hashing this out.

Old Business:

Mayor Ellis: We have a Parade Permit for KIPDA Rural Diabetes Coalition Tri-County Walk for September 12th. I know Ms. Craddock is not going to be here but we need to vote. Larry Hatfield: She is not going to use any of the City streets. City Clerk Richmond: I emailed it to Chief Puckett and he has no problem with it. Larry Hatfield made motion to approve. Dana Bischoff James 2nd. Motion carried 4-0-2.

Mayor Ellis: Next is further discussion on College Tuition reimbursement guidelines. I know that has been discussed at different times. I think Bob had some questions. Bob Ryan: I really don't have any questions there is just nothing in writing setting out how this reimbursement is supposed to happen. Officer Patchin is getting a certificate, not an A, B, C or D; it will be a certificate in Project Management it's not a pass/fail grade. Bernie Brown: I can't hear him. Randy Hammond sent out an email; I couldn't copy it but it looked like it had a lot of good information. Did the rest of you see it? Dana Bischoff James: Could we all come together and have something and meet with Joe. City Attorney Wantland: Individually and collectively; the one issue that I was going to raise is there was some discussion about private as opposed to public; most

technical schools would be private. And many of the technical schools are the exact advanced studies that many people would be interested in. Dana Bischoff James: I have a recommended solution. I will come see you this week. City Attorney Wantland: Yes, let's meet but these are the kind of things we need to discuss. Somebody wants to go to some form of Sullivan for whatever then that's private but it's a highly qualified technical information whether it be draftsmanship or ... These kinds of things are things we need to think about and we might want to delegate some of this to the Department Heads for recommendation to the Council. Bob Ryan: There is no understanding if you took the course; do I have to commit for a year's employment? City Attorney Wantland: I think the consensus on that was three years. Dana Bischoff James: I think this is going to be a much more in-depth discussion than what we thought.

New Business:

Mayor Ellis stated we have another Parade Permit for Bullitt Central Homecoming Parade on September 17th. Angela Huffman was present to answer any questions. Bernie Brown made motion to approve. Gloria Taft 2nd. Motion carried 4-0-2 absent.

Mayor Ellis stated we have a Parade Permit for Bullitt Lick Middle School's Color Run fundraiser on September 26th; they won't actually be using any streets; they will be in the Park more than anything; they will have Officer Bernardi present who will block 44 so they can go to the Park from the School entrance. Dana Bischoff James made motion to approve. Larry Hatfield 2nd. Motion carried 4-0-2 absent.

City Attorney Joe Wantland to have second reading and public hearing on Ordinance 015-(number to be assigned) an Ordinance levying Personal Property and Property of Public Service Companies Ad Valorem taxes and providing assessment, equalization and collection pursuant to the provisions of KRS 92.280, Et. Seq. There was no public comment or Council discussion. Dana Bischoff James made motion to accept. Gloria Taft 2nd. Motion carried 4-0-2 absent.

City Attorney Wantland to have second reading and public hearing on Ordinance 015-(number to be assigned) an Ordinance establishing the Real Property Ad Valorem taxes and providing assessment, equalization and collection pursuant to the provisions of KRS 92.280, Et Seq. There was no public comment or Council discussion. Gloria Taft made motion to accept. Dana Bischoff James 2nd. Motion carried 4-0-2 absent.

Mayor Ellis asked City Attorney Wantland to read Executive Order 2015-02 adopting a Social Media Policy for the City of Shepherdsville. Bernie Brown: Mayor I'm going to ask that we hold on that; I think we need to get some things better organized. There is some of that information in the Handbook. I think we need to take a look at it and get some things together better. City Attorney Wantland: Suggestions are welcomed. Dana Bischoff James: I have two questions concerning things that were listed individually and I know there is no way to list everything and my next questions regarding this is whenever you take the Fire Department; they are working a substantial amount of hours and some of those hours are downtime so to take that; I just have some concerns. City Attorney Wantland: I'm open to suggestions. I put something together for you all to have and to look at.

Mayor Ellis: At this time everyone should have the new lease agreement for 200 Frank E Simon Avenue, the Drug Court office; they are agreeing to go for an extended lease through 2020 and they are agreeing to raise rent payment as well. Bernie Brown: What's the status of doing the remodeling and fixing up the building? Mayor Ellis: Scott has been working with some folks on that; they were supposed to start last week, I'm not sure if they did or not. Bernie Brown: Is that going to satisfy the lessee? Mayor Ellis: Yes, they are happy with it. Bernie Brown made motion to agree to this lease. Dana Bischoff James 2nd. Motion carried 4-0-2 absent.

Mayor Ellis recognized Representative Linda Belcher, County Attorney John Wooldridge and his wife Brenda, Magistrate Dennis Mitchell, and the Boy Scouts present at the meeting tonight.

Mayor Ellis asked Arthur Jones to address the Council on the RFP for personal services contract for Alpha Way. Arthur Jones: Alpha Way is going to be the new roadway that connects 480 to Ohm Drive. The RFP is currently being completed and it will post for advertisement on September 1st. The plan is to go through Lynn Imaging; it's a very publicized place for most all plans to be seen. It's got a lot of traffic and I think that we'll get a lot of response through that media; so at this point I just want to let you know everything has worked out smoothly. We've had the State review the RFP, they did a really great job of getting in to the details with us and going step by step to make sure that we had everything in this RFP that they were looking for because our intention will be to turn the maintenance of this road over to them and thereby we wanted to make sure that everything that we were doing was going to be completely in order with what they are used to seeing and with what they expect out of the roads that they are taking over for maintenance. So we made sure to include them in this RFP process. The Committee has met on the appropriate Wednesdays since we've brought this up and it's been very good discussion back and forth making sure that everybody is both involved and engaged in a way that no one is being left out of the group. We've made sure to keep communication through email and document each step of the way in what we are doing. We keep minutes of our meetings just to make sure that we have everything very transparent so that everything is out there so whenever this does go and become a project and once we build this road and turn it over to the State there will be no questions as to the quality or consistency of this entire project from beginning to end. I wanted to make you guys aware everything is still on schedule; everything is just like we presented before and we are a go for advertising for the RFP come September 1st. Bernie Brown: Mr. Snider do you have anything to add tonight? John Snider: Anything I can bring you up to date on is a couple things. The bid on the \$1 million portion closed today and they were supposed to issue an initial decision and I'm not sure who received that at this point in time. That's on the approach road; the interchange and the sweep around; the \$1 million consulting fee, which is very similar to what we're doing; getting professional services to design the road. We also know that the Love's they are currently doing core drillings down there on the Love's property to do that fix at the current time as we speak with an expectation that we put that out for bid for construction in November. The only thing the Council has not done and we have not talked about this; tonight we need the fifth member to this committee to round out the five person Committee. So you all have to make a decision who that fifth citizen is on that Committee. There is a lot going on Councilman and you may have to ask me questions. Bernie Brown: Have you heard any complaints from any of the residents over there where that interchange reconfiguring it; it is awfully close to some residents. John Snider: The only complaints I've heard on any of these roads at all has been the sweep around. That was something that was not designed by us. It was designed by the State and actually to be quite honest Jimmy Stivers brought that up in 2011. That was the County Highway Department's suggestion for helping that in 2011. I don't know where it's going guys. I really don't and if I did as we watch the design on that road we're going to have to make sure that it's not as sharp as what it is showing on that map. There is no doubt about that because I think that sweep around is going to have to be bigger than what they are actually showing. When I originally heard about the idea and I think most of you understand that area a little bit; I thought when they came across they would come back around at almost the Highway Garage to come back in; they're not, it's much quicker than that and I've said that I would like to have the towing contract on a winter day at the end of that because I'm going to be towing a lot of tractor trailers off that interchange. We hope to be actively involved in the process as this moves forward so I'll try to get everything out possible. Now in relationship to property owners there currently, we've heard people who want to sell as quickly as possible, we've heard people oh that's coming too close they're not buying my property. To the best of my knowledge they haven't bought anybody's property because they haven't got the design. We're still ways away from actually knowing what that is going to look like. Maybe at some point in time whoever the contractor is on that we may want to ask them to come in and make a presentation to you all after they get two or three months in to the design work. Bernie Brown: There was some concern expressed by some of the residents. John Snider: Councilmen, you both heard me talk about I've got some concerns on the layout of it; physically, because physically it's a rural location and since you're building a new road we don't have to be as tight as downtown Louisville; and that's really what they designed as tight as downtown Louisville. Larry Hatfield: But we don't know for sure if that's even coming. John Snider: That's what this million dollars is going to do; I think I've told all the property owners I have talked to that we don't know exactly what that's going to look like. Now will we have some influence on it; I hope we do because I have some concerns and I'm not bashful as you all know. Arthur Jones: One of the good things about that situation is because whenever people are getting

off at the first exit to the right that's going to slow down an amount of traffic to where the next place that you get off that does that loop around people will already be at a reduced speed and so that will aid in the sweep around but we do have to realize that was a very preliminary layout and they will get it fine-tuned before it goes to construction. John Snider: Mayor I don't know whether you want to deal with the fifth person on that committee. Gloria Taft: I was going to ask that we do that now. I spoke to the third person and he doesn't feel like he has the time allotment to serve so we would just be talking about the first two people who would be Mr. Dan Cline and Ms. Lou Ann Moore. It's at the pleasure of the Council which person you think would serve the Committee best. City Attorney Wantland: Just for the record you can't miss on this one because you have two outstanding individuals. Bernie Brown nominated Lou Ann Moore. Dana Bischoff James nominated Dan Cline. Mayor Ellis: Why don't we make a motion to speak to both of these individuals; I'd hate to nominate one and vote for the person and then say I can't do it. Bernie Brown: Neither one of them are here tonight. Larry Hatfield: Call them and see which one has got time to do it. Gloria Taft: I thought that had already been accomplished but those are two people we are looking at so the Council wants either, which ever one will accept. Mayor Ellis: We'll speak with those two and go from there.

Daryl Lee: No report.

Duane Price: No report.

Sign in Speakers:

Barry Baugh handed out a letter he received from the Transportation Cabinet and I would like for everybody to call Matt Bullock to request a red light at City Park Drive where the sidewalks end on the north side and you have to cross the highway to get to the other side. I asked for a crosswalk but after I talked to Matt Bullock he said they could not put a crosswalk in an intersection; but they could put a red light there with a push button and the light will turn red so somebody could cross the highway to get to the other side's sidewalks. They told me a crosswalk is not an option so a red light would be the next option and it wouldn't cause any more traffic congestion because it would only turn red when somebody crosses the road and if somebody is making a turnout of the park.

Patrick Scott Wagner: Good evening ladies and gentlemen. I'd like to ask for an exception; my car was totaled in a fender bender and the storage value seems to be more than exceeding the car value and it's undriveable and if possible I would like to request some kind of variance to make payments and take the car now. My insurance pays for towing only and it is a high mileage, the car is 258K a 2000 model. It's actually due to my employment; I have a lot of bills right now so I was just trying to see. Mayor Ellis: Do you live in the City; are you able to get back here tomorrow? Mr. Wagner: I can get back here tomorrow. Mayor Ellis: Come back tomorrow morning and meet with myself and the Chief and we'll see what we can come up with.

Mark Griesser: Mayor, distinguished members of the Council, I appreciate the opportunity to come up here. I am up here on behalf of Boy Scout Troop and Pack 8481 that meets here in Shepherdsville at First Baptist Church. We are having a Community Festival; this is our annual event, and we are trying to get permission to close the road which is shown on the map as highlighted. The section at Third Street between First Baptist Church and the Sheriff's office on the date of September 12th. We would need it closed from about 8:30 in the morning until 4:30. This will give us an extra 9000 square foot in hopes that we can possibly get the Red Cross Bloodmobile and we're still playing phone tag with the Fire Department and the Police Department on their involvement but they have been involved in the past years with us. The Sheriff's Department is already on board. This is on a Saturday. Larry Hatfield made motion to close portion of road requested. Bernie Brown 2nd. Neither Police Chief Puckett nor Fire Chief Troutman had any issues with closing the road. Motion carried 4-0-2 absent.

Ron Hockenbury: I'm speaking on behalf of the people at The Pointe subdivision, especially Beechwood Avenue, we live right down at the bottom on the subdivision; all the drainage comes down that way. Our drainage runs over in to the Blue Line creek. I spoke to you about it about seven weeks ago I believe and you told me that you would talk to your man that takes care of that and he would call me, he never has gotten me the information that I ask him to get. Mayor Ellis: Tom, it's that Blue Line stream that we have.

Mr. Hockenbury I think in our meeting I told you that it's a Blue Line stream and it's real difficult for us to be able to touch that. Mr. Hockenbury: Yes sir, I have spoken to the Army Corps of Engineers. I talked to a man by the name of David Baldrige; I have his phone number, anything that you need. Mayor Ellis: What indication did he give you? Mr. Hockenbury: He gave me the indication that the Corps of Engineers does not do the type of work that we need done; that it goes back to the County or City involved and they have to file for permission to do that with them. And the permission will be given with no problems. Mayor Ellis: The City had went in and diverted that once before. Mr. Hockenbury: That was because they didn't file for permission. Mayor Ellis: They were given permission the first time when they diverted the route of that blue line stream. Mr. Hockenbury: I know at one time I was told that the City of Shepherdsville went in there to do some work and they got a letter back saying they would be fined \$20,000 if they didn't cease and desist. He said that was just because there wasn't an application put in to have that work done. So that letter is moot if you file the applications. I've got the man's name and his phone number; you can call him and speak to him yourself or whatever. I did talk to you six or seven weeks ago and never got a response from your man so the people in my neighborhood want to know what is going on. You going to do anything for us or just let us go? Mayor Ellis: Tom and I will get together in the morning and see what we can come up with on it. The guy that was supposed to call you is not here tonight. I'll get with Tom in the morning and we'll come up with something.

State Representative Linda Belcher: Good evening. At the last Council meeting there was a question from Mr. Baugh concerning sidewalks; so I wanted the Council to know that on Monday I do have a meeting with District 5 and KIPDA and we will be talking about the sidewalks. At some point I will get back with you and let you know what they say. While I'm here also most of you are familiar with as you go across 65 where Denny's and Best Western is; when you turn in to that road semis have just been going right over the curb so Jack Barnes called and asked if there is a possibility that the State would allow us to do something about that curb. I don't know if he's talked to any of you about that. Mayor Ellis: I've spoken with him about this and told him that the City didn't have a problem moving the curb back; the State would have to move the streetlight. There is a streetlight probably 15' from where that curb is and the City can't move that light so that would have to come down to the State. I directed him to contact Matt Bullock and District 5. Linda Belcher: I don't know if he did or not but that's one of the things that we'll discuss on Monday. Mayor Ellis: If they move that we can tear it out and pave around it and put a new curb in but we cannot touch that light. Linda Belcher: Would LG&E maybe move the light? Mayor Ellis: I don't know if they would or not. Linda Belcher: I'll ask and find out. Thanks.

Martin Malbone: Good evening. I come here tonight, I live over on Old Preston Highway; we have the Old Depot bar behind us; I spoke to you maybe 6-8 months ago and asked you about it. There is a City Ordinance that says any commercial property butting to a residential property should have a 6' privacy fence. Now this has been going on for years and nobody's done anything; probably 5-6 times a year we get some drunks that come from the bar and are able to walk over there and it's presenting a danger to my family. They kick on my fence at my dog. Me and my son have been called out when two guys are fighting and we are their help and they are coming at us. I just got a thing where I cleaned up the trash back there and they come over and get me about my brush pile that's been growing there for 30 years; I just cleaned it up a month ago and they can come over and hit me with that Ordinance which to me is minor which is insignificant but here this fence situation hasn't been resolved and it's a safety issue for my family and I would like to know if somebody is going to do something about it. Mayor Ellis: Are you aware of the Ordinance that says they have to have a fence there? City Attorney Wantland: It's a zoning that says it. Mr. Malbone: I talked to zoning and zoning keeps telling me no. I have a map right here. Their property is commercial; the property butting it is residential. So in my opinion is an Ordinance something that we choose to follow or is it a law? Mayor Ellis: Well if it's in the zoning that's a county Ordinance. What do you know on that Larry? Larry Hatfield: I don't know anything about it but I know that property has been there for many many years commercial so I don't know if it was there before Planning & Zoning was here. Mayor Ellis: I'm deferring it to Officer Minton. Mr. Malbone: I just know that it's a safety issue. It's not a matter of trying to collect a trash bill or you're going to fine me. Larry Hatfield: You want the people who own the bar to put a fence up. Officer Minton: The only fence Ordinance I've ever seen is for one around a dumpster and that's the only thing that requires if it adjoins a residential area is has to have a fence around the dumpster.

There isn't an Ordinance that a business has to be fenced around. Mayor Ellis: What do you know about that John? County Attorney John Wooldridge: If he will go to the Planning Commission tomorrow and ask for Brian and give his address and the address of the bar they will contact me, I'll review the zoning and if appropriate we will go ahead and move forward with a citation and see if we can make the property owner erect a fence at the bar. If he is actually commercial zoned next to a residential you have to have a visual and/or a mechanical barrier. It doesn't say a 6' chain link fence. You can actually have a 4' chain link fence but there has to be a barrier; it could be evergreens. We have had issues before; we recently had one and we had to forfeit so if you'll stop in and give his name and contact information they'll get with me and we'll look at it.

Department Reports: None

Council Reports:

Dana Bischoff James: I just ask that everybody keep your leaders, teachers, school board, all government officials in your prayers.

Gloria Taft: I will be sending the meeting notes from our Alpha Way road project to the City Council tomorrow and the Manager at Five Star wanted to applaud the company that we are having do our sewer project over there for the fine job that they did for keeping their traffic flow available so the business could continue to do business that day while they were there working.

Dana Bischoff James made motion to adjourn. Larry Hatfield 2nd. Motion carried 4-0-2. Meeting adjourned at 7:30 p.m.

R. Scott Ellis, III, Mayor

Attest: _____
Tammy Richmond, City Clerk