

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, October 8, 2012**

Pastor Dale Raines, First Baptist Church of Shepherdsville gave the invocation
Pledge of Allegiance was recited

Mayor Ellis called the meeting to order at 6:31 p.m. and thanked everyone for attending the meeting.

Council members present: Bernie Brown, Don Cundiff, Larry Hatfield, Corky Miller, Faith Portman and Robert Flaherty.

Mayor Ellis asked for a motion to dispense with the reading of the minutes from the 9/24/2012 regular meeting. Don Cundiff made motion to dispense with reading. Corky Miller 2nd. Motion carried 6-0.

Mayor Ellis asked for a motion to approve minutes from 9/24/2012 regular meeting. Faith Portman made motion to approve. Corky Miller 2nd. Motion carried 6-0.

Mayor Ellis announced that Louisville Water Company would be open at City Hall tomorrow morning at 8:00 a.m. and the Shepherdsville Fire Department will host the 2nd Annual Trunk or Treat on Wednesday October 31st from 5:00 – 9:00 p.m.

New Business:

City Attorney Joe Wantland had second reading by Summary of Ordinance 012-118 regarding post-construction storm water runoff. We need one motion to have it done by Summary and then the next motion to pass the Ordinance. Larry Hatfield asked how we arrived at a \$4000 penalty. City Attorney Wantland: It was put in the Ordinance by the State of Kentucky who published this as a recommendation. Robert Flaherty: That's a not to exceed amount as well. The penalty can be assessed lower than that by the Court. But if you just put in a few hundred dollars then developers are going to have no problem violating it and saying it's the cost of doing business. It has to be at least high enough to deter them to make sure they are going to comply with provisions. A lot of this is to protect the community down the road as again, this is for new construction. So it's not going to solve our existing problems but it's going to ensure that there are plans put in place for runoff and drainage to prevent future problems from coming up. Larry Hatfield: If something was to happen like that, is the State getting the money or the City of Shepherdsville? Joe Wantland: If it's a civil penalty it will come to the City of Shepherdsville; if it's a criminal penalty it will go to the State's general fund. Robert Flaherty: That's why both options are put in the Ordinance so hopefully if someone had to be cited and taken to court that would give the Court the ability to send some of that penalty back to the City. Robert Flaherty: The only question I have for Scott, and I know you've been talking with Rudy Hawkins, but in the definitions it has the approving agency as the Department of Code Enforcement. Do we have something set up with them currently? Scott Fleming: No, that's something I need to work on. Larry Hatfield: I know they are doing it in a lot of other cities. Robert Flaherty: Currently I know the County has an agreement with the five north end cities and they are working under a single permit. Each City is still responsible for what happens in their jurisdiction and they still have to have their own planning and their own engineers, however, the State prefers that the permits be combined as much as possible so it's a lot easier for them to manage and oversee and that's something moving forward, I think we need to look at is combining with them, again we would still have to have our own plan, our own engineer to look at things. But it would also allow us to have the County assist with on the ground inspections to where we wouldn't have to hire personnel to go out and do those types of things. They already have a department that's out there every day doing building inspections, and that's what they are doing for the five cities in the north end. So I think it's something to continue to pursue and I've spoken with Rudy Hawkins about it a couple times, I know Scott has, and hopefully we can move forward with that because it would be a way to have an

enforcement mechanism and inspection mechanism without the City having to take on additional cost. Again the County funds that through the fees they collect for doing those inspections. So if we enter into an arrangement the County would keep those fees but they would do the work. Bernie Brown: Has a copy of this Ordinance been sent to the Division of Water for their review and approval? Scott Fleming: It has not but I did run it by Cindy Leasor and she was very pleased with it. It is something that will have to be submitted to them once it passes but everything is in line. Robert Flaherty: Other than a couple changes to the City of Shepherdsville it's pretty much the exact Ordinance that the County and five north end cities have adopted and has already been approved by Division of Water. So I would hope if they have approved it six other times they would be okay with us doing it as well. Faith Portman made motion to accept the Summary. Corky Miller 2nd. Motion carried 5-0-1 abstention. Faith Portman made motion to accept the Ordinance. Robert Flaherty 2nd. Motion carried 5-0-1 abstention.

Don Cundiff made motion to bring the discussion on accepting Conestoga Court. Robert Flaherty 2nd. Motion carried 6-0. Mayor Ellis stated we had some questions about it. One, we know it's going up to the water tower but are there any other plans for that area? If we're going to take this road over and there is going to be heavy equipment on it. Rob Campbell: As I was reading through the minutes as you guys clearly stated and discussed last time they water company did have the roadway built as standard that would be acceptable to be utilized by the City and a typical City street. It was tested by another reputable engineering firm so based on the design and testing that was done you're definitely not taking on any additional liability that you would of any other street that we normally plan and design and construct. The one question I saw in the minutes was is there a use that the City may benefit. Is only the water company going to utilize this roadway? Probably. Yes it's probably primarily going to be utilized by the water company. I think that there is always a chance that somebody else could do something that would utilize the roadway too but at this time I'm not aware of any other planned use for the roadway. In terms of construction standards and engineering the roadway was built properly, tested and is a good roadway. So you're not taking on the liability of a road that would fail just from the traffic of the Louisville Water Company going up and down that. But as far as future use, I really don't have any additional information on that. Corky Miller: If the gate is left open and a kid gets on their bicycle and get hurt, who is liable? City Attorney Wantland: I don't see any liability on the City. Mayor Ellis: We had talked at one time with Louisville Water about taking the repeater towers off the top of this building and moving them over on the top of that hill to that water tower. Do you think it would be in the best interest of the City to take that road over with us possibly having towers over there? It's not like we're going to be using it all the time because they don't have to have maintenance that often. Rob Campbell: I think the properties that abut the roadway are not Louisville Water Company property true. I don't think the water company owns everything that abuts that roadway for that reason ownership of the roadway to me makes sense. It gives you jurisdiction also for monitoring any wrongful use of that roadway. I haven't looked at the property maps so I don't know exactly how it's defined right now. If they simply just purchased an easement; that's one thing I did not look at. I was simply considering the engineering judgment of GRW in testing it and the design of the roadway itself. That's something else we could look into. I'm not aware of any ill effects of this dragging out a little bit. I think we could look into the actual ownership abutting the road and if they already have a document that's recorded at the Courthouse that define the right of way but it's simply owned by the water company right now, that's something I'm not sure of. That might be good to know before you go further. Robert Flaherty: The question I have I have a concern or problem if it's a limited access or it's restricted somehow, I don't know if it's appropriate for the City to take it over and be spending public tax dollars on a road that's not open to the public. So if there's a gate up there and there's some restrictions on who can use it, I've got a real problem with us taking that in. Another issue is it's not a through road. Don Cundiff: I don't see why we want to pay for a road that's gated that nobody can use but the water company. To me that's ridiculous. Bernie Brown: Who owns the road right now? Rob Campbell: I didn't research that. Bernie Brown: Who approved the construction of the road? Rob Campbell: The water company had a roadway design in their construction specifications for that tower and those plans for the tower itself were probably submitted to us. I'd have to look back through the City's records when Angi was

going through that but I'd bet that they met with Angi during the design period. Bernie Brown: Why does the water company want the City to take that road over? Rob Campbell: I would bet it's not any more complicated than snow removal and future paving of the roadway. They don't really want to have to maintain the roadway. I'm sure it's probably that simple. Larry Hatfield: Are there other lots up there that can be developed? Rob Campbell: I'm assuming there are. It's really steep. Larry Hatfield: So they may be asking for us to take that portion of the road over now for the gate to the tower. Rob Campbell: I think that's what's happening but I can't speak to how legitimate it is that something would develop on those lots. That's total speculation but we can at least look at the property lines and as they are laid out and recorded at the Courthouse and see if there's a dedicated roadway right now that's designated as an easement to the water company or however it's designated then add that to our information we have in making a final decision. Robert Flaherty: I think tonight there are just too many questions without knowing if it's been dedicated to public use and if there's any public purpose for it whatsoever. Rob Campbell: I'm sorry I couldn't answer all the questions but let me look into the property layout as recorded and see who those adjacent property owners are and we can take it up again next time. Robert Flaherty: Even then we need to know what portion if there is a gate at some portion, we need to have it laid out so we know exactly what we're taking in as far as having some proper description for record purposes and again where there's a recorded plat that's dedicated to public use. Absent that there's no way I think the City should take it in, if it's a private roadway. Rob Campbell: We'll get the information together and get it out to you before the next meeting so you can look at it. Larry Hatfield made motion to table until next meeting. Robert Flaherty 2nd. Motion carried 6-0.

Joe Wantland: Mr. Campbell and I have been working pursuant to the Council's instructions on the modifications to the employment contract. We've made those corrections and I'd just like the minutes to show that and I think the Council has already authorized the Mayor to execute that document. I just want that to be in the record.

Pastor Dale Raines, First Baptist Church addressed the Council: Our church is celebrating our 175th anniversary this year. We have several events planned and a couple of them are going to be outdoor events in the area between the church and the Courthouse and we just believe it will not only give us some more space but also make it safer because both of these events are family oriented things where we expect to have a lot of children running around and it would just be a lot safer event if we can close that one block section of street between the church and the Courthouse just for those few hours on those two evenings (October 31st and November 2nd). Larry Hatfield made motion we approve closure of Third Street on both days. Bernie Brown 2nd. Motion carried 6-0.

Discussion on Eco-Tech extending current franchise contract through 3/31/2013 with a slight increase in rate and bills going to property owners rather than tenants of rental property. Bernie Brown: How much is this slight increase? City Attorney Wantland: What we're talking about is moving the bid date from October to March. And there's some advantage in doing that. In speaking with Eco-Tech one of the advantages is it's easier that you're not doing it right before the election, it's easier that you avoid Christmas, there were some dates discussed. The March 31st date is arbitrary. It could be later or earlier but that was a good date and the collection is a little bit easier in March than it is in December. Tim Myers with Eco-Tech: You can go ahead and do the bid if you want to. But the start date will change. You've got a quarterly billing cycle so it works out pretty good that way. City Attorney Wantland: The City's residents have an outstanding and it is considerable, I think it's \$70,000 in arrearage. The City would like to aggressively try to collect some of the deficiencies in the attempt to get a lower franchise bid rate on residential customers. Waste Management who has been here, I think Rumpke and Eco-Tech are all concerned about the large amount of non-collectible bills. The City talking to the Mayor we'd like to have what I call an aggressive attempt to collect and bring that arrearage down. The reason for that is that the bid that we would anticipate would reflect that in the future. We're getting ready to have a higher bid I think, I don't know but a higher bid if we do not somehow get these delinquencies abated. We talked with the water company with the idea of putting the

trash collection, water bill and sewer bill as one unit. That was not able to be done at this juncture. We're still looking at that and I think that would help tremendously. I would like the Council to authorize the Mayor to engage in a discussion with Eco-Tech to consider the current franchise at the same rate but the City general fund paying a small stipend if you will monthly to Eco-Tech for extending the current franchise agreement rather than a slight increase in the rate on the citizens. I've talked to Eco-Tech and they are amenable to that. Mayor Ellis: What kind of a monthly fee are we looking at? Tim Myers: Still to be discussed. One thing you have to remember when we started this, for example, diesel fuel which is a big expense was \$1.88/gallon today its \$3.94. Our original contract expired the end of September. And we've already billed for October, November and December billing period at the old rate after discussions with Mr. Wantland anticipating some arrangement with the City on some make up. One idea was to go ahead and get the bids in and whatever the cheapest bid is, if it's us or somebody else, we would bill at that rate going forward. Other than that we can negotiate something. I don't know that I want to sit here and negotiate a number. Mayor Ellis and Mr. Myers set a meeting to negotiate extension to contract. Tim Myers: Is the new Ordinance, the collection procedures that were modified by the Ordinance, is that in effect yet? City Attorney Wantland: Upon publication. Tim Myers: So we can go ahead under that procedure if you all choose too? City Attorney Wantland: The Mayor has instructed the Code Enforcer person now to do. There is about a \$70,000 arrearage and I think the annual total billing is about \$750,000. So we're running about 1%. Bernie Brown: Is anything being done right now to collect that in arrearage? Mayor Ellis: No. Nothing yet. Bernie Brown: Who is going to do it? Mayor Ellis: It will be Mike Miller, Code Enforcement. When he's out on his normal routines he'll go through and go that. We've also got it set up and I've talked to the folks from Eco-Tech about it, we're going to collect their normal bill and there will also be a \$25 service charge for the City of Shepherdsville. They will have to come here and pay that bill and we will turn around and cut them checks afterwards to make sure that the City gets their money as well as they get their money. Bernie Brown: Eco-Tech has agreed to that? Mayor Ellis: Eco-Tech is in agreement with that yes. City Attorney Wantland: The Council is going to have to approve it. Corky Miller: You all are going to have to discuss some settlement to this and not put this on the taxpayer. I want to make that clear. City Attorney Wantland: We're running about 1% a month, almost 10% a year on non-payment. The citizens collectively are paying that; I think we're going to see it on this bid, are going to be subsidizing that and we're trying to put something out to the bidders that we're going to make strong efforts to bring these delinquencies down because at 10% you're going to see \$1.00 a month per citizen charge to subsidize this and we're trying to get it down. Tim Myers: Good guys paying for the bad guys. Larry Hatfield: Are we going after the property owner? City Attorney Wantland: The new Ordinance has changed that we can go after both the tenant and property owner. Tim Myers: Even in the old Ordinance the landlord was ultimately responsible if the pursuit of the tenant failed. I've discussed with Tammy and Mr. Wantland that you ought to just eliminate that step. It's not in your bid specs. That may be something you'll have time to do. Your bid specs are exactly the same as they were four or five years ago. There's no change in the requested response from service providers. Larry Hatfield: We need to change the bid, right? Robert Flaherty: It needs to be updated to reflect the Ordinance and make sure it's consistent. I agree to any extension. The residents under an extension period their rate needs to be the same because there hasn't been a public process so I don't think that's fair to property owners to increase their rate without going through a public bid opening. So if we're going to extend this for any period of time we need to negotiate how we need to go. Bernie Brown: How is Eco-Tech going to be notified who the property owners are? Robert Flaherty: That's public record. Bernie Brown: its public record but who is going to do that? Is Eco-Tech going to do it or is the City going to do it. City Attorney Wantland: The City is going to do it through the Clerk's office. Robert Flaherty: Whoever is going to make the collection efforts is going to want to know that. The Ordinance reserves the right for the service provider as well to take action but the City's intention is to take whatever action we can and try to collect. City Attorney Wantland: The intent of the new Ordinance is to have the City Code Enforcement Officer to issue a citation. It's much more economical for the City to proceed in that manner. It is not beneficial to the individual who is delinquent particularly if they are paying the Court costs which is going to run about \$150. I think once the message gets out that you're going to appear in District Court and talking to the Judge and

there's Court costs involved I think the amount of delinquencies will be much less. Even if we cut the collections down in half each citizen in this City should save approximately 50 cents a bill a month. It's a staggering amount of nonpayment. Robert Flaherty: I believe in the new Ordinance there is some language that reserves; again the intention is for the City to collect those but it does reserve a civil option for the service provider. It may not be one that is cost effective or preferable in recognizing that the intention is for the City to make those efforts as much as possible. If those efforts fail there is a fall back that the service provider could have; getting an attorney and filing suit, that costs money and again that may not even be worth it in many cases where you're talking about \$24 every three months. City Attorney Wantland: The City Code Enforcement Officer procedure I think is going to make a big difference. I don't know if it will be the panacea that we're looking for but I think it will make a big difference. City Attorney: I want to compliment Eco-Tech, they have been the one who really has asked and worked with the City to bring this to our attention by reducing the delinquencies should make a reduction in the bill to the individual consumer in Shepherdsville. For that I thank you all. Mayor Ellis: I told these two gentlemen when we met that I don't know what you guys have done but I haven't had any phone calls. I definitely applaud you guys on that.

Mayor Ellis introduced Bobbie Bryant from KLC. Rob and I met with Bobbie one day last week and we just wanted to bring her in and let her answer any questions anybody might have and let her go into detail on what we discussed. Bobbie Bryant: I bring you greetings from my fellows at Kentucky League of Cities. We are getting geared up for Convention that starts tomorrow. I don't know if any of you are planning on going but if you do I look forward to seeing you there. We certainly welcome you any time. I had the great pleasure of meeting and talking with the Mayor and Mr. Flaherty and discussed some conversations I think you all have been having about the great growth and development that is occurring in your Community. We at Kentucky League of Cities have been offering as a member service community development advising. We work with strategic planning and comprehensive planning. That is the conversation I had with the Mayor and I don't know if you all have had the opportunity to look over the proposal that we submitted but based upon the conversation that I had, I did put together a proposal for the City of Shepherdsville. We talked about a wide gamut of things starting perhaps with just a leadership retreat. Just folks getting together in workshop environment to sort of debate and deliberate about the next few years and sort of what your priorities are, what you'd like to see happen. We went from that conversation to extend that conversation to a broader conversation to include the community. I know that other cities in this County are also going through these conversations as well as the County. Our proposal is to make sure that we take advantage of every conversation that's happening and include as much as we possibly can that would benefit this community. And to honor the work that has already been done or is in process of being accomplished. We even talked further about the comprehensive planning process. Every city is obligated by State Statute to have an updated comp plan every five years. And that is something that through this process we can help you to attain. The price points for each of those can be set forth in a menu of services or if you decided that you wanted to go forward with the whole gamut I have proposed a price that I think would save you some money and we would be pleased to talk with you about which pieces or parts or all of it that you would be most interested in. Robert Flaherty: The Mayor and I met with Ms. Bryant and talked pretty extensively about this and I don't know if everyone has had a chance to look this over in any real detail yet so we asked her to come knowing that we probably wouldn't be prepared to make a decision tonight but at least be available to answer any questions for you. Then maybe very soon, preferably at the next meeting we can decide how we want to move forward on this. I think it's critical for the City to start developing long range plans and strategic plans. Too often and for too long basically this Council and not necessarily these individuals but for many years past and decades past it's been pretty much reactionary. A crisis comes up, an issue comes up and you sit here and try to deal with it and vote just to handle whatever little issue comes up and there are a lot of people who can do that. As far as I'm concerned demonstrating leadership is setting forth a vision and a plan for the future to give yourself a framework and help guide you in your decisions. Because if we know, if we sit down and talk about where we want the City to go and what we want it to look like, and we know what kind of facilities we're going to need, what kind of equipment, what kind of staffing, we can start

dealing with those things now. We can start setting funds aside; making plans to do that so when we're hit with the reality years down the road, that we have to have those things, we're in a position to be able to just do it instead of finding ourselves years down the road understaffed and under equipped and then we've got a crisis on our hands; we have to borrow money again, we have to deal with whatever we have to deal with. I think we can position Shepherdsville as a leader in this County as far as establishing a long range plan and a vision for the future. I know it's been discussed by a number of other entities being on the Chamber Board and the Chamber being involved with those efforts, and I applaud Representative Belcher and the Chamber and EDA for what they are trying but I've mentioned to them several times that without having someone to do the leg work it's not going to be successful. They can come up with all the plans and ideas they want but it's going to fall flat if they don't have someone to help them. We have an opportunity to get some experts in here; people that have done this in other communities to help us set this up and moving forward I think it's a working investment because down the road future Councils can take that plan and build upon it. And can do it probably for a whole lot less because they already have the framework in place. And if you look at the cost the way it's stretched out, it would actually go across two fiscal years. So that would be even less on an impact on our budget and how that would affect us. Again I know everyone may not have had an opportunity to look at it. I sent it out one day last week so I would just encourage everyone to look at it in detail before our next meeting and again I know Ms. Bryant offered herself to be available for any questions and I know I would be happy to talk with anyone in more detail as well. Bernie Brown: There's no question that a long term plan is needed. I think we're seeing a lot impact going on right now for lack of good planning. I heard a long time ago that if you fail to plan you plan to fail. How true that is. Corky Miller: I would like to commend the League on the effort that you put forth to both Counties and Cities in the State that was hit by tornadoes and floods the past two years how you responded and how you got other cities to respond to help pull those people out. A lot of the normal citizens that were actually involved in this don't realize how you all came to their aid. Bobbie Bryant: What I'm passing around is simply sort of a reference sheet. If you all wanted to talk with any of the cities that we've worked with in the past year, I'm happy for you to call them. They expect to hear from you. It is fine with us for you to call the Mayor or a Councilmember or the Clerk, anyone that you might know in any of those communities. But we are happy to reference our work and we are offering our services at a pretty significantly discounted rate and I will tell you that we're able to do that because of our insurance that we sell. You all have been a great customer to us in the past and continue to be and we appreciate that but our services are available to you because of the funds that the insurance program brings in. I want you to know that. Larry Hatfield: Are any other cities currently working with you all on this? Bobbie Bryant: I'm going to be working in Mt. Washington. Right now that is only a leadership retreat. They are discussing about going further than that. Larry Hatfield: Is it better to stay separate or try to join others? Bobbie Bryant: It's really up to you all. We'll work regionally. We'll work just with the City. We'll work with the County. We'll do it any way. If you're all's leadership can work it out to work the whole County with the Cities involved, we'll do that. We're happy to work with you. You are our member and we will do our best to accommodate your needs. I have that each of you has a copy of the draft. That can be rewritten any way you all want it to be. We do not cookie cutter our work. Our work is very specific to the needs of the community we're working with. Our process is a pretty typical process but the results are based upon what your needs are.

Daryl Lee: Not present at the meeting.

Duane Price: Nothing to report. The meeting is Thursday night.

Sign in Speakers: None

Department Reports:

Chief Puckett: I gave everybody a copy of the memo that I drafted for the Mayor and I think we talked about it at the last Council meeting. The Department is getting in a critical situation with manpower. Right

now, tonight, I've got two people on and I've got two people on because I took somebody from another shift to bring them over to work tonight. I've got one person that's in the Academy that won't be out until February; we're down one person now due to retirement. We just got a lateral list certified tonight, we'll be able to hire off of that. Basically if we can get another officer, that will get us to where we can put out most times a Sergeant and three people at night. Night is the worse time for the police to be out; you get one person that calls in sick, on vacation, in school, whatever the case may be, you're down to two officers. That one officer gets called off on some kind of arrest or something, you've got one person out there and it's an officer safety issue to have one officer out there working by himself. I think we talked about it last week. These are the numbers that would get up through the remainder of this Fiscal Year with another officer. We're still short. We're still four down from what we were two years ago but we're moving forward. We're getting officers hired. We just talked about the Code Enforcement Officer, he helps out some during the day but I would say he probably won't help much any at all now. He's busy now but every once in a while if we get busy he does help us with runs on the street but I would say he's not going to be doing that now. Faith Portman: I think in the future that he did that full time because we're getting where we need him full time doing Code Enforcement because there's a lot going on. Chief Puckett: I agree, but even if he's out Code Enforcement if you've got something serious happens he needs to do that. He's a policeman first and Code Enforcement second. Don Cundiff: I think there's no doubt about it they need some help. Larry Hatfield: What will this bring us up to, 21? Chief Puckett: 22. City Attorney Wantland asked Mr. Cundiff if he was making a motion to hire another officer. Mr. Cundiff stated yes that was a motion. Robert Flaherty 2nd. Bernie Brown: Does this require an amendment to the budget? City Attorney Wantland: It wouldn't be at this time because we're down an officer. I think the money is already there. Robert Flaherty: At some point before the end of the Fiscal Year, yes. But right now obviously there is enough money in there to cover all the salaries through the next several months but towards the end of the year you'll end up short the amount that's stipulated in here so we'll definitely have to; but as far as an actual amendment it's not new revenue or a new line item but it will require some transfers. So it's not a budget amendment that will be required but it will require some line items transfers to make sure everything balances. Bernie Brown: Transfers are an amendment. Robert Flaherty: It not amending the Ordinance it can be approved by the vote of the Council without actually doing a first and second reading for a full amendment. It will need to be transferred in order to balance it. Vote taken at this time: 5-0-1 against. Larry Hatfield voted no because he's not sure of the money.

Chief Troutman: A few months back I came and asked you all to buy a fire truck. We bought it. And I promised you at that time we had a rescue truck that we were going to put up for sale to try and get most of the money back on it. Tonight I'm coming forward to ask you to surplus that vehicle and go ahead and put it up for sale to try to recoup that money that we spent on that fire truck. Larry Hatfield: Have we ever done anything on the equipment at the sewer plant? This just happened to make me think of it. Can we put it with this? Mayor Ellis: That was already surplus. It needs to be put on Gov. Deals. Chief Troutman: We have that and also we have some old air packs that they had bought years and years ago that no longer match up with the air packs we use today. They are still good packs. They are something that you can either put on Gov. Deals or you can put them on eBay; it's something you can put out to the public. A lot of your survivalists nowadays on eBay pay pretty good money for air packs. It is 13 air packs; 26 bottles; and 10 masks. Its stuff that is stored. It's been sitting there for years now and we can't use any of it. It's just taking up space. It's something that we can bring some money back in to the City. Larry Hatfield: What kind of vehicle is it? Chief Troutman: The vehicle is a 1999 Ford F550. It's got a utility bed on it, a 300 gallon water tank in the back and a pump. No money owed on it. Faith Portman made motion to surplus these items. Bernie Brown: Do we have a list of all these things? Chief Troutman: It's all in our tracking system for all the equipment the fire department we have. Mayor Ellis asked Chief Troutman to run a print out of those items and stick it in the Council's box. Robert Flaherty 2nd. Motion carried 6-0. Chief Troutman: The Mitigation Account that we have, I said we would use it for training; I would like to send six people to a swift water training class. It's \$250 a person and it's a total of \$1500. We have one person who needs to get

recertified and they've agreed to let him attend for \$100. That would come out of the Mitigation Account. Faith Portman: How many do you have certified right now? Chief Troutman: Probably 13 right now. Larry Hatfield: So everybody? Chief Troutman: No. Larry Hatfield: All full time? Chief Troutman: No. That's a combination of some volunteers and some full time. Larry Hatfield: How come full time ones aren't? Chief Troutman: They've never been required to go get it. That's something we're working toward. It's not required by the City to do it. That's one of the things when we put the incentives in to help those guys take initiative to go out on their own and get the training which some of the guys are working toward that. They are working to get all their certifications up. We're trying to get everybody at least to have, on the paid side, to have their hazardous materials, confined space, and swift water and to be EMTs and that way if we have to make a run on any of those type incidents and with all the industrial stuff we have around here, that's the main things that we can run into. We need to get at least the paid staff up to that and I'm hoping to do it by the end of the year. Mayor Ellis: How much is in your mitigation account? Chief Troutman: We just took out the two large payments for the equipment for the new fire truck so right now it's around \$10,000. We have several bills out right now waiting to be collected. Faith Portman: Is there any kind of requirement for a full time employee when they do this training, is there that they have to repay it if left? Chief Troutman: No not at this time. Usually we get it a little bit cheaper but there is no one putting the class on anywhere around close by except for up in LaGrange this year and normally its \$100 a person through Jefferson County but they're not doing any type of training this year at all. Faith Portman: Is it just one day training? Chief Troutman: No its two weekends. And one they get trained it's good for two years. You just have to get so many hours over the two years to get your recert; which isn't that hard to do once you get it. Larry Hatfield made motion to allow swift water training. Faith Portman 2nd. Motion carried 6-0.

Council Reports:

Don Cundiff: The only this I was going to say is as far as the deal with the League of Cities I think that's a good idea. I personally think that we might want to hold off until after the election before we vote on it because I think it's going to be important that whatever Council is in here buys into it. It's a fairly substantial amount of money and personally since I'm not going to be on here I don't feel comfortable voting for something that I'm not going to be up here for. I just think it would be good to wait until after the election before we make a decision on that. That's just my own personal opinion.

Bernie Brown: What's the latest on the personnel manual procedure? That needs to be completed and put in place and I'd like to see that done before we take on any other long term issues. It's been hanging out too long really. Larry Hatfield: Did you all ever decide about the Civil Service. Did you all talk about that since I've been gone? Bernie Brown: We talked a little bit I think but the decision was to have Mr. Wantland and Mr. Sholar get together and see what they come up with. Mayor Ellis: Nothing has been discussed when you were gone. Mayor Ellis asked City Clerk Richmond to email Suzy Bass for an update. Bernie Brown: I think they've been waiting to hear from us. Mayor Ellis: There was one change in there that I wanted to change on the retirement health insurance on retirees. That's been done but over and above that I haven't heard anything else back from her. Bernie Brown: I think Rob mentioned last meeting that he had several notes and there probably are a lot of things we need to talk about. Robert Flaherty: I think basically where we are we've got several balls in the air at once we're trying to juggle because a lot of these things are inter-related. To make a decision on just the personnel policy without making a decision of the Civil Service Ordinance we really can't do. We need to decide what direction we're going to take with both of them as well as the wage and salary issues and the job descriptions. They all kind of fit in together. So it's not easy trying to make it all work in at the same time but I think we have to do that because whatever decision we make with one impacts the other area. So we've got to try to pull all this together at the same time and make a decision on what direction we're going to head with respect to salaries, job descriptions, personnel policies and the civil service ordinance. We've got to pull it all together. Again I need to get more information, we just got some more information in the last day or two, some financial information on civil service. While I agree I want to make a decision to get it done I also don't want to make a decision before I feel like I have all the

information I need to have a good strong set of policies that benefits the City and protects our employees and is going to serve us for many years down the road. I don't want to rush into it and end up months down the road whether it's me or somebody else having to deal with the problem because we overlooked something or we made a mistake in some area. That can happen anyway but until I feel like I have all the information I need to decide on these issues I'm not prepared to do it right now. Larry Hatfield: Do any of you all feel we need a Special Meeting or do you want to wait until the next meeting or what's your feeling on that? City Attorney Wantland: I'm trying to work with Mr. Sholar on this. He represents the Civil Service Commission. I think he would like to prepare a draft; him and me to meet and go over that. He does represent the Civil Service Commission and I think that would be appropriate and I will try to have Mr. Sholar redouble his efforts to get this done. I would rather have his input with the Commission, I think that's the way it should come; from the Commission to the Council.

Mayor Ellis asked for a motion to adjourn to Executive Session to discuss two personnel issues and pending litigation. Faith Portman made motion to adjourn to Executive Session. Don Cundiff 2nd. Motion carried 6-0. Mayor Ellis stated on the personnel issue I'll be asking Chief Layne Troutman to come back with us and Rob Campbell on the potential litigation.

Don Cundiff made motion to return to Regular Session. Faith Portman 2nd. Motion carried 6-0. City Attorney Wantland: During Session the Council by acclamation as I finish will sanction that Layne Troutman is authorized to replace a Reservist where we're losing a fire fighter who's going on Active Duty to hire a new individual from the established list. It's well within the budget but we'd like to have it in the minutes that Council approves same. Don Cundiff made motion to approve. Bernie Brown 2nd. Motion carried 6-0. The Council received request from Bullitt Fiscal Court for consideration for rebate as to sewer charges for the swimming pool. The Council has undertaken and one will advise Fiscal Court that it would be advisable for Fiscal Court to purchase a meter but for the year 2012 the City is willing to reimburse the first fill charges for the swimming pool back to Fiscal Court. Robert Flaherty made motion to approve rebate as we would for any other resident of this City. Larry Hatfield 2nd. Motion carried 5-1 against. City Attorney Wantland: Additionally members of the Council by motion with authorize Rob Campbell to examine the City easement along Chapeze Lane and make recommendations to the Council as to whether or not there needs to be any improvements as agreed by the former Council. This Counsel is to contact Counsel Dennis Stilger to advise the claimant of the City's position. Robert Flaherty made motion. Don Cundiff 2nd. Motion carried 6-0.

Faith Portman made motion to adjourn. Don Cundiff 2nd. Motion carried 6-0. Meeting adjourned at 8:24 p.m.

R. Scott Ellis III, Mayor

Attest: _____
Tammy Richmond, City Clerk