

**CITY OF SHEPHERDSVILLE  
REGULAR COUNCIL MEETING MINUTES  
TUESDAY, April 26, 2016**

Pastor Mike Miller, Family Day Ministries gave the invocation  
Pledge of Allegiance was recited  
Mayor Brian James called the meeting to order at 6:35 p.m.

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

Mayor James asked for a motion to dispense with reading of the minutes from the 4/12/2016 Regular Meeting. Dana Bischoff James made motion to dispense with reading. Randy Hammond 2<sup>nd</sup>. Motion carried 3-0-1 not voting (BB).

Mayor James asked for a motion to approve minutes as written from the 4/12/2016 Regular Meeting. Gloria Taft made motion to approve 4/12/2016 minutes as written. Dana Bischoff James 2<sup>nd</sup>. Motion carried 3-0-1 not voting.

Mayor James: We need to set dates and times for budget workshops; they will likely start next week. Hopefully the Council can be presented a balanced budget with all the prerequisites by the next Council meeting scheduled for May 10<sup>th</sup>. Be looking in *The Pioneer News* for special meeting dates for the workshops.

Mayor James: We have the cellphone held by the previous Mayor is our possession and it is to be surplus. Randy Hammond made motion to surplus this phone. Dana Bischoff James 2<sup>nd</sup>. Motion passed 3-0-1 not voting.

Mayor James: At this time I would like to ask Steve Emily with Qk4 to approach the Council regarding a traffic study on Conestoga Parkway. Steve Emily; Mr. Campbell sends his regards he is at another public meeting tonight. We wanted to give the Council a brief update on our traffic study that we're working on on Conestoga Parkway, Adam Shepherd and how it connects to the traffic coming off I-65 and 44 interchange and also out to 61. The scope of that work really started with some traffic counts several months ago. So the traffic counts have been done and our traffic folks have been working on the modeling and simulations that you may have read about in our proposal to you. Those simulations are done so what we want to give you tonight is a little teaser about what that simulation looks like; because in all of our minds we have different ideas about what that simulation might look like. I wanted to give you a short clip from the simulation that is done. What happens is they have cameras out there monitoring traffic and they import that traffic data into the simulation model. What it gives us is a really clever tool to be able to show the public how traffic actually works real time. Even though these are not real cars you see on here the traffic data is real. This is a time slot right around 4:30 in the afternoon; this is looking north from 44 up Adam Shepherd; so you can see as most of us know we have traffic backing up in this area. So not only do you see the cars coming but you'll see a big truck roll through there every once in a while; so those trucks are real trucks they are not just something that somebody put in there. It's real data collected by these cameras that is imported in to this model. What we have not is an as is condition today. Really the last and final part of our scope is to do two things, one is to try to populate this model with what we think traffic projections will be in the future; we all know there are going to be additional development on Conestoga and in this Park and all over Shepherdsville so we are able to populate this model with future projections of traffic flows so we'll need to have some conversations with the public and with the Council about how we think this area will develop and what we should use as the basis for those projections. The final piece of this is to gather public input. We want to have at least one session with the public where we can invite the public in to see the information we gathered to let them look through this entire simulation and to get input from them about what they see as the problems and what they see as potential solutions. Then we will be able to come back with what we could propose as solutions long term and short term to some of the congestion problems that we have in the City. That's where we are today and I'll be happy to answer any questions you might have. Bernie

Brown: What about sidewalks? Mr. Emily: We are able to evaluate some pedestrian movements here and we'll be able to include some pedestrian recommendations in the final report. There are obviously lots of gaps in terms of sidewalks so in cases like this we suspect the best way to address sidewalks will be to certainly make sure the future developers include sidewalks in their development. That helps to fill those gaps. But also some recommendations that the City might be able to implement on their own outside of those new development areas. Bernie Brown: Do you envision sidewalks on both sides of Conestoga Parkway? Mr. Emily: I think long term that's what everybody would like to see. It really is up to the City in terms of how much if any capital money you would like to invest in sidewalks or if you want to rely on new development to install those sidewalks. Certainly we would like to see a sidewalk at least on one side of that corridor with a safe pedestrian passage across the road. Bernie Brown: It's badly needed. Gloria Taft: How soon can we be ready for public meetings? Mr. Emily: We wanted to propose a couple dates tonight; the first one would be where we can get together and really walk through all this information with City officials; we've got a tentative date of May 9<sup>th</sup> for that; I don't know if that works or if we can agree on that tonight. But May 9<sup>th</sup> is the day that we proposed to try to get together with as many people as we could; let them see all of the information that we have; we certainly want Scott Fleming and all the Public Works staff at that meeting and as many other City officials that would like to come. May 24<sup>th</sup> was the tentative date we wanted to throw out for an overall public engagement session. That would be an open house forum that would run for several hours so people would have the opportunity to come in at their convenience. Gloria Taft: That would be our second City Council meeting this month so it would not be a good date. Dana Bischoff James: On May 9<sup>th</sup> would it be during the day. Mr. Emily: We could schedule that at the convenience of the City officials. Randy Hammond: We would have to decide if we want to make it a public meeting and if there is at least four of us that can be there. Gloria Taft: It could still be a public meeting if we're going to attend; but to open it up to the Staff that's going to be at the discretion of the Mayor because if it's in the evening some of them would have to be paid to be here. Dana Bischoff James: Is this a decision that has to be made tonight? Mr. Emily: It is not. Just know we are willing to take that next step as soon as we can get a meeting arranged. Gloria Taft: I think May 9<sup>th</sup> is a good day if we just work on a time then at that point work on a second date.

#### **Old Business:**

City Attorney had second reading of Ordinance 016-(number to be assigned) amending Ordinance establishing the position of Alcohol Beverage Control Officer for the City of Shepherdsville. There was no Council discussion. Gloria Taft made motion to accept. Dana Bischoff James 2<sup>nd</sup>. Motion carried 2-1 abstention-1 not voting.

City Attorney had second reading of Ordinance 016-(number to be assigned) for the closure of a right of way (partial Buffalo Run Road). Gloria Taft: To reiterate we have made sure that we have access to and from the college. This will not in any way interrupt traffic for the people going to our college. Gloria made motion to accept. Randy Hammond 2<sup>nd</sup>. Motion carried 3-0-1 not voting.

Mayor James opened up discussion to award the bid for the engineering and design of the two new fire stations. Mayor James asked Chief Layne Troutman to approach the Council. **Chief Troutman:** As I presented at the last meeting; I put the bids in your boxes for your review. Do you have any questions? Dana Bischoff James made motion to approve the bid from Keyes Architects and it contained all information listed in the bid notice. Gloria Taft 2<sup>nd</sup>. Motion carried 2-1 abstention-1 not voting.

#### **New Business:**

Mayor James stated we would like to award the bid for Alpha Way project. The Committee just met and on the 14<sup>th</sup> I received an email from Qk4; they went over all of the bids that were submitted; there were 8 of them and the lowest bid is the one that was recommended that we accept and that bid was from Hinkle Construction at \$3,392,730.42. The Committee voted unanimously in favor of awarding the bid to Hinkle. Mayor James asked Nicky Rapier and John Snider to approach the Council. Mayor James: I know both of you have done a lot of work on this Alpha Way project; it's seems like a very long process but in the grand scope of things building a road it's actually been pretty quick. Dana Bischoff James: I'd also like to call State Representative Linda Belcher; she's been instrumental in Frankfort. Mayor James: Also LouAnn Moore is

also on the Road Committee. She's done a lot of work with that also. City Attorney Wantland: Mr. Snider: The recommendation of this Council, that's with the full support of the Economic Development Authority. John Snider: Yes it is. City Attorney Wantland: It's the lowest bid. John Snider: It's the lowest bid and also that bid has been checked by the State Highway Department because as we all know the bottom line of this is we're going to transfer to the State of Kentucky. City Attorney Wantland: Mr. Nunnley is here with the engineering firm but the specifics of the right of way, the design of the right of way has all been done with knowledge and approval by the Kentucky Transportation Cabinet; everyone is on board to approve this right of way to go forward and to develop this business park further. Mayor James: It seems like kind of a rush thing by saying yeah we want to award the bid on a \$3.3 million project but there has been a lot of thought process and several late nights meeting. Even though the actual voting on it is a quick process there's been a lot more work than just being reckless. At this time I'd like to ask for a motion to accept the bid for the Alpha Way project. Gloria Taft made motion. Dana Bischoff James 2<sup>nd</sup>. Motion carried 3-0-1 not voting. City Attorney Wantland: I have a copy of the plat if anybody on the Council would like to look at it; take home just bring back but that is the design construction of the road. Mr. Nunnley is here with the engineering firm, Mr. McGruder is here in the audience too, I want to thank him for his cooperation but at this time I intend to have that plat at some point recorded with Planning and Zoning and with the County Court Clerk and I would like a Council member to make a motion that the City accepts Alpha Way, the right of way depicted on that plat it is designed for and within the standard practices as a local urban collection right of way as with a 35 mile an hour design speed that the City accepts this proposal for this right of way within the City road system as designed and proposed to be constructed. Dana Bischoff James made motion. Gloria Taft 2<sup>nd</sup>. Motion carried 3-0-1 not voting.

City Attorney had first reading of Ordinance 016-(number to be assigned) amending Ordinances 995-345, 003-581 and 003-575 relating to the sale of fireworks. City Attorney Wantland asked if there were any comments from the Council. He asked the Council at this time to instruct that we do not issue any temporary permits for more than 30 days from the date of the application at this point. Bernie Brown: Should that be in the Ordinance? City Attorney Wantland: You have an Ordinance now that you do have the ability for a temporary permit. What we are going to have is everybody applying for a temporary permit to begin on July 1, 2016 and we might want to have that their permit is only good for 30 days from the date of issuance of the permit. There is no reason why we would allow somebody to come in and ask for a permit June 1<sup>st</sup> or June 15<sup>th</sup> for 30 days to July 15<sup>th</sup> to defeat the purpose of this Ordinance. Dana Bischoff James: Under Section II Group Fireworks Stands should that 14 be changed to 30? City Attorney Wantland: I think we're fine on that. Ms. Weidekamp would issue a temporary license now and we just don't want everybody coming in here saying I want a temporary license beginning on July 1, 2016. Mayor James: And we don't want everybody in the next two weeks before the second reading and before a vote. City Attorney Wantland: We have a temporary license now and you may want not to have a temporary license because it gives them a tremendously unfair economic advantage over the established businesses in this community who are paying the \$100 fees and occupational taxes for the most part. Gloria Taft made motion to hold off issuing any fireworks ... City Attorney Wantland: They an issue them it's going to expire before July 1<sup>st</sup>. Dana Bischoff James: The 14 days shouldn't that be 30? City Attorney Wantland: It's up to the Council; we just had or first reading, what I'm asking the Council to do is instruct Mrs. Weidekamp not to issue a temporary permit for a date in the future. Council may want to approve or not approve; what is happening is people are acquiring a temporary license and they are competing with established businesses in this community who are paying occupational taxes, who are paying the full measure of the occupational license fee. They are paying \$8.33; that gives them an unfair competitive advantage to the established businesses; now what the Council does that's fine but I'm just asking the Council to put in the minutes to instruct Mrs. Weidekamp not to issue a temporary license for a time and place in the future. If you apply for a permit now it starts now. Gloria Taft withdrew her motion. Randy Hammond made motion that any temporary licenses/permits prior to the next reading be limited to 30 days from the date of issuance. Dana Bischoff James 2<sup>nd</sup>. Motion carried 3-0-1 not voting.

City Attorney Wantland had first reading of Ordinance 016-(number to be assigned) prohibiting smoking in motor vehicles occupied by infants. Randy Hammond: Is there any concern for e-cigarettes or vaping to be possibly included in that? Mayor James: It will strictly be enforceable by the officers at their discretion also. I

know there is an uproar that we may have a teenager in the back who themselves smoke that second hand smoke isn't such an important item. I think the goal of this is for educating people who may have an infant in the back seat. Gloria Taft: The Ordinance is specific to use of tobacco. Bonnie Enlow: I think our police have better things to do than follow people around to see if they are smoking. I think adults that have children in a car that's up to them what they do. They are the parents; the government is involved in our lives enough as it is. I agree we shouldn't smoke around children but that's not for everybody else to say. Where does the government stop getting in our business and telling us what to do. Next thing you are going to do is come in my house and tell me we can't smoke. I don't smoke, I use to smoke, I don't care if people smoke with their children, it's their children not mine. I just feel like the public would not agree with this law and you're overstepping the bounds of our privacy. Mayor James: Once again this will be a secondary offense similar to the seat belt laws and the booster seat laws that are already enforceable upon a second offense for a motor vehicle driver. I don't think officers are going to be going around watching people smoke or for that matter watching them throw cigarette butts out on the streets or anything else. Would anybody else like to speak on that topic? Miss Tucker: I'm 11 years at quit smoking and I've got two kids. I do not want parents to be smoking because it does hurt their health. I think it should be passed and I think it should be good for the parents to understand because there are people out there that don't understand and don't get it through their heads that it does hurt all of our kids. Mr. Mills and Ms. Walls: Mr. Mayor and Council I didn't expect that testimony was going to be taken tonight but since we were invited up I would be happy to address the Council and you Mr. Mayor. I'll tell the Council that we expect to have many supporters here on behalf of this Ordinance at the next Council meeting. We only found out a day or so ago that the first reading would be on tonight and that's just not enough time to get our supporters here but we do appreciate you having the first reading tonight. We know that the Council is very busy but we feel like this is a very important issue. My mentor when I was in college said make a difference where you can. Okay, Kayla and I feel like this is an area where we can make a difference with little or no cost to the City. As the Mayor mentioned this is a secondary offense. It doesn't make government any bigger. The officer will have had to of stopped the person for a primary offense such as speeding, rolling through a stop sign, going through a stop light to late, reckless driving, careless driving; there are numerous primary offense. This is a secondary offense that an officer would have discretion to site a person for and as the Mayor pointed out the fine is not more than \$250. I understand folks are concerned about larger government or possibly expressing an opinion about conduct that maybe some folks in the City disagree with but when you hear from folks next week that I expect to be here that every day interact with children that are subject to this on a regular basis I think that you will find their testimony to be very compelling and I just ask the Council to keep an open mind and if you have any questions please contact Ms. Walls or myself. Kayla Walls: I just want to reiterate to the Council and Mayor that this is a health issue; it's a public health issue and the people that we want to help are children; the people who can't legally purchase tobacco and they can't legally subject themselves to the harmful side effects. And it's no secret that second hand smoke is bad. There is no benefit to it and it causes a lot of health issues that are preventable and it's something that we can change. I would just like the Council to remember that when you are thinking about this Ordinance. Faith Portman: I have a suggestion, why don't we put it on the ballot in November and let the people of Shepherdsville vote on it. It's the people of Shepherdsville that are going to be impacted not the people of the County. Why can't we put it on the ballot? That would be something to check with Kevin Mooney about. Dana Bischoff James: You do have two people who are sponsoring this Ordinance. We have worked very diligently and we actually have support from the Bullitt County Health Department. We have a lot of people; we have even some people in the audience, children who has had a bad experience with cigarette ashes in their eyes. This is something that is about protecting the children and educating; even with speaking with our law enforcement officers this will be a secondary offense they will not pull up on someone and stop them for smoking. Daryl Lee: I don't smoke but here's a question I think you need to think about. Years ago cities got labeled as speed traps. What happens to the tourists that come to your City and the next thing you know they are pulled over and a police officer wants to go wild. I think there are a lot of things that you probably need to rethink about. You wouldn't want your City get labeled tourists stay away. Mike Miller: As a community leader and a retired police officer of 22 years I want to commend the Mayor and Council and citizens. Obviously my 22 year career I remember going into a lot of houses, not just in Louisville but in Shepherdsville with drugs, alcohol, and the parents were passed out; I do believe this is a time when the government has to step in and protect children and obviously I think this is a good Ordinance. I think we as grownups when it comes to

children all of us should do our very best to protect the innocent and that's what we do as community leaders and that's what we do as retired police officers. We look at the best interest of children and I think that anybody cannot deny that what's happening right now just in the incident in Ohio where 8 people were murdered where there was marijuana and stuff involved that this is time that we need to look at things to protect the children in this community. And I want to thank you for standing on this

Bernie Brown stated he would like to delay the first reading of the next Ordinance on the Agenda to another meeting. (Ordinance that adds a line item to the annual budget for reserves for emergencies and disasters.) Mayor James: We will not be reading the annual budget Ordinance tonight.

Mayor James: We have on the Agenda for new business to discuss a pay raise for the City Controller, Bob Ryan and I'm going to open that up to the Council for discussion. Bernie Brown: I think that should be done in the budget and we're going to be working on the budget right away. I think pay raises need to be incorporated in the budget. Dana Bischoff James: We have recently taken all of our Command Staff within the Fire Department and Police Department and several other departments and corrected some issues. Each of you have a copy of the Kentucky League of Cities Financial Director position that is recommended; as far as our population we are teetering right at \$79,206 salary range that should be instituted for our size population. I'm making the motion tonight that we increase Mr. Bob Ryan's pay to \$77,621.00 Mayor James: We have a motion by Councilwoman James to raise Controller Bob Ryan's pay up to the City average for Class 4 cities in our position. Randy Hammond: What's the current salary? Mayor James asked Bob Ryan to approach the Council. Dana Bischoff James: Looking at these numbers in the Kentucky League of Cities recommendation do not include someone that is a CPA. Gloria Taft: Can we afford this? Bob Ryan: Yes. At the last Council meeting I prepared a spreadsheet for all the Council Members showing the effect of the raise on what would be expenses to date and what the raise would then create and expense out at the end of the year and I matched that against the balance that was left in the budget and in all categories the salary, payroll taxes and retirement costs we still ended up in the red and by red I mean budget over actual. Bernie Brown: That particular issue has been going on for probably a year and a half and it needed to be resolved. Otherwise that should have been done in the budget. Dana Bischoff James: I would like to also say that Mrs. Ashley Bratcher, who is not here this evening, her husband is being sworn in to his new position and she is in complete favor of the pay increase even though she's not here she wanted me to make that statement. Mayor James: Also LTC Dan Patchin has been working over in the City Hall side helping with some of the management issues in the last two months we stepped in to a wonderful City situation if you watch the news. He has been able to fix some of the hiccups that took place with the previous administration and this was actually his primary recommendation early on was our Controller is being grossly underpaid compared to the other League of Cities. Dana Bischoff James: Also in conjunction to that Col Dan Patchin also indicated that this was not high enough in his opinion for a CPA, education background and experience that he has brought to the City thus far. Five years ago or so that the City was trying to decide whether to pay the employees or to pay the light bill people didn't go to find work everything was very jumbled bookkeeping and I can say with all certainty that at all times we know where our finances are or we can walk into his office anytime and gain information on the finances. Gloria Taft: What KLC has as the maximum is \$79,206; the \$77,612 that is being proposed tonight is less than 2% difference so even if and when we get into the budgets and we possibly offer the employees a 2% raise we're still coming in right at KLC recommendation. Randy Hammond: I just think we should wait until the budget. We're so close. I'm sorry I know you do great work Bob but I come from corporate America multibillion dollar company, a 17% raise for an average employee is unheard of. We scratch to get 2-3% per year. Bob Ryan: It's below what was given to the Command Staff in the Fire and Police Departments. Mayor James: I have a motion on the floor by Councilwoman James. Gloria Taft 2<sup>nd</sup>. Motion carried 2 in favor-1 opposed-1 not voting.

**Daryl Lee:** You will be receiving a zoning request on the corner of Buckman and Adam Shepherd. The house across from *Pioneer News* has to be rezoned to commercial. And I'm going back to another issue; in talking with the Administrator up there it is my understanding that he's been charging and I've had some calls since we met last time from different builders that he has been possibly overcharging for the builders to get the compliance to come and get the permit. We had a quite lengthy discussion the other day, he's been charging on square footage and I don't remember that the Council has ever given the County permission to

charge square footage; it's always been a flat rate. Dana Bischoff James: Are you referring to Brian Richardson? Mr. Lee: Correct. Dana Bischoff James: We recently attended a meeting with him where we understood that Fiscal Court voted that in; is that something that you would have to get the authority or approval of the City? Mr. Lee: Fiscal Court can do whatever they want to. It's you folks that has to go along with it. That's what I explained to you all the other day. You voted that down. But in talking with him he tells me that he has been charging by the square footage. Dana Bischoff James: According to what Fiscal Court voted on. Mr. Lee: According to what he wanted to do. Bernie Brown: Do you know of anybody here within the boundaries of Shepherdsville that's been charged differently? Mr. Lee: You can very easily go through the permits you wrote. Richard Miles is one that has built mostly houses. All the big boxes that is in Shepherdsville has got a compliance; in my looking at the fee schedule no big box should pay more than \$400-\$500 regardless of how big it is or how small it is. I'm sure if you go back and research a couple of them and if you find one that's paid more than that then I think you've got a problem. City Attorney Wantland: The problem would be with Fiscal Court, not with the City. Mr. Lee: No it's not with the City; the problem is with Fiscal Court because they are bringing that compliance over here. Dana Bischoff James: What measure should we take? Mr. Lee: I just passed that on like I did the other for your information and you can run with it however you want and I know that you're digging in to a lot of things. You can just go through and look at a couple. I had a couple builders call me since we were here and asked to meet with him and he basically refused to meet with them. So it's my understanding they are all coming to our next Zoning meeting and you're welcome to come and see how things shake out because there are some builders that think they have been not treater proper.

**Duane Price:** On the Text Amendment that Shepherdsville denied according to them it makes no difference what Shepherdsville says. Am I right? Dana Bischoff James: That's what I was under the impression of. Mr. Price: We need to find out if the County rules the City; that's what we're being told more or less. City Attorney Wantland: I don't think you're being told that by the County Attorney. Mr. Price: I was told by our County Attorney that the Text Amendment stands. City Attorney Wantland: Stands for the County in the unincorporated areas not the incorporated areas. Mr. Price: I want the City to understand the City of Shepherdsville and Hunters Hollow both denied that and the residents and builders need to understand that because what he was talking about the Administrator passed it on through. I don't know if everybody knows this or not when you buy your permit for the house, you don't just buy a house you have to have one for the house, buy one for your garage, buy one for your front porch, and buy one for your deck. This is getting completely out of hand. So residents and any builder inside the City of Shepherdsville needs to understand ultimately you don't just buy the County one you have to come to the City and buy too. So you're selling them double permits. Mr. Lee: We're just trying to protect the people of Shepherdsville. Mayor James: We're encouraging growth here in the City. Mr. Price: We encourage growth but it's expensive relating to that growth is what I'm saying. The builders are passing it right along to the citizens or whoever buys the house. Even though it's unfair to them the average homeowner is the one who is going to at the end of the day be eating all this. When we tried to bring it up and address our Boards we were told that Shepherdsville's denial made no difference. But they let it out there for everybody to feel that but it may not make a difference to the rest of the County but it does to Shepherdsville. People need to understand that. They misled the people of Shepherdsville when they said it doesn't make a difference because it does make a difference. Bernie Brown: When the joint Planning Commission was established I think in about 1983 every City in Bullitt County had the opportunity if they wanted to become a part of that all 8 cities did and they were made part of it. I've been under the impression ever since that if there are any changes in that that each City would have the opportunity of agreeing or disagreeing. Mr. Price: That's what we thought too. But apparently everybody don't understand that. Or they may understand that but they are sending out false feelers or whatever word you want to use for that to keep the people from knowing. The citizens of Shepherdsville and the City limits and the builders that build inside the City limits need to know this and if they go to the County level they are not going to tell them up there they are just going to pass that increased fee on to them. So how do we deal with that; that's what I'm asking? City Attorney Wantland: The individual people applying for a license needs to say no. That's the answer to that real quick. Gloria Taft: Could the City write a letter to Mr. Richardson telling him to cease and desist overcharging our residents. Mr. Price: The citizens don't know. They just go in and pay what they are told to pay. The average guy will walk in and pay what they are told. Gloria Taft: That's why we need to address the person who is causing the

overcharging. Dana Bischoff James: In speaking with Mr. Richardson he did say they had received several phone calls and that they are going to reevaluate. Mr. Price: They are going to revisit the amount of the increase in the fees right? Mr. Lee: They want to address it but you don't need to act on it. Your fee is set, that's all you need to worry about. Mayor James: Does the City need to do anything moving forward? Mr. Lee: No just maybe send a letter to him to charge what the regular compliance as set forth. Mr. Price: Before March 14<sup>th</sup>. Mr. Price: We had three variances for Rolling Acres Farms LLC off of Buffalo Run, parking spaced amended down from 2404 to 175 which is every building in Shepherdsville that has been brought in; it's set on the square footage of the building; and the parking places from 1020 down to 918 which is how it's going anymore and the driveway entrances larger than 25' that's for semis to get in.

### **Sign In Speakers:**

**Faith Portman:** I've been approached by several people in Salt River regarding the underpass. They want me to see if there is any way that the Mayor and Council would contact the State and CSX about placing either yield signs or a stop sign on both sides because it's very dangerous. Do you think you all could contact them? I'm going to and I'm going to contact my State Representative. Mayor James: Yes absolutely we'll contact them. Ms. Portman: I'll contact them too but I figured the more people, especially if elected officials contact them it would be a lot better. Mayor James: That underpass has been the same for 30 years at least. Ms. Portman: Forever. But look how much our City has grown and a lot of people don't know and there has almost been a lot of accidents recently. They contact me and ask me to contact you all. Gloria Taft: Maybe we can inquire about a real two lane road. Ms. Portman: CSX probably won't ever do that; there is only one sign coming from Salt River saying there is a stop ahead. And if you are going 55 you don't see that sign.

**Bonnie Enlow:** I am here about flood insurance and the flood. Do you have a flood plan administrator; has the City established a flood plan administrator yet? Brenda Weidekamp is the City's Flood Plain Coordinator. Mrs. Enlow: Have you been given special training for all this or you just learning it on the wing? Deputy Clerk Weidekamp: I've had training but I've also had to learn it on the wing. I have Steve Emily with Qk4 helping me. Mrs. Enlow: Article 6 for appeals and variance, it's on page 23 of your Ordinance, have we established a Board; it has to have three officers. Have we established Board yet? Mayor James: We have not. Mrs. Enlow: So we need to do that pretty soon. We need to get three qualified people who know a little bit about flood and I am willing to help people learn about flood insurance. This is only one of my books of information; I can't even print out the insurance manual because it's 428 pages. I've done a lot of extensive research; I sell flood insurance and I've kept myself updated. I even knew about all this coming down before you all put it out. I also wanted to comment on the two foot build. I understand at the last meeting that the builders are upset about this. I get why and I sympathize to a certain extent. When they build up the two foot there is going to be a problem if you've got 100 homes that goes into a farm land that somebody decided to build in a floodplain and you build every one of these homes whether it's the 18" or the 2' you are going to have a huge amount of displacement of water. I don't think there is enough retention; ponds that are going to be able to be put in to help move that somewhere else. What is going to happen is the people that are in the other areas that are already built the floodplain is going to rise on them. So that presents a problem. I would like to see in the future where we start mandating that we don't have any more homes built in the floodplains. I know builders are not going to like that too; I understand, they can buy property cheaper there because nobody wants it. But somewhere we have to protect the older homes in and the people that are already here from having to pay more and more money for flood insurance. It's going to get ridiculously high. On the average it's going to raise 5-18% a year until they get to the new rates. And the new rates are going to be astronomical. I actually haven't written one yet since the new rates went in effect. I wrote many before the deadline to get them all grandfathered in. Even still those were fairly high. They are charging \$225 extra charge if it's a rental home. If it's not your primary residence you automatically got hit with that right up front. If your residence it's \$25 surcharge. But again it's another \$25 these elderly people don't have. So we need to look at protecting those people from any more cost or any more damage. That's what I'm asking the Council to think about when you keep giving out all these permits to these new homes that are being built in an area they really shouldn't be built in. It's just not right. It's just not ethical. Bernie Brown: I think that 2' requirement is going to have to be revisited and reduced. Mrs. Enlow: I understand that but regardless of whether its 18" or 2' it's still going to cause the same damage. It's going to be really hard to

put 18" of soil, dense grade, whatever it takes to raise them up if you take a farm and you put 100 homes there and you raise all those home up where is all that water going to go? That's what I want you to think about. Where is it all going to go? How many retention ponds are they going to have to be put in to take up that mass quantity of water? Mayor James: The way the Division of Water explained it a year and a half ago when they had the big thing here was the bathtub analogy. That as long as they are taking dirt out of the retention basin and adding that; as long as you are moving it out of the bathtub and putting it at another place in the bathtub ... Mrs. Enlow: I understand how that works but go talk to some of these people that live in these subdivisions where they are still getting flooded anyway even though all that was supposedly done correctly. Look at how many of them are having issues. How many drainage problems do you all get complaints about constantly? Since way before I ever got on the Council originally all the lists that they had on that; it's ongoing and it's just getting worse and worse. And it costs our citizens too much money. Randy Hammond: I would say that when you choose the Board that Bonnie be looked at. Mayor James: She is definitely one of the leading experts in the area on flood insurance.

**City Controller Bob Ryan:** You found in your mailbox this evening some condensed financial information following the format that Mr. Brown had worked out and suggested giving more information and less paper. The one that is marked Sewer fund it has the Restricted accounts and the Sinking Fund accounts that Mr. Brown had been asking about; they are all marked as Restricted or Construction Reserve account. To date since the creation of these funds there has been no expenses paid out of them. They just continue to grow with the interest that is being paid by the banks. It's the Sewer fund that has the reserves accounts in it that were in question and again there have been no expenses paid out of that. On the Construction Reserve account again for the Sewer fund I did check the books with all the Ordinances and I could not find an Ordinance that required a 5% set aside of the surplus from the sewer fund annual surplus. But as you recall in prior years at the suggestion of Mrs. Taft, \$15,000 was set aside each month. It was set aside by Journal entry; an expense was taken on the books and a liability was set up. To date there has been no actual transfer of money but on the Sewer fund there already has been a set aside of \$165,000 that with the Council's authorization I'll at some future date transfer out of the operating funds of the Sewer and put it into the two Sewer Reserve Accounts; one with \$365,409, one with \$300,972. The Poe money is completely separate. None of that money has been touched for all the construction that took place on 65 on the other side of the interchange. That's all been paid out of operating with cash. Out of all the reserve accounts there have been no funds spent they just continue to grow. That \$165,000 set aside still left a net balance in the Sewer Reserve as of June 30, 3015 of \$316,000. There is \$316,000 in total or in part that can be restricted in addition to the \$165,000. Gloria Taft: We also have some debt that we need to retire. Mr. Ryan: Yes. There is that one KIA bond of \$731,000; that one is one that can be retired without any penalty. The larger ones; the bond holders will not allow early pay off because they are making more money on that bond now than they could if it was paid off. Gloria Taft: In a meeting early today Scott Fleming was talking about the capacity and looking at having to enlarge capacity of our sewer plant so we need to sit down with him and see what kind of costs we're looking at to do the necessary improvements to keep the sewer plant growing to match the growth of the City. I have a report here from November 2013 of equipment needed at the sewer plant and repairs and there is no general total on it but it looks like it's close to about \$250,000. I don't know where we are on all these repairs. So there was an equipment needed list in November 2013. So there may be some needs now that we have some money. Not using it all to retire debt we use it on upgrading our needs at the plant. Bernie Brown: Another issue to increase capacity involves another clarifier which is going to be needed sometime in the near future. In the original design there were 3 clarifiers intended but they cut out one of them and before too long we're going to need to have another clarifier; that's probably \$2 million or more. So we need to keep that in mind too. Mayor James: These will all be topics for the budget workshop; to really dive in to the sewer budget. Mr. Ryan: On the Admin side there are two reserve accounts; one is at Stock Yards Bank, \$524,141 and again no expenses paid out of it it just continues to grow; and there is the \$1 million that was set aside for the road project that is still intact. The preliminary expenses on the road have been paid out of the operating capital. That reserve is still intact. I have gone through all the preliminary budgets that have been given to me by the Sewer fund and department heads and have given them back to the department heads and said you need to take another look at some of these expenses because the pie is only so big. So the department heads have their budgets back and are working on them and the workshops; one thing to keep in mind, I checked today and in the

current year from March of last year to March of this year the CPI has gone up 2% and we do have that Ordinance on the books that requires a cost of living increase in the sewer rates. That's not happened in the past couple years because the CPI was less than 1% and was not worth the time and effort to go through the process but now we're looking at a 2% increase in one year; I know if you went back another two years and tacked it on it would probably be greater than 2%. So be thinking about that. I know you don't want to hear an increase in the sewer rates but it's just out there for discussion. Mayor James: That will still set up significantly under what MSD charges. City Attorney Wantland: The Ordinance was written to impose that fee; that we didn't play catch up in the future, that we kept everything up to date. Bernie Brown: I think we need to take a look at that and rethink it. Right now I do not favor the sewer rates going up. Mayor James: It will go up with the CPI just like the Ordinance was written. Bernie Brown: I think we need to revisit that and think about that. Mayor James: The five year plan that we will be unrolling out probably in August or September will discuss in a few years from now the sewer rates will be able to drop significantly because we will have caught up at that point.

**John Snider:** One thing I did not mention that we probably should mention, Thursday we will probably get approval on the loan that Gloria and Bob Ryan has worked so hard on. It will be for \$3.5 million, 2% interest over 10 years; first year interest only and that will be to finance Alpha Way. We'll get three draw downs on that probably is what I've negotiated right now but that should be approved and we should know about that Thursday evening. City Attorney Wantland: Mrs. Belcher if you can come forward. The Community needs to say thank you. This is really a wonderful event and it may not happen but everybody has worked so hard and you have too and it could really be an economic bonanza for our community. There is no question about that and you have just been so instrumental in making it happen. There has been a log of gears in the cog but you have been the big one and we say thank you. Mayor James: The interchange is a huge project and a huge asset to our community. State Rep Belcher: I think it will be a great thing for Shepherdsville.

**CSC Chair Tom Rosselli:** I feel I need to keep you guys apprised of how I spend City money that you have entrusted me to do. I went to see Walt Sholar about going over these forms that we have for the Civil Service Commission; I had a 2-1/2 hour meeting with him and it was a very productive one. We went over all the sections that pertain to the Civil Service. We can up with hearing procedures were okay; one problem area out of three problems areas is in the past and it's my mistake I'll take full responsibility of it; usually I have dealt in the past with professionals but usually when you say something to them and you make some suggestions that they usually heed you warning or heed your suggestions but from now on I guess I'm going to have to put everything in writing. At one time when we had the Civil Service drafted we sent the Mayor some forms that need to be filled out and what Walt is going to do is he is going to explain each form from 1-13 why we need it for the Civil Service because it cuts down on litigation. Civil Service is important. You all adopted it in 2006; I knew what kind of nightmare you were getting into but obviously some didn't listen. Another matter coming your way is I looked at the Civil Service Ordinance 013-145; on the whole it's pretty good but there is one deficiency that may need to be addressed and it's just going to be an amendment to the Civil Service updating it with what the word reprimand means and what it pertains to and who can do it and when they should do it. That's all it pertains to. Basically you have a good document right here but it needs to be updated like all Ordinances need updated and that's another topic that will be discussed and you'll be getting down the road. The last topic is what we spent the most time on, this is the problem we had with the last disciplinary hearing we had in closed session; you have a major problem in Mayor and a bunch of other people alluded to it, your administrative section is in dire need of coming into the 21<sup>st</sup> Century and you're going to have to change the overall City policy manual to get in line with the Civil Service and when you do make up the next policy manual I hope you keep your Civil Service manual right beside you and abide by it so there is no conflict of interest because if there is then some smart lawyer will always give me a headache and Catch 22 and say you didn't do this. Mayor James: The administrative side was definitely in need of some repair. Mr. Rosselli: I appreciate that and I appreciate when he walks away that is continues on and I hope you guys sitting on the Council when the dust settles down that what's been put in place and initiated has to be done in order for this City to keep on going the way it's going because if you're not a futurist like I am you're going to wind up going backwards instead of forward.

**Gloria Taft:** A while ago we dealt with the zoned and the unzoned property lots here in Shepherdsville; we were going to send a letter to Mr. & Mrs. Whoever and somewhere along the line I think that this has been dropped. City Attorney Wantland: It has not been dropped. It is in litigation and I think Council is well served by letting Judge Burress make his ruling and give us direction on how to proceed on the properties that were not zoned properly in the past. He's the Circuit Judge and I think he is going to make a ruling and it will give us some guidance on how we need to proceed. Mrs. Taft: I have been in contact with two separate cities about the Eco-Tech problem with them not being paid and I'm trying to find out how they manage to make sure that everything gets paid so I will keep you apprised as to what is going on with that. Where are we with the new Code Enforcement Ordinance that I know has been worked on for the last couple months? City Attorney Wantland: There has been a lot of other things that have been going on where we haven't been able to proceed very fast on it.

**Dana Bischoff James:** I just want to say thank you to the people in the audience who are actively involved in our government I encourage you to continue to show up and keep your leaders in prayer and also the community advocates.

Dana Bischoff James made motion to Adjourn. Randy Hammond 2<sup>nd</sup>. Motion carried 3-0-1 not voting. Meeting adjourned at 7:59 p.m.

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Brian James, Mayor

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Brenda Weidekamp, Deputy City Clerk