

**CITY OF SHEPHERDSVILLE  
CITY COUNCIL REGULAR MEETING MINUTES  
MONDAY, JULY 9, 2018**

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 motion to dispense with reading of the 6/25/2018 regular meeting minutes. Donna Burke made motion. Stacey Cline 2<sup>nd</sup>. Motion carried 6-0.

Mayor Hockenbury asked for motion to approve 6/25/2018 regular meeting minutes as written. Gloria Taft made motion. Lisa Carter 2<sup>nd</sup>. Motion carried 6-0.

**Old Business:**

City Attorney Sholar had second reading by Summary of Ordinance 018-262 An Ordinance of the City of Shepherdsville, Bullitt County, Kentucky Establishing a Code Enforcement Board, to abate nuisance, provide remedies, impose fines, and generally enforce Ordinances concerning enforcement of existing and future City Ordinances concerning the condition of property within the Corporate Boundaries of the City. Gloria Taft made motion to accept with changes. Mike Hibbard 2<sup>nd</sup>. Donna Burke: I would like to know why the second schedule of fines wasn't doubled as we had said. Each of these numbers on the first schedule of fines was supposed to be doubled on the second schedule, i.e., building codes where it's \$150 should have been \$300; 2<sup>nd</sup> Offense \$500 and the 3<sup>rd</sup> Offense \$700. The first scheduled that shows \$500 should all be \$600 in accordance with the rest of the schedule that's on page 11; Stop Work Order again to double should be \$300; \$500; \$700. What was the reason those numbers didn't get doubled? City Clerk Richmond: I wrote down what I thought was said but I misunderstood. City Attorney Sholar: May I suggest if you want to get this moving along tonight take this Ordinance and let's go through it and strike through what you don't want; write in what you do want hand written and put in on the official one as well as we'll put the Summary published with the numbers that we write into it today. Bonnie Enlow: John on the junk vehicles are we going to start out with the people who have never received any kind of notice to give them a warning first. Code Enforcement Officer John Bradley: I'll do whatever you all want me to do. Bonnie Enlow: I would like for the ones that never received a notice to start out with just a warning so that they know we have an Ordinance now; that way we're not just jumping right down their backs immediately. On the dumpsters ... John Bradley: They have a six month grace period. Bonnie Enlow: Are you going to send a notice out to all the businesses? John Bradley: Yes. City Attorney Sholar: John, the grace period you are talking about, that is included in the proposed dumpster Ordinance? John Bradley: Yes. Vote taken at this time, motion carried 6-0.

City Attorney Sholar had second reading of Ordinance 018-263 An Ordinance prohibiting signage

within the public right of ways in the City of Shepherdsville and restricting the placement of any sign in any place in a public right of way. I did look at the United States Supreme Court's reported cases on regulation of political signage and if I want to put something up on my property that's what can't be prohibit but a City does have the right to regulate their right of ways. Donna Burke made motion to accept. Bonnie Enlow 2<sup>nd</sup>. Donna Burke: I don't recall there being anything in here that actually stipulates what a sign is. It was brought up as a question of whether or not a vehicle could be considered a sign. My opinion on that would be the only time that you could consider a vehicle a sign is when it is something like what Benny Hadley has in that vehicle that is viewed from 65 or a vehicle that is parked and can't be driven and is staged somewhere as a sign in front of somebody's house and in the public way. If it's in the right of way and is a non-driving vehicle that a sign is on would that be considered a sign? Gloria Taft: It would be considered an inoperable vehicle that would fall under the other Ordinance. Mike Hibbard: So, if we don't make any exception or define anything, you're saying at election time political signs can be construed as not being able to be in the City right of ways (can't hear rest of comment). Vote taken at this time; Motion carried 5 in favor; 1 opposed (MH); 0 abstentions.

City Attorney Sholar had second reading of Ordinance 018-264 An Ordinance establishing the requirements to erect a fence around garbage containers located in Commercial, Residential, and Industrial areas within the Municipal Boundaries of the City of Shepherdsville. Donna Burke made motion to accept. Bonnie Enlow 2<sup>nd</sup>. Gloria Taft: John, how do you handle apartment complexes? The reason I'm asking is I got a call today and the owner of the apartment complex says they have a gate on it, but people just throw their garbage over the gate and their maintenance man has to clean up around the dumpster, so they have removed the gate, so people will hopefully put their trash inside the dumpster. The dumpster cannot be seen from the road and it is covered three sides. John Bradley: That would be for you all to determine which should be and should not be in the Ordinance. Donna Burke: The purpose says that it is to obstruct it from public view; so are the inhabitants of the apartment considered public or people on the roads in general. Gloria Taft: That was this person's concern. Mayor Hockenbury: That is going to be up to officer discretion. Bonnie Enlow: I think if they leave their gate open a little bit so people can walk in. John Bradley: That can also be subject to illegal dumping too. Mayor Hockenbury: If you ever address that maybe you can come back to us. I'm sure there will be a lot of officer discretion. Vote taken at this time. Motion carried 5 in favor; 1 opposed (LC); 0 abstentions.

### **New Business:**

City Attorney Walt Sholar to have first reading by Summary of Ordinance 018-266 authorizing the issuance of General Obligation Development Revenue Note Series 2018 (Fire Truck Project) in a principal amount of \$2,350,000.00 to finance the acquisition of three new fire trucks. A special meeting will be held on Wednesday, July 11<sup>th</sup> at 6:00 p.m. for the second reading.

Discussion was held on cost of paving The Greens @ Heritage Hills and High School Drive. Mayor Hockenbury: I would feel better if Tom and Arthur were here but what we have so far, we have two Mago estimates and both are under the statutory limit for bidding. Dennis Mitchell, First District Magistrate explained to the Council a plan for High School Drive. Dennis Mitchell: I brought this up at the Fiscal Court meeting and it was voted and approved that we would do the blacktopping if the City so desired and the City would pay all cost associated with it. It would be the blacktop, labor, whatever it cost that's exactly what you will pay within our Interlocal Agreement. John Wooldridge

has been instructed to draw up the Interlocal Agreement. That will be the cost of blacktop and labor associated with it. The only thing I can think right now; the one cost will be \$500 for your tack sealing; but it needs to be filled on the side where the sidewalk is about two feet in and on the other side about two feet. The road is 23' wide and 1514' long. That is from where they sealed the blacktop ... out to Highway 44 where it joins. To give you some kind of idea what the blacktop is going to cost, we're spending about \$38,000 a month per mile. The only thing you all will be associated with will be the labor and the material. Mayor Hockenbury: I'll have Walt look at that agreement and Monday when Tom gets back from vacation him and I will contact you. Dennis Mitchell: The tile that runs underneath the road, I've asked Curtis to get the Sewer Department to take the camera and run it through the tile to see if the tile is damaged in any way at all and if it's not damaged the only that that does need to be done to that is build out where the tile is in that once section pour that concrete will be over two feet from the sidewalk to the outside edge. Mayor Hockenbury: I had Arthur send the Sewer guys over there to video the tile. City Engineer Arthur Jones: Yes. We were able to go over there this afternoon with the camera truck and run the camera up in there and found out that tile is actually a couple barrel sections completely offset, not just in one location either, we're talking about three or four different barrel sections that are completely disconnected and off center to the point to where you're talking just in a 12" tile and you've got about 3" or 4" that are offset so it's pretty bad. Dennis Mitchell: It needs to be dug up then. If that's the case it does need to be taken up. It's a good deal for the City. Mayor Hockenbury: Is it okay with the Council to proceed with High School Drive? Donna Burke: The cost we have don't include base failure so you're going to add more cost with those repairs to the tile. Mayor Hockenbury: What about Michelle Drive? We had a quote come in from Mago considerably under the Louisville Paving estimate. It would be paid with MAP funds. Do we want to do this? Bonnie Enlow: We're already agreed that we would do it. Mayor Hockenbury: We already agreed. So, when Tom gets back we'll go ahead and schedule Michelle Drive and get with Dennis about High School Drive. Lisa Carter: Do we know what the manhole adjustments are going to be that are not included in this price? Arthur Jones: If you're talking about Michelle Drive those manholes are already put on grade to the new asphalt thickness so they are already raised about an 1-1/2" from the current existing elevation of the asphalt. Lisa Carter: What about High School Drive? Arthur Jones: High School Drive would have to be raised; as far as I know they are on grade right now. Lisa Carter: Do you know how much more money we are talking? Arthur Jones: I do not. Donna Burke: And would that put this in a bid situation because we know we are already talking about base failure with the tile not being included in there. Bonnie Enlow: High School Drive is not going to cost that now because we're entering into an agreement with the County. Gloria Taft: How much of Michelle Drive is being paved? Arthur Jones: Michelle Drive as it comes in you come off the cul de sac and then there is a small cul de sac to the right, that is included; going up another 300' there is another one on your right that is included and there is a small section in between those two on the left hand side that goes up about 100'; all three of those sections are included; it goes up to the next round about. Steve Larimore: Those grates in those cul de sacs are not to grade. Arthur Jones: The storm grades are not? Steve Larimore: Right. I just wanted to clarify that. Mayor Hockenbury: We'll decide this one when Tom gets back, and I'll let you all know.

**Daryl Lee, Planning & Zoning Appointee:** No report.

**Duane Price, Board of Adjustments Appointee:** No report.

**Sign in Speakers:**

Linda Belcher, 49<sup>th</sup> District State Representative: I'll be meeting with District 5 Transportation people on

Wednesday. The Chair of our State Transportation Committee sent out a letter and asked us to talk with anyone involved to see if there are any State roads where there are concerns; I've already talked with Fiscal Court and a couple Mayors. So, if you all have anything that you have concerns about I need meet with them Wednesday afternoon. Please let the Mayor know and I'll add that to the list for discussion. Mayor Hockenbury: Arthur do you want to pass on anything and I'll tell Tom. Arthur Jones: Yes, and that's something that Tom and I talk about a lot, matter of fact, of course 44 is one of them, 61, right now HCR was awarded a contract to look a rate study for KIPDA and with that we're trying to have more of a one voice here in Bullitt County now and that's exactly what Linda is doing is trying to get everybody's ideas together, so we can speak with more ? with one voice. So Blue Lick of course has a lot of issues on it especially with the shoulder because there is no shoulder along Blue Lick. We've made these know to District 5, but we need to reiterate that fact. 61 of course needs to be our back up freight location so when 65 goes down we need a alternate route to be able to get freight to be able to get something from north to south and south to north; 61 needs to be that thoroughfare for us so from here in Shepherdsville down to 245 we need to start pushing for that 5 lane widening and then of course you know all about 44 being able to connect Shepherdsville with Mt. Washington and hopefully we can continue to do that either with a loop or with a plan that accommodates ... Linda Belcher: This is the one thing that they want. They want one voice. They don't want judges calling, mayors calling, one voice, let's come up with a plan; these are the priorities we support on State roads. That's what I've been trying to do is collect everybody's thoughts so if you have anything else please let me know. Mayor Hockenbury: I've about several contacts about the sound wall barriers on 65. At one time you have them looking at them and I've had calls asking if they are in the works, so I just want to pass that on to you. They spoke well of you and said that was on the table when you were there. Linda Belcher: Actually, that was Dan Seum's project. Right now, it doesn't look like it's in the current budget cycle.

#### **Department Head Reports:**

City Controller Stephanie Kellerman: Financials are going to be a little bit later because I have to go through the balance sheet and all of the accounts to make sure we're good when our audit is made.

**Code Enforcement Officer John Bradley:** We've got some problems in the City of blighted, abandoned and dilapidated buildings. Tom and I went to a seminar hosted by KLC and received an Ordinance which you have a copy of. You've also got a copy of where we are trying to get notification status that when a house becomes abandoned it automatically comes to us and we can keep track of it. I'm also trying to get this on our website. We also collected \$100 fine on one of my citations.

**City Engineer Arthur Jones:** After we get a revised copy of contracts from LD&D on Keystone Crossroads I'll be sharing those with you. Once we get all the numbers in we have to bid it and make a good informed decision.

#### **Council Comments:**

**Stacey Cline:** John, where do we stand on Riverview with the property? John Bradley: I filed a criminal complaint and it's up to the Court system. I don't have any authority until they schedule the case.

**Donna Burke:** Friday night we're going to have a Tupperware Bingo at the Community Center to benefit HOPE at 7:00.

Lisa Carter: I was looking at this memo that was on my desk tonight about the issues we're having at the Community Center. Are they not cleaning it? Donna Burke: Gayla was mentioning something about when she used it the other night she had to put quite a few candles around because of the odor in the Center and said that there was a bag of clothes in the closet where the tables are kept along with cigarette butts. Mayor Hockenbury: As soon as I got the memo I called Mayor Eadens and asked what he did if you rent out your building and he said they are responsible for cleaning it, to do the best they can and if it's not clean then you hold the deposit. I thought maybe he devotes somebody to that but he does not do that. Faith do you check it sometimes? Tom checks it daily. Donna Burke: You have somebody that rents a facility cleaning for that person typically is going to involve them sweeping up the floor but you're not getting a cleaning. We ought to do that. Mayor Hockenbury: When Tom comes back Monday they do go above and beyond over there so we'll check with him and see. I think he's hiring two more people. I know he's not hiring a person to clean but they do check on that. Bonnie Enlow: It would be nice if we had a cleaning person and they went around

cleaning instead of our employees doing that job when they have other jobs to do. Lisa Carter: I went to the sign company today and I need to touch base with them again on the crosswalk signs. We're real close but I need to verify these figures to make sure that I understand them.

**Mike Hibbard Sr.:** I had two people contact me after the last meeting about a piece of property overgrown on 44 almost to Raymond Road; the grass is probably 4' or higher. John Bradley: I sent a letter to them on July 3<sup>rd</sup>. Mike Hibbard: How long does he have to respond? John Bradley: He has ten days.

**Gloria Taft:** I've had quite a few calls and a couple emails from residents requesting recycling. Could you call Republic and see if there is anything they can do. Mayor Hockenbury: He's talking about putting a recycling bin somewhere in the City. I'll see if I can get an update. Gloria Taft: Did the City end up taking the CPI for sewer rates? City Clerk Richmond: Yes, they went into effect July 1<sup>st</sup>.

John Bradley: I do have one more thing. Today on this nuisance I'm going to add inoperable pools because it is a health hazard. I looked it up today. Stacey Cline: What about pools that have covers over them? John Bradley: This is only in the summer. Stacey Cline: What about if they are covered during the summertime and nobody is using the pool? John Bradley: If you have a cover on it and water stands on the cover that will be standing water.

Mayor Hockenbury asked for a motion to adjourn to Executive Session to discuss Litigation. Bonnie Enlow made motion to adjourn to Executive Session. Lisa Carter 2<sup>nd</sup>. Motion carried 6-0.

Gloria Taft made motion to return to Regular Session. Donna Burke 2<sup>nd</sup>. Motion carried 6-0. Mayor Hockenbury stated

there was no action taken.

Bonnie Enlow made motion to adjourn. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0. Meeting adjourned at 8:44 p.m.

---

Curtis Hockenbury, Mayor

---

Tammy Richmond, City Clerk