

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
TUESDAY, June 28, 2016**

Tim Wade gave the invocation
Pledge of Allegiance was recited
Mayor Brian James called the meeting to order at 6:30 p.m.

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

Announcements:

Mayor James announced that City Hall would be closed on Monday, July 4th in observance of Independence Day. He also reminded everyone that the Traffic Study Public Meeting would be Thursday, June 30th, 3:00-6:00 p.m. at City Hall. Qk4 will be present with maps etc. to show what they have been working on for the traffic study.

Mayor James asked for a motion to dispense with reading of the minutes from the 6/14/2016 Regular Meeting. Dana Bischoff James made motion to dispense with reading. Gloria Taft 2nd. Motion carried 3-0-2 absent-1 not voting (BB).

Mayor James asked for a motion to approve minutes as written from the 6/14/2016 Regular Meeting. Ashley Bratcher made motion to approve 6/14/2016 minutes as written. Dana Bischoff James 2nd. Motion carried 3-0-2 absent-1 not voting.

Mayor James asked for a motion to dispense with reading of the minutes from the 6/17/2016 Special Meeting. Gloria Taft made motion to dispense with reading. Ashley Bratcher 2nd. Motion carried 3-0-2 absent-1 not voting.

Mayor James asked for a motion to approve minutes as written from the 6/17/2016 Special Meeting. Ashley Bratcher made motion to approve 6/17/2016 minutes as written. Gloria Taft 2nd. Motion carried 3-0-2 absent-1 not voting.

Old Business:

City Attorney Wantland had second reading by Summary of Ordinance 016-(number to be assigned) relating to the establishment and location of fire hydrants, fire lanes, and access roads on private and public property. Dana Bischoff James made motion to read by Summary. Gloria Taft 2nd. Motion carried 3 in favor-0 against-2 absent-1 not voting. Bernie Brown: The Fire Department is okay with this I take it? Mayor James called Fire Chief Layne Troutman to the podium and he replied they are very much in favor of this Ordinance. Gloria Taft: Have you been in contact with Louisville Water? Chief Troutman: This is the exact same Ordinance basically that the County has except it puts things in the City's hands. The only thing that has really changed is the distance from the property line to the building for the hydrants to be there. It's more for the safety of the public and for firefighters when we respond to a commercial structure fire. There were no questions/comments from the public. Ashley Bratcher made a motion to accept. Dana Bischoff James 2nd. Motion carried 3-0-2 absent-1 not voting.

New Business:

City Attorney read Resolution 2016-11 authorizing the Mayor to open a \$1.5 million line of credit for the City of Shepherdsville General Fund at First Harrison Bank to supplement the City's operating funds and provide funding for the Alpha Way Project. Mayor James opened the floor for Council discussion. Gloria Taft: I would like everyone to know that we are looking at this because the City is in a financial position to not have to take the \$3.5 million loan from the State. Once we got in to some more of the details, the State's fees, and add ons were going to increase the cost to the City so we started looking at other options. By using this option it saves the City fees, the cost of a letter of credit, so in order to be more frugal with money we wanted the best option possible and not pay fees if we don't have to. That's why Mr. Ryan worked with the

bank and gave us a more attractive option to pay for the road. Dana Bischoff James: Any comments from Mr. Ryan? Bob Ryan: There is an Alpha Way Road Committee and when these bills start coming in they are all reviewed first by the general contractor, then by the committee, then passed on to me for approval to pay. The City might not have to even draw off of this \$1.5 million. Originally the road was going to be paid with a \$3.5 million loan. There was a \$35,000 up front fee to begin with before any funds were paid plus the cost of a letter of credit which would have been another \$30,000 for each year that this letter of credit existed. After Council passed the Budget I did a cash flow projection which I have a copy of the cash flow projection for this year and honestly I saw no real reason for the City to incur all these additional expenses plus the debt to build this road. With this cash flow thing I saw the City paying its bills as it went building the road and not even needing any possible extra funds until April, May or June of next year. Then I asked around and approached several banks and one of them was First Harrison, Dan Cline, and he came back with a very good offer and has come through for the City with First Harrison the same way he did with Republic Bank on refinancing that Bond through Republic Bank. The initial fee up front would have been \$35,000 to Kentucky Development; his quoted fee from the bank for setting up this line of credit is in the neighborhood of \$500; a significant difference there, savings to the City. That's the way we proceeded and that will be my suggestion on getting the line of credit and again it's out there; it will only be drawn in the case that it really needs to be drawn on. I have also been in contact with J. Don Goodin who is the Director of Kentucky Rural Development Corporation and he has said that he's not closed the door on their offer with the State; I got an email from him today that said the loan commitment that he has is still good for a year. Bernie Brown: What's the interest rate? Dan Cline: Prime plus a quarter. Bob Ryan: It went under Prime on the loan. Mayor James: Is that 3.25? Dan Cline and Bob Ryan: Yes. Gloria Taft: Is there a prepayment penalty? Dan Cline: No; the thing about this line is it doesn't necessarily have any projects specific, it is just a line for the City to have for this particular project to be funded if you have to get in to it you pay on what you use; at the end of the year if you want to renew it you renew it; if you don't you don't. If you want to continue to renew to be used for other projects that come up down the road you have the ability to do that. It's not hindered to where it is specifically for one project; it's how you all wish to use, particularly it's for this project now but if it's paid down or never used it can be used for something else down the road. The fees that we looked at and prepared contracts to; the initial \$35,000 was a cost and over the course of time with the 1% annual over the 5 year period the difference in fees was about \$70,000. So the rate while it might have been attractive at 2% the fees that would have been incurred were considerable greater so the total savings is about \$30,000. A lot of times when you get deals that are \$1 million and above lending institutions will charge you a flat 1% fee as standard; that's \$15,000. That's not what I want to do for my City so \$500 is a flat fair rated fee and that's just a one time initial set up fee for doing the paperwork and all those things. Additional cost, we'll have an attorney review, he'll probably charge \$125 to review the file documents because there is not that much to it actually, you are probably looking at 7 or 8 pages so it's pretty simplistic in its function and form. Gloria Taft made motion to approve. Ashley Bratcher 2nd. Motion carried 3-0-2 absent-1 not voting.

Mayor James asked the City Council to approve the contract between Shepherdsville Lodge #80 Fraternal Order of Police and the City of Shepherdsville. We've had the FOP contract available for the last couple weeks in your box. Ashley Bratcher: I'm impressed with it and I think that the City and FOP did a good job at negotiating a good contract. Ashley Bratcher made motion to approve the Contract. Gloria Taft 2nd. Motion carried 3-0-2 absent-1 not voting.

Daryl Lee: No report.

Duane Price: Not present. Daryl reported he didn't have anything that he was aware of.

Sign In Speakers:

Rose Marie Haley: I am here representing the Heritage Hill Homeowners Association. On November 10th of last year there was a vote to accept our roads for paving. Our roads have never been finished and since that time we've had some of the paving done but there is about a mile left that needs to be finished. We are asking that the City Council approve finished off our road. They were never finished. The part that they did pave is holding up beautifully; but now the base on the road that hasn't been finished, Gaither Farm Road,

is beginning to crumble and if we don't get a good top coat on that pretty soon there is going to be more problems. So we are asking the Council to take care of that. Most of our lots have been built on; we have 88 lots in the Heritage Hill part of it and there is only about 11 or 12 left. We've had 9 new homes in there in the last 18 months so we are still growing but we do need the rest of those roads paved. Ms. Haley introduced Ronnie Trunnell who is also on the Heritage Hill Homeowners Association Board. Mr. Trunnell: I want to just reiterate that the part that was paved last year is holding up beautifully; the other base coats are starting to crack rather bad and developing pot holes that are getting ready to crumble and come apart. At the time the City accepted our roads last year they agreed to pave them all but there was a little shortage in the budget that came up and they were unable to complete all of them and we're just asking if there is any possibility you all could help us finish the rest of the road before they completely come apart? Mayor James asked Scott Fleming to approach the Council. Scott Fleming: As we let you guys know last year we paved everything that we could that wouldn't affect a construction route coming and going through there. We've still got that open. We will take care of any base failures that they may have but as far as putting top coat on the ones remaining there are no plans to do that this year. Ms. Haley: Can I ask why? Scott Fleming: Construction. Building is still going on and I know you guys are a little upset with one of the houses that actually did a road cut in the new pavement that we just did. Ms. Haley: That was a miscommunication between Louisville Water. They were notified of all of the sleeves in those roads and for some reason they didn't use them. Scott Fleming: Those are the kind of things we are trying to avoid; when the construction is done we'll do a finish paving on there. Dana Bischoff James: Are you at least able to go back and fill pot holes? Scott Fleming: Yes, any base failures they have we will take care of. Ms. Haley: We don't have a lot of construction left. Like I said there is only a few lots left out of 88. Mr. Trunnell: There are only about 9 homes on the main road left to build on and if they are keeping the road open for future construction that's not part of Heritage Hill the base coat is starting to crack open so much now it wouldn't hold up without that top coat sealer. Scott Fleming: Again we'll take care of any base failures; but we have no plans to pave the rest of it at this time. Ms. Haley: Do you have a time schedule? Scott Fleming: Construction is going to dictate that. Ms. Haley: Okay, what would be the percentage that we need to have finished before? Scott Fleming: I really hate to answer that; I know there is some pending development going on and that's going to dictate what we do there. Ms. Haley: Has anybody filed an application to develop? Scott Fleming: We've met with one particular group, I don't want to get into any details but yes, I believe the group purchasing the golf course is looking to develop that and we're not going to pave until something is done there. Ms. Haley: But right now it's nothing more than a plan on somebody's desk. Scott Fleming: I believe they have it under contract. Ms. Haley: To develop? Scott Fleming: Yes. Mayor James: The City agrees to fix any of the base coat issues as far as putting the top finish coat on we have no anticipation of doing that this year. We will take care of it when the time comes. We don't want to put down a finish coat and then immediately have concrete trucks and delivery trucks driving over it and tearing down the top coat. Mr. Trunnell: Where you put the top coat on is holding up to traffic well. The base coat is getting so bad if you start running trucks over it without putting that top coat on there it's not going to last a month. I built blacktop roads for 10 years for a construction company and the base coat is a lot worse this year than it was last year. I don't think it will make it through another winter; we'll wind up having to put a new base coat down too which will cost a lot more than that top coat would. Scott Fleming: Again, any failures in the base coat we will take care of.

Jim Key: I'm new to the City of Shepherdsville; I just moved here back in December, retired from the service and came down; I'm not sure how this process works but I brought my neighbor with me. Basically there is a City easement that runs right behind my property line and right behind his property line; he's directly behind me. In that easement area it is just eroding away horribly to the point of one inch to maybe 3 inches for about a 12 foot strip running behind my property line that is eroding away and probably I'd say within six months to a year after a few more good rainstorms it's going to literally erode underneath my fence line and I'm just wondering if this is the right forum to hit that up on because it's actually been concreted in from the house right next door to mine. There is literally a concrete gully running all the way down the neighborhood and then it stops right directly where my house starts and probably for 100 yards going the other direction it's just grass, rock, trash, concrete, debris back there between Whitney Court and South Peak. I was just curious is this was the right format to address that to see if there might be something that can be done because eventually I'm going to lose part of my property line for the house we just bought and it's just getting worse. It was up to my knees today, I went back there with my weed whacker and cut it

all down so I could take better pictures but it actually obscured it a little bit because now all the dead grass is laying down in there so you can't really see the erosion level and you could from before I cut the grass.

Dana Bischoff James: This is in the easement? Mr. Eaton: You can see the easement where Tracy's property ends where they stopped for some reason developing the concrete. Mr. Hord: About ten years ago I was called over to a neighbor's home and it was someone running for Mayor for the City of Shepherdsville and he tells me Mr. Hord we're going to take care of this for sure. I said that sounds great to me; I have to think about ya but I'll probably vote for you. That was 10 years ago; we've had 3 mayors since then. In a period of time we have had construction go on; they came in and build it right up to my house, to Jame's house and to Caleb's house and they stopped. I would say that was 10 or 11 years ago. It's a beautiful thing, they did a great job. But they didn't include everyone else. I've been going along with it but I thought he's having problems; I saw his problems; Caleb has had problems, we've had people dump things.

Tom LaFollette: I'm not familiar with it; it's the first I've heard of it. The first thing I'd like to do is get with these folks, get our City engineer out there, determine that there is an easement there and see what it is going to take to make it right. Mr. Key: If it's not City property I'll go back there and see if I can it myself but from what I understand that's a City thing. Dana Bischoff James asked Mr. LaFollette to report back with an email to let the Council know what your findings are. Tom LaFollette: As soon as I can get with Brad. Mayor James: Sadly the drainage in The Pointe is all around and actually I thought Whitney Court was fine since it's up on the hill. Mr. Key: Actually all the water drains directly down into my backyard and I put a 4 inch conduit in my yard because of a really low spot; I fixed that myself already but I ran it out in to that ditch but when it rains real hard it fills up. Mr. Hord: Through the years we have done a lot of work there trying to help ourselves where it comes off the mountain down to the roadway and then the drains come through and even now it backs up into you yard. I had a neighbor before that was able to get a lot of equipment from his father who was involved in a business and we personally went in and dug a hole out between our property and we bought the pipes ourselves and put pipes in and covered them up and tried to concrete out in to the drain. It does help. So we have done some things on our own to help alleviate some of the problems. Mayor James: South of that drainage ditch where it crosses South Peak and goes over to Jade Drive they have a lot of issues over there before it runs in to the Blue Line stream which is its own little issue. Tom LaFollette: We have run in to some issues over there; I don't know if you guys are aware that we do not have easements currently over there as well. Some issues from Peak to Jade. Dana Bischoff James: It sounds like it might be starting higher though where it ends on City property so if it is then maybe we can correct by correcting higher on the City property. Maybe that will help it. Mayor James: I've actually been up to The Pointe several times to try to figure out some of the issues and we've met with Mr. LaFollette and engineers and we've discussed possible; this is the first time I've had this particular issue but I am aware that downstream from you all around the corner you all have the same problems. Mr. Key: I didn't even see it when I first moved in because the people before had literally bolted and locked and screwed the gate closed so I couldn't go out the gate until I actually took that all down and now have a path where I can get to Tracy's house and my neighbor's house. Tom LaFollette: I'll get their contact information and get back with the Council and let everyone know what we find out.

Bill Duffy: I live in Heritage Hill and I understand the City can't afford to do this but I would like to revisit the problem with bonding for the roads because we're aware of what's going on as far as potential development and there are going to be earthmovers coming down there; there's only one way to get back there and that's through the area that's already paved with the top coat. That's going to be torn up if we have the same problem that you're talking about on the roads that don't have the top coat. I believe when we approached the Council last time the Council, and Mr. Wantland you can correct me if I'm wrong on the, but I believe the Council said we have an Ordinance that we didn't follow and that's why you took over the roads for us. Now you've got a potential for heavy earthmoving equipment coming down those roads that you have already taken care of and you need to get those bonded. You need to have whoever is doing that development needs to post a bond to repair those roads after they go through there. That's the same issue we had before and the Council stood behind us and I understand not having any money but I think all the roads are going to be torn up so what's the harm once you get some money in finishing our coat right now before this construction takes place. It will probably be a year away maybe, who knows?

Civil Service Commission Chairman Tom Rosselli: We had a motion put before us for job descriptions of the personnel department section in the administrative section which we tabled in that also was a policy manual that has to be adopted by the City Council which they have not read and within that new City policy manual it states the Civil Service, which I wasn't satisfied with so I gave it to Walt Sholar to proofread and maybe add quite a few procedural matters that need to be put in there. Also you'll be getting some letters from our Attorney concerning why the old policy manual does not work; the reason why we need the form signed by the Mayor; and thank you Mayor you have been submitting those forms that we need. There are some other issues which I'll handle later; that's all I have right now.

Gloria Taft: The permitting process for Alpha Way is finally completed and we should see earth being moved in a relatively short period of time.

Bernie Brown: Talking about the drainage problems; we have many many drainage problems here in Shepherdsville. I'd like to keep talking to some of the Public Works people about some issues on Blue Lick I've had some complaints about. I'd like to see a letter prepared and sent to the State asking them to do something. Mayor James: I know a lot of the drainage issues we have in The Pointe are stemmed from Blue Lick Road backing up.

Dana Bischoff James: I want to thank everyone for attending tonight's meeting and ask that you continue to pray for our Country.

Dana Bischoff James made motion to Adjourn. Ashley Bratcher 2nd. Motion carried 3 in favor-0 opposed-2 absent-1 not voting. Meeting adjourned at 7:11 p.m.

Brian James, Mayor

Tammy Richmond, City Clerk