

**CITY OF SHEPHERDSVILLE
CITY COUNCIL REGULAR MEETING MINUTES
MONDAY, November 27, 2017**

Pastor Mike Miller, Family Day Ministries gave the invocation

The Pledge of Allegiance was recited

Council members present: Gloria Taft, Mike Hibbard Sr., Lisa Carter, Donna Burke, Stacey Cline and Bonnie Enlow

Mayor Hockenbury called the meeting to order at 6:31 p.m.

Mayor Hockenbury asked for a motion to dispense with reading of the 11/13/2017 regular meeting minutes. Donna Burke made motion. Lisa Carter 2nd. Motion carried 6-0.

Mayor Hockenbury asked for a motion to approve 11/13/2017 regular meeting minutes as written. Stacey Cline made motion. Gloria Taft 2nd. Motion carried 6-0.

Presentation:

Jonathon Eade and Joe Legal with Jones, Nale, Mattingly presented results of agreed upon procedures audit. Mayor Hockenbury: The first meeting they had was January 27, 2017 and it carried on for roughly a year. This is the conclusion of their Audit. (A full copy of the Audit is available at City Hall.) The Council asked several questions that were discussed. The Mayor went over some changes in procedures that have already been implemented. At the end of the presentation **Gloria Taft** commented that she and Mike had met with the Mayor about this because all of it is procedural. We started the conversation about what needs to be changed in our Policy and Procedure Manual so that things like this don't keep happening. I gave Walt two pages of changes back in September 2016; Walt submitted to the Council at that time two pages that didn't wind up in the Policy and Procedure Manual or other Ordinances. I ask him to hopefully get something together before the next meeting to start a conversation about what we can change in our Policy and Procedure Manual to include a section of forms so that the forms that the Mayor and Auditors are speaking of will be implemented into this procedure manual and then if you have to travel you can go to the forms section and there will tell you what you need to fill within two week or a month after your course is completed and the employees who are all adults failed to do that then you don't get reimbursement or you don't get your per diem. The one thing I would like to ask the Council to consider is who is responsible for making sure that the Police and Procedure Manual is followed? **Stacey Cline**: I would say the Mayor. **Gloria**: That's the problem, procedures were not followed. I believe it's executory but when it's not occurring what role should the Council play in making sure that those things happen and if we could get something into our Policy and Procedure Manual so that everybody is on the same page. **Donna Burke**: Obviously it's a City Card so it has to be paid but there should be something that follows it if there is no receipt is provided then that person has to pay the money. **City Attorney Sholar**: There must be a misprint because it was October 2016 when I came on board with the Mayor. **Gloria Taft**: You were the Civil Service Commission Attorney at the time. **City Attorney Sholar**: Presumptively we haven't done anything; that Council changed and this new one came on and I don't know who else on the Council got a copy of this. Consensus followed that it was in the big binder. **Gloria Taft**: Knowing that the audit was happening let's wait and do a whole lot of changes all at one time. **City Attorney Sholar**: Opposed to my drawing several Ordinances of what each Council member may want how about you all share this and come up with a consensus of what you would like, and I'll draw up an Ordinance or I'll draw up this one and you all get together and make one group of changes as opposed to a number; that will save the City money and save me time. **Gloria Taft**: I will get everybody a copy of what I dropped off at Walt's office. **City Attorney Sholar**: In regard to the Civil Service Commission that is what I was primarily looking at in September '16; there were a number of things I saw in the Policy and Procedure Manual Ordinance that were contrary to Kentucky State Statute and other Ordinances, particularly the Civil Service Ordinance. Does everybody on the Council have a copy of that letter? **Donna Burke**: Can I put forth that we have a deadline for actually putting in place another software system instead of saying we're working on it. **Bonnie Enlow**:

We've got it in the budget. Here's what I would like to do, I would like to see what it would cost to have their company come in, go over this with Bob and help him start getting it implemented. I think if we bring them in they show what we need to do, get it started, get the software program going, get everything flowing so there are no misunderstandings we should be in a better place. **Lisa Carter:** Is Gayla on board? If he's going to be out from time to time she needs to cross train and learn what he does. **Gloria Taft:** When the Mayor and I went to the KLC Conference they listed two or three different software's that are created specifically for City Government that can answer and stop 85% of the things we discussed. The problem is 90% of our problems are procedural and if we don't get employees following procedures that are already documented and if we don't get the Executive Branch to enforce our procedures it doesn't matter how much software you spend or how many hours these gentlemen spend in the City it's just going to go back to what it was before. **Mayor Hockenbury:** Bob has already been talking to different software companies with the CPA from Bardstown so he's in the middle of it right now. I encourage you to hold off and see where he's at. **Donna Burke:** My concern over Bob being the one that would actually determine whether a software system is what we need is not really good because if he's not following what he should be doing and he's going to be the one that decides whether a software system is what we need. **Mayor Hockenbury:** He won't be by himself. **City Clerk Richmond:** He won't be by himself, it will be all of us as a group to decide what we need. We've hired a company to research software that we need here to do what some of the suggestions were in the Audit. **Stacey Cline:** The last conversation I had with Bob I asked him about going to Bardstown and he said he didn't want to go there. Now he is going there? **City Clerk Richmond:** We've hired a company to come here. **Stacey Cline:** As Gloria said, this is on us. We need to make sure these procedures are put into place and I think we're all on board with that. **Mayor Hockenbury:** Like I said he's in the process of doing that and I'll make sure he stays on top of it. **Lisa Carter:** On the additional questions and concerns in the audit, #2 asked about the bank accounts being reduced as voted by the Council. Did you ask that question to any specific person be it the Mayor or the CPA? **Joe Legel:** I asked what the reason was for the multiple cash accounts and the response was each of them serves a separate purpose be it for certain payments that are received from the State and in order to receive those payments you have to set up certain accounts and get approvals, etc. and part of the explanation it's just easier to keep that account in place to collect those funds that then need to be transferred to another account. **Lisa Carter:** My question Mayor, have we got one account now? We agreed as a Council to put it in one or two accounts. **Mayor Hockenbury:** We've gotten the letters out to the banks and some have responded. **Lisa Carter:** So, when as a Council can we get that two accounts put in place? **Mayor Hockenbury:** He's in the process of waiting on the rest of the banks to respond. **Gloria Taft:** Set the deadline at the end of the year to have this done; 12/31/2017. **Mayor Hockenbury:** It's up to the Council but I would maybe recommend that you two guys give us an estimate on what you would need to come in here and meet with the former Mayor and Controller and Clerks and look at these procedures we do now and make some recommendations. How much time would you need? I know we've exhausted the budget for that purpose. **Jonathon Eade:** I think if we did do follow up the most valuable piece would be to make sure certain internal controls have been implemented and in compliance. **Mayor Hockenbury:** I wondering as I look at these responses we have answers for just about all of these; this doesn't happen under my watch. They were from 2013, 2014, 2015, 2016. A lot of them would be useless because we have the per diem that documented with Google maps with it; no meals purchased, the credit cards have a different statement now with a P O with it giving all information required so there is nothing on here that isn't corrected now. **Jonathon Eade:** Something to consider, of course it's up to the Council, but follow through and look at some of these items that we looked at, not necessarily specific transactions going forward because I think that's the whole goal on how we can be helpful to make sure that new policies and procedures are being followed. I think that can give the Council some comfort that there has been a change as a result of this work. That's really the only way you can tell is if you have someone to make sure those procedures are being followed. **Bonnie Enlow:** I think we need to start first with what Gloria is doing in getting the policies and procedures in line and order from the recommendations and then we can look at a future date having them come back to look and see if it's being done properly. Give us time to get those policies and procedures in place from what you gave us today. **Gloria Taft:** As a Council we should pop in at any given time and say show me the last time you did one of these procedures and see if the documentation is there to back it up. Just spot check to see if the procedures that have now been put in place by the new Mayor are really being followed? **Donna Burke:** Do we need to have a Municipal Order for that to be allowed? **Mayor Hockenbury:** You're a City Council member. There is an open-door policy. **Bonnie Enlow:** I think we need a Municipal Order that the bank accounts be done by the

end of the year. Mayor Hockenbury: Jonathon and Joe I want to thank you for what you did and also thank Jones, Nale and Mattingly for your help. Any recommendation we can use to instill the confidence back to the people of this Community we surely do thank you for that.

Old Business:

City Attorney Sholar had second reading and public comment on Ordinance 017-248 on rezoning request from A & H Lakeview Land LLC from B-1 & R-1 to B-1; 43.811 acres located on South Lakeview Drive listed in the PVA Office as Parcel 046-000-00-001, 046-000-00-04A/045-SWP-01-005. (Ordinance sponsored by Bonnie Enlow.) Joe Mills was present on behalf of the applicant for Eric Farris. **Joe Mills:** Thank you Mayor and Council for taking this up tonight. I think this is a relatively straight forward zoning request. This is a petition to rezone property to B-1; if Council were to make this tract commercial it would be surrounded by commercial, the only piece that would stay R-1 adjacent to this tract is actually a small pond or lake. This really will bring the land into compliance of the Comprehensive Plan which recommends commercial for this tract. As you can see on the map it is surrounded by the highway commercial, the river and across the river is light industrial. I'd ask for approval. **Stacey Cline:** Is the property in the floodplain? **Mr. Mills:** Part of it is. I can't tell you specifically which part. My guess is it's the south half next to the Salt River, but I can't be more specific than that. **Stacey Cline:** Since it's in the floodplain how are they going to build that property up? **Joe Mills:** There is no firm plan on what buildings would look like there; but there are a full lot of rules you have to follow when you're in the floodplain. This is simply a request to rezone. They are going to have to get building permits, storm water permits, there are a lot of things they are going to have to do to build in that area to be in compliance with local, state and federal. This is just a request to rezone the property to commercial. Nothing more than that. **Mayor Hockenbury:** Did it have a favorable recommendation? **Joe Mills:** Yes, it did receive a favorable recommendation. Mayor Hockenbury asked for any public comment. **Stacey Cline:** I just want to say for the record this piece of property I'd like to know how they are going to get in and out because it sits right on the expressway; it is in a floodplain; it's a traffic nightmare right there on that side of the road; there is no way they can put a light there, we've tried to get a light there before and an intersection. I just want you all to know that. **Bonnie Enlow:** I have an issue with industrial that went on across the river that displaced water. And if you're going to build up the community that is also across from the industrial park that build up the neighborhood on that side is going to end up with more flooding. The flood stage has already been raised in that area so it's going to raise even more which our citizens can't afford. That my view on it from what I've seen so far. **Joe Mills:** Those are all legitimate concerns. What I would say this is a limited request today just asking to make the property commercial. As far as what is built there are going to be a whole host of rules. **Lisa Carter:** Do you know how high the elevation levels are on that piece of property? **Joe Mills:** I don't. **City Attorney Sholar:** Here is where you are at with regard to the law. If you intend to adopt the recommendation of the Planning Commission all you have to do is do a motion and have a vote. If somebody has a desire to do something different than what the Planning Commission recommended, then you must establish and put on record your own findings with regard to what facts you have found in your hearing that would tend to cause you to vote different than the recommendation of the Planning Commission. You do not have to vote tonight. But if you're not going to vote to go forward and adopt the recommendation of the Planning Commission and you don't adopt findings of fact of your own that would be contrary to the recommendation of the Planning Commission you will not be upheld if that is challenged. Gloria Taft made motion to accept. Motion died for lack of second. **City Attorney Sholar:** It dies for lack of a second tonight. Here is the situation that you have with regard to whether a motion is made; you have to deal with it within 90 days from the time it was submitted to you all from the Bullitt County Joint Planning Commission. If you do not take action during that time by operation of law, it will be rezoned because they recommended that it be rezoned. **Lisa Carter:** Is there any way that we can find out what the elevation levels are to know how much dirt would have to be put in there? **Joe Mills:** We would be happy to get whatever information the Council needs to make an informed decision. What I would say again is that we're just asking the Council to rezone property so that designs and plans can be made. I'm very comfortable saying that this company is not going to willfully violate any law. They cannot divert water onto someone else's property. They are not interested in building something that is going to flood. **Stacey Cline:** Then why do they want to go in a floodplain? **Joe Mills:** The entire tract is not in the floodplain. It's just a request for rezoning property. When they decide to build whatever it is they determine they are going to put there they intended use is commercial retail they are going to have to secure the necessary permission and submit the appropriate request to build in that area. Perhaps they will be back far enough to

not be in the floodplain. Nothing is for certain yet. **Duane Price**, 222 Beechwood Ave, Shepherdsville: It was given a favorable recommendation from the County; when you approve it, you are going to live with it. It will be too late to go back and change things around. I think you should take a little time and think about it. I'm not against business or expansion but I am against flooding and with all this building we've done around the river and all the filling have raised that level a foot now they want to start going back into it again and fill in. I know the building that goes there is going to be safe, but the surrounding residents is what I'm worried about. I just want you to think about this before we go ahead. Also, it's so congested over there already. Look how it is now. 44 is the world's worse road. **City Attorney Sholar**: After contemplation I have determined that it is 90 days (KRS 100.211(8)) that you have from the date that the Planning Commission sent it not necessarily the date that you received it. Mr. Mills I'm sure will be happy to provide whatever elevations he has; you also in terms of if you schedule another public hearing to take in more public information you will need to advertise that. If you desire to obtain information from your staff, you can look to them to assist you to help make an informed decision as you make it. **Donna Burke**: In looking at the calendar that would need to be made by January 8th based on the fact that the second meeting in January would be beyond the 90 days. **City Attorney Sholar**: I'm not quite sure why you would be advertising anything unless you have determined already that you are going to conduct another public hearing; you do not have to do that, but you can do that. **Donna Burke**: As far as what findings we would present if you wished to not approve it so that we have our documentation we would need to know what our procedures need to be for that and know that January 8th date is probably our deadline. **City Attorney Sholar**: If you are going to take information from the public; again, if you want to allow Mr. Mills to provide you with information about elevation; but if you are going to take other information from the public it would be necessary for you to advertise another public hearing. **Donna Burke**: I'm just looking at our timeframe realizing that our second normal council meeting in December falls on Christmas day so that means we will not have but one meeting unless we call a special one. Then that leave us until January 8th. We're limited on what we can do; when we can do it because of the number of meetings. **City Attorney Sholar**: I have previously recommended that the Council conduct its public hearing at the first reading of the Ordinance so that the Council can utilize that two-week period of time to contemplate what it has heard at that first meeting and public hearing and then carry out discussion amongst the Council at the second reading.

City Attorney Sholar had second reading and public comment on Ordinance 017-249 on rezoning request from D & D Sharp Properties LLC from B-1 to IL; 4.67 acres located at 1315 Cedar Grove Road listed in the PVA Office as Parcel 046-000-00-016AA. (Ordinance sponsored by Gloria Taft.) No public comment. Donna Burke made motion to approve. Lisa Carter 2nd. Motion carried 6-0.

Award of the garbage franchise followed. Bonnie Enlow made motion to accept the bid from Republic Services. Donna Burke 2nd. **Gloria Taft**: My only concern with Republic; is a representative from Republic here? Yes. Gloria asked: In your bid it says automatic arm pickup. Will your drivers get out of the truck and pick up the numerous bags of garbage being left beside the garbage can(s) on a weekly basis? **Mike Patterson**, Municipal Accounts Manager, Republic Services: What they will do is if there are bags or small boxes outside the cart they will reload the cart and dump the cart and anything that is larger than the cart size that is set out we have an older traditional rear load truck that will come behind it and pick up any larger items. **Donna Burke**: If anything like that is needed should a call be made prior to? **Mr. Patterson**: The plan is to have a rear load truck come in behind the automated truck. However, if someone has a couch, refrigerator, hot water heater sitting out a call should be made to let us know. **Mike Hibbard Sr.**: Due to the fact there is a motion and a second we might have; there are four options out there, there are any number of combinations, could we write down our vote. **City Attorney Sholar**: You can write it down, but it is going to have to be public as to who voted for what. **Lisa Carter**: I would like to choose Eco-Tech. **Mike Hibbard Sr.**: I would pick Eco-Tech. **Gloria Taft**: I would take Eco-Tech because it's cheaper for people in the City. **Donna Burke**: Do you all have any issue with the billing being added to the water bill? **Mike Patterson**: That would be a positive for us. Technically if you can have an arrangement where residential billing can be added to the water bill for all haulers that is a positive thing. It would make the whole billing situation much better. Vote was 3 in favor; 3 against for Republic Services. Mayor Hockenbury voted in favor of awarding franchise to Republic Services. Motion to award bid to Republic Services carried 4 in favor; 3 against (GT, MH, LC).

New Business:

City Attorney Sholar had first reading by Summary of Ordinance 017-250 an Ordinance Amending Ordinance 017-226 A Personnel and Pay Rate Classification Plan for City Employees and Nonelected City Officers for the City of Shepherdsville, Bullitt County, Kentucky (Sponsored by Donna Burke) **Mike Hibbard Sr.:** My concern about being able to suggest amendments included more than just those items that were put in there basically to vote on. You had greater choices in some areas and the put it quite frankly I brought up the issue of raises being awarded that we know nothing about. But if we are not approving the checks and we are not going to amend the budget ordinance passed where it's at, as long as there is money there the only other way to limit that is on the upper side of the pay and classification. Some of these scales have several thousands of dollars yet available. If a Mayor chose to he could come in and give some people \$10,000 raises because it's still within the limit between what they are making now and what this says can be made. So, if you don't limit it in the first place and you don't limit it in the second place, this is the last stop. That was my concern. I only want to propose that everyone put in their own concerns; I'll put in a number I think is fair, we may have four different numbers there but once we know what the four numbers are then we meet, then we decide which one is going to be there by our votes and that's what's there. **Donna Burke:** Our special meeting from my understanding did just that. We went through every one of these pays and we determined what the minimum and maximum so why would we not have done that at the special meeting rather than now rehashing it. **Mike Hibbard Sr.:** Because I've seen some points that I am concerned that happened since then because that went back to April. These has been some things that happened that there were several avenues that we could have taken and one by one we went by. So, this is it. This is the last place you address it. I look at these as most like contracts when either side wants to open a contract it's all fair game. You can't just say we can only reopen the contract to do this. You can say that and maybe the contract doesn't get reopened. But once it's reopened both sides are free game to make suggestions. **Donna Burke:** Can you elaborate on what has happened that is causing you the concern? **Mike Hibbard Sr.:** Yes, I mentioned it before, \$4000 raises immediately after the budget went into effect; \$2000 raises just before; \$1500 raises just after; in addition to what we passed across the board. I don't know how they were done but they were done. **Donna Burke:** Is that something we need to go into Executive Session to discuss? **Mike Hibbard Sr.:** I haven't mentioned any people. **Donna Burke:** I would like some "food" before seriously discussing. **Mike Hibbard Sr.:** If that's something Walt thinks we should discuss. **City Attorney Sholar:** Based upon what I've heard you say I don't know that it would qualify as an exemption to go into executive session, but I don't know that it wouldn't. If you're talking about wrong doing or something that some action or activity that could reasonably result in somebody being disciplined over it then that it an exception to the open meetings law and you can go into executive session to discuss it. If it's to just air out that somebody believes somebody got a raise and you don't feel like somebody should has got a raise and if it's you think the Mayor did something wrong or one of the other Council people did something wrong; and when I say wrong I'm not talking about illegal, I'm talking about you don't like what they did. That's not something that you go into executive session about. **Donna Burke:** So, we can discuss specific of who got a raise? **City Attorney Sholar:** Sure you can that's public record. **Donna Burke:** So, can you elaborate? **Mike Hibbard Sr.:** If you want me to name names. Now understand before I mention anything I'm not blaming the employee for accepting the raise at all. I had a spreadsheet with information put together and I do not have that in front of me and a lot of it will be on memory. While we were being told by Mr. Ryan in the waning months of last year's budget that things were "tight" Tom LaFollette did you get a \$2000 raise three or four months before the end of the year? **Tom LaFollette:** No but I wish I would have. **Mike Hibbard Sr.:** If that's the case why does the detailed report showing what Mr. LaFollette was paid show an increase? I'm just saying that is what the report shows. It also shows you got approximately another \$1500 after the new budget went into effect. So you got \$3500 according to the numbers. **Mayor Hockenbury:** I know what's happened. On the 13th when Mike brought up that somebody got a \$4000 raise; it was Chief McCubbin. The next day I got with Tammy and she discovered that there was a transposed number on his pay sheet that is generated from the Police Department. His total salary went up when they changed it to give the \$.30 raise and the numbers were transposed. We have corrected it with a letter and speaking with the Chief about it. **Scott Fleming:** Have you guys taken into account the longevity scale as well as the certification pay? **Mike Hibbard Sr.:** I thought about it, but I couldn't see anyone of those at all that would add up to \$2000. **Donna Burke:** So, we've had a reading and if there is anything that is not a material change ... we can still make changes before the second reading. **Mike Hibbard Sr.:** I just want to say that while this has been an issue they made me drag out the names I did not mention any of your names

in public over this. This was something I felt we should address in house and it was addressed in house until the very moment I had to put a name to it.

City Attorney Sholar had first reading by Summary of Ordinance 017-251 amending the City of Shepherdsville Sewer Use Ordinance #013-137.

Daryl Lee, Planning & Zoning Appointee: No report

Duane Price, Board of Adjustments Appointee: No report—meeting next week

Sign in Speakers:

Pastor Mike Miller: I'm just here to say a big thank you to our City, our Community, many of you knew back in August where Hurricane Harvey hit Houston, Texas and there were over 300,000 homes damaged. So, I sent an email out and Tammy sent out to her email list; and no, the City is not going to make any money for this nor have we received any money from the City. I just want to thank the Community tonight and this City because of that right now Family Day Ministries and the churches, businesses, have raised over \$25,000 of brand new items that are sitting in our tractor trailer on the back of our church lot. I'm very thankful for First Harrison Bank, here in our community they have opened up their locations until Friday for drop-offs and thank Tom Barr from The Pioneer News. I just think it's amazing how this community, being a small City of 10,000-15,000 people that this community is going to Houston, by the time we pull out there will be over \$30,000 worth of brand new merchandise; brand new bikes, toys, shoes, clothes. I think this is a positive note that when communities and people come together we can get some big things done. I do want to thank you so much; I want to thank the Chief and all his officers; they have been coming over and the tractor trailer was donated by M&M Cartage, a \$3500 blessing and they are providing the driver, gas, and tractor trailer for us to take the stuff down there. I think it speaks well of our City that when we do come together, even though we might have some disagreements on things, if we all come together we can be a big blessing to so many people that have lost so much in Houston, Texas. On top of that I've got the Houston Police Department that is going to be helping us unload the stuff on December 16th. That's a great honor as a retired Police Officer to have the Houston Police Department to help us. I just want to say thank you and encourage some of you leaders to come out, there have been a lot of people to help us load the stuff, not just Family Day Ministry people but people from our City. We're going to be making our last load day on December 9th at Family Day Ministries at 10:00-3:00, we'll provide lunch and we'd like for some of you all to come out and show the citizens that you are standing with us to help us get this stuff down.

Department Head Reports:

Police Chief Rick McCubbin: A couple meetings ago you all were discussing speed bumps and you asked us to do a study for you and we've done it randomly. I just wanted to tell you very quickly that we've done over 1000 captures at various times; 89% of all those vehicles were doing the speed limit or less, the remaining 11% were anywhere from one or two miles over the speed limit, some were as high and 9 or 10 but that was very few. It's your decision obviously but that is the raw numbers you asked for from us. **Lisa Carter:** Was that when the signs were up, and the crosswalk painted on the street? **Chief McCubbin:** Yes.

Fire Chief Layne Troutman: The 5-ton military truck that we have right now in our possession, we put it out on Gov.deals and didn't get any responses at all and I came to you all a few weeks ago about putting it back out for bid, it was in the paper and we received one bid from Marine Sales and Service for \$16,550. That is the only bid we got. I'd like the Council's approval to sell it and once sold I'd like the money to go into the vehicle fund. Bonnie Enlow made motion to accept bid with money being restricted to the vehicle fund. Donna Burke 2nd. Motion carried 6-0.

Collections Supervisor Scott Fleming: We're having major issues on Kousa at our lift station there. We're getting a lot of service calls at that station. We get towels, wipes, under garments are getting in that station and this weekend alone we came out five different times. We're going to need a letter to go to Tom with something addressing what should and should not be flushed. If you don't care to pass it along over there we are having a big problem.

City Engineer Arthur Jones: We look bids on Monday last week for the Plum Street Parking Lot. I'm giving you a quick summary of the bids that were opened. We have nine bids opened last Monday and everyone of those bids were complete with everything that they were asked to put together in their bids. I just wanted to get that to you guys. Qk4 has already started looking into the references of the apparent low bidder. So sometime over the next two weeks if anybody has any questions, concerns, inquiries about this bidding process or what we received thus far let me know; and I'll be back in two weeks and hopefully we can award this contract to get this parking lot built.

Code Enforcement Officer John Bradley: It came to my attention today that we've got two different Ordinances on noise; one is from 11:00 p.m.-7:00 a.m. and one is 8:00 p.m.-9:00 a.m. I need a consensus on what you all want for a cutoff. There are no specified days. **City Attorney Sholar:** Let me make a suggestion that you need to think globally about this because if we go through anything that has to do with property maintenance and that sort of thing you need to be looking real hard at taking any criminal penalty away from it because you're going to then be able to take it before the Code Enforcement Board and if they don't appeal then you put a lien against their property etc. with a fine. But if you're talking about things that would correlate with disturbing the peace and breaching the peace of the community you may or may not want to continue to utilize the penal law on that. I'm not saying you do but I think you need to consider whether you do or not as opposed to if I'm out and its 11:00 and it is a Code Enforcement thing so my neighbor calls and says so and so is making a racket; then dispatch gets it then the Police Department gets the run and the Police Department says we either got State Statute on disturbing the peace, disorderly conduct or we've got this Ordinance and we can't do anything with it because its part of the code of the civil fines and we're not going to be involved in that and you need to be thinking about whether you want to police there at 11:00 or whether or not you want John Bradley to have to come out that night and issue a citation to them because they have violated the code as opposed to a penal Ordinance of the City. **John Bradley:** We also need members for the Code Enforcement Board. We have one, we need two more plus two alternates.

Community Planning & Development Director Faith Portman: Reminded everyone about *Light Up Shepherdsville* on Saturday; I also wanted to bring you up to date on Small Shop Saturday. Each business donated a gift and I'll put the grand prize winner on Wednesday live on Facebook. **Mayor Hockenbury:** On another topic Faith's contract will run out this Thursday. Can we do a two-week extension and pay it out of the same code as before? Donna Burke made motion to extend Faith's contract two weeks and if funds are available (\$800) pay her out of the professional services line item code. Bonnie Enlow 2nd. Motion carried 5-0-1 against (MH).

Council Comments:

Bonnie Enlow: I did participate in the Shop Small, the business owners were very receptive. I also want to thank all the workers for the lights. It's beautiful.

Stacey Cline: Chief, what does IACP stand for? **Chief McCubbin:** International Association of Chiefs of Police. **Stacey:** I see where we wrote out two checks to CityWorks. Is CityWorks up and running for employees? **Scott Fleming:** Yes. It's still in implementation but we're getting close. **Stacey:** What about you John? **John Bradley:** Not yet. **Scott Fleming:** It will be, John is attending everything that we are doing with CityWorks right now. **Stacey:** Where do we stand John on 360 Circle Drive? **John Bradley:** We're waiting on review of the Ordinances, so we have some teeth. **Mayor Hockenbury:** Is that the one we were going to put the limit on vehicles? **Bonnie:** Yes. I talked to a lot of citizens about that and I'm getting the consensus of 5 or 6 as the limit in the driveway. If they have fenced in yards we don't see what they pack in back but at least the rest of the neighborhood is not seeing it. **Mayor Hockenbury:** Kenny Smith lives beside me and he has 6; so I'd say no more than 6. **Stacey:** Are we doing some type of Christmas Party for our employees? Last year we did a pot luck during the middle of the day. **Faith Portman:** Tom and myself are hosting something next week. I bought two turkeys and Tom has two Boston butts and a few other things. **Stacey:** What day are you doing this? **Faith:** We are going to try to do it next Wednesday. **Mayor Hockenbury:** Do you want anybody that can bring a vegetable email you? **Stacey:** I will be glad to bring something. **Faith:** Gayla is going to get something out for us. **Mayor Hockenbury:** So, if any of the Council members want to bring something. **Bonnie:** So, this will be December 6th. What time? **Faith:** We haven't really determined that. **Mayor**

Hockenbury: Can any of the Council make it at a certain time? **Bonnie:** If you did it later in the afternoon so they could eat and go home that would be nice if they were able to wait that long to eat. **Tom:** I think later in the afternoon would be good. **Mayor Hockenbury:** Maybe 3:00? **Bonnie:** Then just let them go home for the afternoon. **City Clerk Richmond:** At 3:00 they are off anyway. Most of them are. **Donna:** So, make it 1:00. **Mayor Hockenbury:** Okay we'll have a potluck at 1:00 and after they eat they can go home. **Faith:** We started it out just doing it for Public Works because they did so much to help me with the Farmers Market I wanted to help them; then Tom and I were talking and agreed that the Fire Department always helps and the Police Department. **Stacey:** We need to do something. **Bonnie:** Can you see what needs to be got and send us lists. **Faith:** We're doing the meat.

Donna Burke: We haven't had a Traffic Study meeting because there not really been any new developments, but I did notice that a letter has been sent to Cattleman's trying to get their acknowledgement of what the plan is on Conestoga changes. As soon as we've got anything else more material to make it necessary to have a meeting we'll have another Traffic Study meeting scheduled.

Lisa Carter: Are they going to cut the islands at Taco Bell and Wendy's location out to put more cars back in the turning lane, so it wouldn't back traffic up there? **Donna:** Was that not part of what they were doing? **Mayor Hockenbury:** Just moving the nose back for that traffic. That's something we've got to get approval from State to do. We talked about it but that has to be approved through the State. **Lisa:** Can you get that talked about at the next meeting? **City Engineer Arthur Jones:** After we get the letter back from Cattleman's if they accept that and we're good to go on that, then the request for proposal (RFP) will go out. So, moving that nose back, lengthening that turn lane both at 44, Conestoga and Joe B Hall and at I-65 so that you've got more loading area there. This RFP might be in phases so the original and first award for this design might just be for Phase I which will be the relocation or realignment of Keystone Crossroad. That goes first. Second to that will be the right in right out into Keystone and the redoing of Conestoga to make sure we've got two turning lanes coming from here and onto Adam Shepherd and the resurface of Conestoga and restriping of Conestoga as it approaches 44. The final phase will be exactly what you're speaking of pulling that nose back and redoing those loadings there on 44. We will have to have District 5's approval that's why it's the last phase because we're going to have to have all their buy in, so we can go ahead and do the rest of it and have that be the last part. **Lisa:** John did you ever get with LouAnn Moore? **John:** Yes, we found the problem and we're in the process of taking care of it. **Lisa:** The Board of Education has a meeting this evening and I was due encroachment paperwork from the Board for the crosswalk signs; I should know tomorrow if that passed, Keith Davis was in favor of accepting and passing the encroachment paperwork for the crosswalk signs. The other thing I have is for Beautification, if you notice around town we've got some of our lights up. Some are up but not plugged in. Did we get our electric? **Tom LaFollette:** We did not, it is scheduled to be done by Thursday. **Lisa:** The only thing that I haven't got done is the extension cords at the Court House.

Mike Hibbard Sr.: Tom I'm glad to see those lights on the tunnel.

Gloria Taft: Has the garbage company sent cut-offs to our Code Enforcement Officer yet? **John:** They have sent me over 400 names and when I get a complaint I'll go check it. **Gloria:** Where are we in the process of writing the bond Ordinance? **City Clerk Richmond:** I wasn't a whole lot of help getting him anything from KLC or DLG. They gave me what they had but I don't think it was a whole lot of what he could use. **City Engineer Arthur Jones:** We've currently been requiring bid bonds on all of the projects that we're bidding currently. So, all of our development language reflects the changes we want to make, and we are making sure that the projects that we are letting right now do reflect that a surety bonds needs to be in place. **City Attorney Sholar:** Here's what the issue is, it's not so much projects that were contracted, you could put that bond issue in the contract, that's not a problem at all. You don't need an Ordinance for that, but what you do need an Ordinance for and where we have started working on trying to come up with something; you need to get an Ordinance, the last one I looked out sets out that on subdivision development that once it gets to 50% the City can stop development if these things are not been built up to the standards. The trouble that you've got with that is, we have a 200-home subdivision and you get 100 homes built before you can do something about the fact that the roads have holes in them big enough to swallow Volkswagens and then they stop because that's what the Ordinance says they have to do. Then you say to all the people that come down here

to City Hall that says you need to do something my Volkswagen is lost. We say we've stopped them with this Ordinance, but we can't do anything else because we're not going to take it over. You need to consider an Ordinance that says if you're going to start a subdivision, whatever, you must put up a bond that says within X period of time you will build the roads or put the sewer in right. Have it be a dollar amount and they either put up a surety bond, they have a corporation sign off on it, and/or have them put the money up. A letter of credit from a bank. If they don't do that you have something that you can do about it. I would suggest if you talk with the County you may be able to get their Ordinance and we'll continue to see what we can put together as well. I've asked my staff to be working on that. **Gloria:** Where are we with the current yearly audit? Our Ordinance says Council is to have it voted on and approved before the end of the year and we only have one meeting next month. **City Clerk Richmond:** I'll check with his tomorrow and let you know. **Gloria:** I just want to remind everybody we will be having Bible Reading on January 1st starting at midnight here in this room to read the Bible through.

Bonnie Enlow: Layne did you check into those tanks on the side of the Sonic building? **Chief Troutman:** I did. They are in compliance.

Mike Hibbard Sr.: Bonnie mentioned earlier about our meeting around Christmas time, did we ever make a motion to cancel that? Donna Burke made motion to have no meeting on December 25th. Gloria Taft 2nd. Motion carried 6-0.

City Attorney Walt Sholar: One thing, when I was a kid there was a crosswalk in front of the Bullitt County Bank across Preston Highway. There was a crosswalk in front of the Baptist Church at the corner. There was a crosswalk in front of the Court House going over to the funeral home. Later on when I started practicing law those crosswalks were there. Back then we had parking meters out there, the City took the parking meters away. Then there was a crosswalk that was built at the corner of Buckman and 44 on all four ways. Something has happened, they got paved over, constructed over, there are still buttons at 44 and Buckman Street that say push button to walk. I about got run over recently because I'm crossing to come over to the Court House; when we left the Court House in the middle of Shepherdsville, Shepherdsville beseech the County to leave the Court House downtown. Talk about there was lots of parking on the west side of Buckman Street for people to park their cars at before they come to the Court House but anybody who walks across that highway is taking their life in their hands and I have to do it on a semi regular basis to come from my office over. If the state of Kentucky won't do it, and I understand the State has been balking, but before we get somebody killed on that road I would urge you as a City to authorize the City to just go out there, block the highway and paint a crosswalk sign across there. That may or may not save somebody from getting killed but it will sure help their estate out when they go and file an action instead of it being we didn't do something to provide a safe means for the people to get across the road. **Mayor Hockenbury:** Do you have money in the budget to stripe that Tom? **Tom LaFollette:** That's minimal.

Lisa Carter: While we're talking about striping when you come out by the PBI Bank and the black and red building, there are no stripes right there in that general area. That might be a consideration there too.

Donna Burke made motion to adjourn. Lisa Carter 2nd. Motion carried 6-0. Meeting adjourned at 9:58 p.m.

Curtis Hockenbury, Mayor

Tammy Richmond, City Clerk