

**CITY OF SHEPHERDSVILLE
CITY COUNCIL SPECIAL MEETING MINUTES
MONDAY, December 27, 2017**

Depp Rasner delivered 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 7:02.

Mayor Hockenbury announced this meeting was to have reading by Summary of Ordinance 017-250 amending the personnel and pay scale classification plan. Gloria Taft made motion to only vote on the submitted changes to the Ordinance to allow every person's changes to be heard. This will also allow the City Clerk and City Attorney to prepare a final written PDF copy of the Ordinance to be presented to Council before the next meeting so that each one of us has a chance to read the law before voting on. I was just presented with a new copy with new documentation when I sat down at my desk from the copy that was emailed to me on Sunday. Mayor Hockenbury: It's the same one. Only changes done were the Sewer and Public Works Certification pay. Gloria Taft: And that's different than the one I received on the 23rd. Mayor Hockenbury: The Community Planner description and some typo errors, numbering errors and changing the word shall to may in order to stay with the first reading already done. Anything that you entertain to change other than what we're hear for you can bring that up at a later date. Gloria Taft: The changes I'm referring to are the changes I received on the pay and classification which is different than the ones I received on the 24th and I only received new changes tonight as I sat down. So, my motion is we only vote on changes that have been submitted not on the entire Ordinance because I have not even received all the changes until tonight. Second by Mike Hibbard. Lisa Carter: What were you given to look at? Gloria Taft: I have a new copy of the proposed Ordinance; I have new documentation on the incentive pay for the Fire Department, I have new documentation on what I believe is the longevity scale for the Police Department even though there is no header on it; and the copy of the Sewer and Public Works classification is different that the one I received on the 24th stating that this was the final final copy and now it's different tonight. I don't know how people can vote on something that they haven't even been privy to. Mayor Hockenbury: What are you saying is different? Stacey Cline: I thought we set this meeting two weeks ago and we were supposed to go over certain pages. Gloria Taft: I went over certain pages and in the top of the Ordinance I received from Bonnie on the 24th pay and longevity scale for the Sewer Department and Public Works Department that longevity scale includes an equipment operator and a licensed electrician certification for both departments. The one I received just tonight is completely different type and it does not include the equipment operator and licensed electrician certification for Public Works and Sewer Department. Bonnie Enlow: I've never seen this one before. Gloria Taft: Here again we're coming in at the very last minute being asked to vote on something that's different. Mayor Hockenbury: The only changes we're voting on is what we talked about after that first summary and that's the changes for the sewer and public works certification pay, the Community Planner description and some typo and numbering errors. And changing the work shall to may in Section 4. Bonnie Enlow: The one on the 24th is the one that is supposed to be; I don't know, I've never seen this one before with the certification pay. Gloria Taft: That's the one we're voting on. I don't know. I have multiple copies and we don't have the City Attorney here that's supposed to have written the Summary. Bonnie Enlow: He told us he couldn't be here. We are voting on what the Summary notice says which explains exactly what has changed. Gloria Taft: Which certification are we voting on? We now have 2; one attached to the Ordinance dated the 24th and one attached to the Ordinance dated the 27th. Bonnie Enlow: We are voting on the one for the 24th. That is the correct one. Gloria Taft: Who decided that is the correct one? Mayor Hockenbury: That's the correct one signed by the Mayor. Bonnie Enlow: That's the one that Tammy and I went over every bit of it together word for word with things you all sent in. Gloria Taft: I sent in changes those weren't on your one of the 24th but it is the one that is included in the one I received tonight. Bonnie Enlow: The changes that were only supposed to be done was adding the Community

Planner and doing the certification pays. The only other change we did do because I think you made the point was where it said shall and it should have said may. That was an important change so that was done. The rest of them, some of the changes asked for like was said in a previous email these are things that we would entertain after the first of the year but seriously there was a period somewhere; to many spaces in the typing. Lisa Carter: It is a legal form. And let's make our City look proud and good. I don't want to hand an Ordinance out that looks like crap. Bonnie Enlow: I don't think having space errors makes us look like crap. It is content and legality. Lisa Carter: Punctuation is a big thing. If it's going to be a legal agreement it should be punctual. Mayor Hockenbury: We can fix this punctuation stuff later, we're here today for the second reading of the Summary. Any other thing you want to change we'll change it later. Gloria Taft: The Summary is incorrect. Mayor Hockenbury: This is a distraction for some reason. I'm trying to get the Community person hired and you for some reason you keep on throwing a monkey wrench into it. Gloria Taft: I sent Bonnie an email today. I just got back from Michigan for Christmas. I didn't know I had an email they had sent us. I printed it out today and on page 4 there is an error. We have section 7 making a change but then we go back in to section 5. Section 5 is part of section 6. We have a longevity scale that I was just given tonight that changes the pay rates of the employees. It can't be done when we get new documentation setting different pay rates for our employees and when the wording on page 4 references section 7 but it's section 5... Donna Burke: I brought that to her attention and she corrected it seemingly on what we got as copies tonight but it wasn't corrected in the document in the email. Gloria Taft: There again. More changes in the document are received at 5 minutes to 7 even though I was told this is going to be the final document now we have changes to it when we get here. Bonnie Enlow: Brenda, this one on our desk did that come from White? Deputy City Clerk Weidekamp: No that is what Tammy had set on my desk. Mike Hibbard: You can call this here say or anything; I know Walt is not here tonight but I've had a conversation with Walt and he expressed to me that because of the way the changes, wording and the number of pages on documents and such he would prefer that all the wording be totally done and complete in the next revision sent to him so he can do his summary from that and he would return it to us in a PDF form that cannot have any changes on it. I know it's unfortunate, but we've had just too much of a history of things changing and I do believe going back to April that it was stated at the second reading we would approve that subject to some wording changes. When we got that back there were more than wording changes done and I can't say how, who but it was done, and it wasn't brought to our attention. Donna Burke: I think this is clerical error on that section 5; where she corrected the number and she forgot to take that section 5 out. Bonnie Enlow: Some of the numbering errors are also on the last one we were working on turned out Tim White caused a lot of the numbering errors. Gloria Taft: The Ordinance is written incorrectly. Where did the new longevity pay scales come from? Did they come from Department Heads? Bonnie Enlow: The version from the 24th certification pay scale is the right one. Gloria Taft: I don't think it is the right one if we use that one we have to open up a possible \$8 per hour raise to each and every employee in Public Works Department and in the Sewer Department and we can't discriminate by saying you can and you can't. Donna Burke: Do they all have the certification? Gloria Taft: I talked to KLC, if you include that incentive the way it's laid out we have to allow for every employee to be eligible to receive as many of the incentives as the employee deems fit. You cannot allow a Department Head to tell one employee yes and one no. So just with the heavy equipment operator and with the certified electrician every employee in the two departments can get an \$8 an hour raise. I don't think the City is ready to start paying that. Tom LaFollette: When we originally started this which goes back before 5 of you were even up there; we are getting so far off base here, there is a lot of conversations that took place that aren't taking place now. For example, there is talk of 8 operators in the City, we don't need 8 electricians in the City. Gloria Taft: But if its in the incentives you as a department head cannot refuse any employee that certification pay. Tom LaFollette: We've had this conversation. The plan was that it's offered to everyone. You have to be able to pass some sort of procedural test or something that approves you to get to that point. This is not handed out to every person. In the end there is a step you have to go through in order to get to that. Again, we're going back over a year ago; this is October 2016 is when I originally started putting this together. Gloria Taft: KLC figures we are setting ourselves up for a lawsuit. The first employee we tell no that's discrimination and that's a lawsuit. Tom LaFollette: We're not planning on telling them no. Gloria Taft: As soon as you try to put them through a test that they can go out on their own and receive an electricians license. Once they bring that in we have to start paying them that incentive because they took it upon themselves to go out and get that license and they can prove that they passed all the tests and we very well may have to pay them; again, it opens it up

just to a lawsuit because of the way it's worded. Mayor Hockenbury called for a vote. 3 in favor – 3 opposed. Mayor broke the tie opposed. Motion failed 3-4-0.

Bonnie Enlow read 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 adding the position of Community Planning and Development Director and Certification Pay Scale for Public Works/Sewer Departments. (Sponsored by Donna Burke)

Mike Hibbard: A quorum is just about ready to cease. I'm not going to be a part of this when the vote is being forced like it is. Lisa Carter: There were things I had changed that are not in this new Ordinance either. How can we divide what gets in the Ordinance? (Gloria Taft, Mike Hibbard, Lisa Carter left the meeting at this time (7:33 p.m.)). Bonnie Enlow made motion to accept. Donna Burke 2nd. Karen Hibbard: According to Robert Rules of Order you don't have a quorum, so any business can't be voted on. Bonnie Enlow: That's point of Roberts Rules of Order but according to KLC in our Legal Handbook if we start with a quorum we are still with a quorum and that if evident from when the last Council only had 3 people that voted in a Mayor because the other Council members walked out. They did not have a quorum. I researched it at the beginning of our Council term to make sure because I though they did something wrong and I found out they did not do anything wrong. It is right. We have a first and second and we can carry a vote. 3 in favor – 3 absent.

Donna Burke made motion to Adjourn. Bonnie Enlow 2nd. Motion carried 3 in favor – 3 absent. Meeting adjourned at 7:28 p.m.

Curtis Hockenbury, Mayor

Brenda Weidekamp, Deputy City Clerk