

**CITY OF SHEPHERDSVILLE  
CITY COUNCIL REGULAR MEETING MINUTES  
MONDAY, AUGUST 27, 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 8/13/2018 regular meeting minutes. Donna Burke made motion. Gloria Taft 2<sup>nd</sup>. Motion carried 6-0.

Mayor Hockenbury asked for motion to approve 8/13/2018 regular meeting minutes as written. Donna Burke made motion. Stacey Cline 2<sup>nd</sup>. Motion carried 6-0.

Mayor Hockenbury called Police Chief Rick McCubbin to the podium and presented Bryan Whittaker with a Retirement Plaque along with his Retirement Badge from the Department and a gift card from the FOP.

**Old Business: None**

**New Business:**

Police Chief McCubbin addressed the Council regarding an Amendment he would like to be made to the Civil Service Ordinance 013-145 (Sponsored by Bonnie Enlow) Chief McCubbin: I'm asking the Council to consider a request in regard to some language in the Civil Service Ordinance; I'm asking to change the language under the rank of Sergeant. It currently is two years of certified law enforcement experience. I am asking you all to approve through the proper channels that we increase that to five years as a Police Officer and add two years must be here at Shepherdsville. Some of you have asked why that; for example, our Detectives, Field Training Officers have to have three years to do that position but yet two years to be a Commanding Officer. We hire a lot of lateral officers as you all well know and I think it's only fair if we were to hire a ten year officer for example and he or she can walk through the door and take the Sergeant's test so I think we should hold them accountable to do police work for the City for a couple years before they can promote up.

Discussion on Autumn Leaf expansion. City Engineer Arthur Jones: There is not a lot to discuss about Autumn Leaf tonight but I wanted to go ahead and get that on the Agenda so that everyone was aware that at the next Council Meeting on September 10<sup>th</sup> representatives from the developer will be here and at that point they will probably be able to shed a little bit more light on what their position is.

They are developing the remaining portion of Autumn Leaf and we've reviewed the plans; gave plan approval; and our fee schedule associated with that project and they have asked for a reduction in fees and the Mayor and My position is we need to go by the Ordinance so if they Ordinance says that you pay a fee then you're obligated for that fee. If you want to do anything outside of that then that's not for us to decide. So, they will be coming to the next meeting requesting a reduction in those fees and at that point we can discuss it more fully. But I wanted to

let you guys know.

**Daryl Lee, Planning & Zoning Appointee:** Presented an application from A&H Lakeview Land, LLC was requesting a zoning change from R-1 to R-3 for 7.79 acres, more or less, located on Lakeview Drive Lot 14.

**Duane Price, Board of Adjustments Appointee:** Not present.

**Sign in Speakers:**

**Barbara Kendall:** Addressed the Council about the new fence around dumpsters ordinance. Stated where the dumpster was sitting there was no way to put a fence around it.

Josh Cravens: Addressed the Council asking for an update on drainage issues in The Pointe.

Sharon Saylor: Inquired why the City continues to allow building in floodplain areas. Spoke with Arthur about is and he said currently there is no City Ordinance to prevent building in the floodplain areas. What about the property owners that adjoin all these places?

Debra Lee: Addressed the Council about drainage and flooding issues.

**Department Head Reports:**

**City Controller Stephanie Kellerman:** Last week I spoke with the Mayor about our pay checks that we're still doing on written timesheets and we're getting ready to add new employees with the Fire and Police Departments and it consumes a lot of Gayla's time and my time to go back with a calculator and re-add everything that she's done to make sure it's correct. I suggested that we get something that is automated and he said he was thinking of the same thing and that Mt. Washington had just started new software package with Paychex where you can sign in on your phone; there are other places you can sign in like a kiosk or computer and I think that if we did this it would streamline the process; it wouldn't be so much work on Gayla. If we continue to hire people and get bigger and bigger we need to get better and more efficient at what we're doing. I spoke with a gentleman at Tsheets and he said that the information would automatically load in to QuickBooks. I had a ton of questions to make sure that it met our needs that it was easy and that it was cost efficient. However, I did not add the price of this into the Budget. So, if we want to do something like this which I think will save us money in the long-run we would need to add a little bit more money. We need to buy tablets; we could start with the Sewer Department first to try it out because they have the fewest number of employees and they have a different QuickBooks system so if it does cause damage it won't cause damage to the main City QuickBooks. We would have to buy the tablets and then it is about \$500 a month; if we decided we wanted to drop QuickBooks and do something else in the future, there is no

charge for cancelling the service. I didn't know if that was something that you would want to discuss. We can see if we can squeeze it in somewhere in this year's Budget but I'm just saying I didn't have specifically money added in. Bonnie Enlow: Does this program have GPS so when they sign in if they are not here in the City it's going to show that. It's accountability so we know we're not paying them to drive from home. Mayor Hockenbury: Another thing is if you have a workstation you have to be at that workstation. Stephanie: If you don't want to add the app on to your phone because it's not a City phone that's fine we can have a tablet at your workstation or if you have an individual computer you can log on that way also. I'm trying to be flexible with everyone but as far as the Police it would make more sense for them to have the app on their phone because sometimes they get runs on the way in to the office. They can check in on their phone and not physically be here at City Hall. Stacey Cline: When you say tablet you mean one per Department? Stephanie: Yes. Donna Burke: Is the tablet a rental or a one-time purchase? Stephanie: We can purchase it, that way it's cheaper. Lisa Carter: The timesheets now are handwritten? Stephanie: Everything is handwritten. Lisa Carter: Why don't we just have an electronic one where they punch it? Stephanie: The only thing I've looked at is the Tsheets just because it went right in to QuickBooks and it has a GPS for the Police Department. The Police Department wouldn't be able to punch theirs, so I was trying to think of something that every Department could use. Mayor Hockenbury: The Police Department has a geo-fence around the City; that way when you get in the City limits you call 10-8. Gloria Taft: Four years ago the City purchased time clocks that I believe had the thumb print indicators so nobody could clock in for someone else. Those have never been installed. Stephanie: That's correct. It was told to me that it did not interface with our system. Lisa Carter: Do we still have those? If they don't work with our system they need to be surplus. Stephanie: I believe we do. The nice thing with this is it actually takes a picture when you punch your four-digit code in. Stacey Cline: I'd like to find out how much the cost is of all of it. Mayor Hockenbury: Can you research that and get it back to us about the cost? Mike Hibbard: The public schools used them and an employee of the public schools they also log into their computers and when they log in it gives the time. They also have this for when they are on the property. An employee there was discharged because the logged in from downtown and it wasn't until they actually checked the GPS here and the time they logged in on their computer that they were able to find that she could not possibly get from one point to the other in that amount of time.

**Code Enforcement Officer John Bradley:** I've had several calls on the Dumpster Ordinance this past week. One thing we did not consider was the American Disabilities Act. Government funded apartments provide a dumpster with a door so residents can get to and if it is fenced in that won't happen; among other issues that have arisen. We need to amend it and go from there. Donna Burke: I've ridden around several areas where they have one that I can't conceivably see where you can put a fence.

- City Engineer Arthur Jones: I passed out an information sheet outlining several projects. The first page is a summary of our active capital construction activity that we've currently got going on in the City. The first project is the Manhole Rehabilitation Project along the line that many of you may know instead of the South Bullitt Interceptor you may know it more commonly as the Jim Beam Line. Currently that is a \$1.3 million project that underway rehabilitating those manholes. The process is applying epoxy mastic/coating to the interior of those manholes so it can protect them from future damage. It's approximately 35% complete. The next project is the West Blue Lick Road Pump Station Elimination. The contractor on that job is Basham Construction. The contract value on that is \$582,000.00. That is currently working to eliminate the Blue Lick Apartment lift station. It's currently about 40% complete on that job. There is over 2,000 feet of sewer line replacement that is going along with that pump station elimination project. Project #3 on the list is the Plum Street Parking Lot. That project was completed for just under \$190,000 by Caliber Construction. We're talking about a very nice public parking lot that is now created there at the entrance of First Street Park. If you have not seen it yet please drive by and take a look. That's setting the tone of what some of the improvements in the park are going to be in the years to come. Project #4 is the KY 61 Sewer Relocation. That project is currently being completed by Louisville Paving for approximately \$30,000 for that

effort. During construction of the KY 61 Road Widening, it was discovered that we have at least two of the lateral connections that went to the main line that were going to be right in dead center of the storm drain. So that lateral that was coming off that sewer main is going to come over and hit that storm sewer so there was really no way to avoid that. We couldn't get under it because if we went under we were going to be under the sanitary sewer; if we went over we were going to actually come up out of the ground. We didn't really have the ability to go over or under so we ended up going parallel and down the side. That's currently under construction right now. We're hoping it will be completed very soon. It's 95% complete just to tie in and whatnot in order to get that done. The next project we've got Autumn Leaf Phase 2 that we talked about briefly earlier. The Developed has expressed an interest to begin construction but is looking for a reduction in fees and will be present at the September 10<sup>th</sup> Council Meeting to discuss and formally request any discounts. Project #6 is the Keystone Crossroads Realignment. Project improvements are currently out to bid and will be opened at 10am on September 10<sup>th</sup>. The bids will be reviewed and then I will be giving a recommendation to the Council that evening for the award of the construction of the Keystone Crossroad Realignment. We had a Traffic Meeting that afternoon with the Traffic Committee and they have awarded the Adam Shepherd improvements to Integrated Engineering to complete design work for those improvements. The Scoping meeting for that design effort is scheduled for tomorrow and the Design Proposal I will be also sharing with you on September 10<sup>th</sup> to request award. Project #7 The Traffic Meeting with the Transportation Cabinet. Mrs. Linda Belcher and I met with the Transportation Cabinet and went over a boat load of projects in Bullitt County, so the Mayor and I have gotten together beforehand and talked about all the important things in Bullitt County with an emphasis on Shepherdsville but we both realize the fact that you can't be the County Seat and ignore everybody else in Bullitt County. The Mayor has been very proactive about working together with everybody else whether that's Mt. Washington, LJ, whoever. We went to the meeting with the Transportation Cabinet, talked through a lot of issues that we have here; of course everyone knows about 44; we've also got an issue with John Harper Highway needing to be widened as it comes off 65 in between I65 and Preston Highway; Blue Lick Road from that point up to the county line also needs to be widened and improved; we've also got the Widening of 44 but there's been an edit to that recently. No longer are they looking at that project in small sections for only State funding they have chopped it up into five segments now and now they've done it in a way that there eligible to apply for federal funding so not only are we going to be looking at projects locally and State but we're also going to be trying to get some federal funding pumped into that project because it is such a behemoth of a project. Mayor Hockenbury: Linda Belcher brought a petition to us and got all 8 Mayors to sign at the last Mayor's meeting. I'm proud to say that all 8 Mayors put their name on that for the improvement of 44. Arthur: That's a triumph on your part Mayor because this is something that we haven't really had in the past, this cooperative effort and you and the Mayors being able to come together in those meeting has really made a difference. The other project we have on the docket for the transportation side was West Blue Lick shoulder and drainage improvements; everybody knows if you go up West Blue Lick right now there is absolutely no shoulder. If you drop of the road you literally drop off the road. In our discussion with Transportation Department there is not a lot that we can do independent of you guys because we realize there is a large drainage project in that area that is needed, and I

made sure to put that on their radar. We understand that we're going to have to work together with the State on these projects. They can't build it without us and we can't build it without them, so we've started to lay the groundwork of how we get that job done because we've got to do stormwater improvements in that area but at the same time we need to work on those shoulders and make sure we've got a safe passage. We're going to work together on that to make sure we can come up with a solution. All of these projects are being put through engineering on their side for estimates to see how much exactly they would cost and the last project that we spoke of although it may not seem important today I do feel it's a very important project going into the future that we're planning for the next 10-15-20 years and that's Hwy 61 that goes south from Shepherdsville down to Hwy 245. We've been in a lot of discussions lately about all that build-out so with that build out we're going to have to find a way to get that five-lane extension from here to there to be able to allow for that alternate route. Currently we don't have an alternate route between those two positions and 65 is shut down at the bridge we've got a little tiny two-lane bridge across the Salt River for freight movement that's unacceptable. Those are pretty much the projects as far as when you're looking at traffic. That takes me down to Project #9 Sanitary Sewer Modeling. Currently the flow meters are going to be pulled out on Thursday. What that means for us is flow meters have been down in the sewers for two months and one week. That's going to allow us to take the model that has currently been created and the flow monitoring data will be used to calibrate that model to make sure the model acts the same as what we see in the field. If any of our flows are a little out of whack we can look at the flow monitoring data to calibrate that then back-source that data into what's it doing when it rains, then see that reflection in there as well. All of this will just make it a better system and then we'll start planning for all those capacity issues to be able to go forward with. Project #10 I lumped some of our large drainage, wastewater and inspections into this last line item. The Pointe – Peak Ave. 1 & 2; Carpenter & Joe B. Hall; Big O ditch-line to Bojangles; CSX Culverts; Best Made Pallets & 5<sup>th</sup> Avenue. That's where we were today. Evidently in flooded so hard over there in the last rain event we are talking about four feet of water on a property upstream and even though we've notified CSX several times of this blockage they have yet to come out and do anything about it so after notice to them last week we went out and did something today; pulled back the gravel and started to unblock the blockade and let them know the issue. They arrived on site this afternoon and I'll be meeting their bridge engineer in the morning to talk about what they need to do to fix their problem so that we can continue to fix what we have down-stream. We know we have drainage issue on 61 that's very close to the Bowman Valley straight stretch. At that location the drainage ditch needs to be cleared. We've notified the State Garage of that effort. They have it on their list of projects to do. It's not at the top but we're on the list and we've been in contact with the design engineers just to make sure that it wasn't within the other projects so the interchange project that we've got going on right now, Parsons is doing the engineering on that. We've been back and forth with those guys just to make sure there wasn't another avenue of potentially cleaning that out, but those projects don't overlap so we're going to have to deal with the State garage on this one. Lisa Carter: With the Big O ditch-line to Bojangles to Mr. Joiner's property; he had agreed to take a fence down to allow you all to get back in there with a backhoe to get that property cleaned out, do you know if he's gotten that fence down yet? Arthur: I do not. Public Works Foreman Tom LaFollette: The last conversation that we had with Mr. Joiner the City has no easements, no property over there; that property belongs to someone, probably the Trautwein's. Mayor

Hockenbury: We can't enter that property; it's private property. The City can't dig on private property. Lisa Carter: Even though it's blocked the City ... Arthur Jones: You're talking about the property that is immediately between 61 and the railroad track. Lisa Carter: That's the one I'm talking about; the one across from Big O to Joiners property that goes under 61 under the railroad tracks. Tom LaFollette: The Mayor and I met with Mr. Joiner and worked through all that. Lisa Carter: So even if he allows the removal of his fence for you all to go in and clean that culvert out. Tom LaFollette: That would put the City working on private property. Mr. Joiner is aware of all that. Gloria Taft: Is it our culvert or CSX culvert. Tom LaFollette: CSX culvert. Arthur Jones: I'm hoping the guys that I'm getting in contact with tomorrow with this CSX problem down here at Best Made Pallets will transfer so that we can then attack these other two or three known issues that we haven't been able to get any traction on. Gloria Taft: At The Pointe we've been told that three had been cleaned out; are those ditch-lines, culverts? Arthur Jones: Catch basins and outfalls. A flume and two catch basins. Gloria Taft: How many more are out there? Arthur Jones: Total structures; I do not know. There are I would say more than 50 structures in totality. But those are the ones that we identified as ditches that we knew were an issue, so we made sure we got there and cleaned up.

Mayor Hockenbury read a letter from the Bullitt County Clerk's office thanking him for having a mirror installed by the railroad underpass on 2<sup>nd</sup> Street.

#### **Council Comments:**

**Gloria Taft:** A while back we had addressed and were attempting to secure a fire truck loan from the bank and I know we ran into some small difficulties and had to take money out of the restricted reserve. Can you elaborate where we stand today on that Stephanie: Controller Stephanie Kellerman: They funded the money and everything is back where it should be. Gloria: I met with Chief McCubbin and Chief Troutman along with Pastor Tom Elbert talking about the Badge of Prayer and we are going to be meeting with the Spirit Association the first week of September to see about getting participation from the churches. I've got a couple question for the Traffic Committee. I could not attend. The RFP for construction went in the paper today; is it only in The Pioneer News or is it in multiple locations? Are we still looking at an October 1<sup>st</sup>-2<sup>nd</sup> deadline? Arthur Jones: November 15<sup>th</sup>. Gloria: Has the developer signed another document giving us that extension because I know that there is a signed agreement that says it has to be completed by October 1<sup>st</sup>. Arthur Jones: They gave us that deadline that day. Gloria Taft: Can you get it in writing because we have the October agreement in writing and we would like the extension in writing just to cover ourselves. Mayor Hockenbury: We can do that. Gloria Taft: Are there any Alpha Way leftovers useful in this build? I know most of the building materials are job specific but has that been looked at yet? Arthur Jones: I have not inspected to make sure whether those curb basins could be used or not. I know that their pipe hangers are not fit for this job; this job will primarily be a 48" really large ? concrete of reinforced concrete pipe per the RFP that's what's going to be used on that large portion so the majority of the material we have left over ... Gloria Taft: Since we are now bidding the project and we have cost provided by one construction company and now we're bidding it have we given one construction company an unfair advantage and will that interrupt or nullify the bid process. Donna Burke: Were we not providing all of the same date to anybody that's interested? Gloria Taft: One has had it for over two months and now we are giving other companies that don't have that access two-three weeks when one company has had this for months. That could be construed as an unfair advantage. I don't know if that's something Walt needs to address. Mayor Hockenbury: Walt was there. He was okay with that. Gloria Taft: Were there minutes taken at that meeting? Is there another Traffic meeting scheduled? Mayor Hockenbury: We don't have a date yet, but we do have another meeting coming up. We'll send notification out. Arthur, will you prepare minutes from your notes and get to Committee members?

**Mike Hibbard Sr.:** I've had several discussions with people about our dumpster fencing ordinance.

I know some people spoke on that tonight. The concerns that they had was #1 cost to small businesses particularly thinking that will be an unfair burden on them and that the issue of the ADA access if they are fenced in at locations. I voted for it; we started conversation on this subject almost a year ago and we had a couple comments since then but not much. The old ordinance stated that if containers that were commercial property adjoins any residential zone area. I think if we go back to that it will solve 99% of the problems that have come up. I know Lisa brought up a situation at a location that may or may not be affected by us going back to that. But if you have an individual location there ought to be some way we can deal with it. If it's a health issue, a nuisance, whatever, without having everybody else have to go through it. The fines that we've come up with, I think that's okay. From everybody that I've spoken with I will make the motion that we amend this Ordinance or rewrite it whichever is best and easier and go back to only define the commercial dumpsters that abut or adjoin residential properties. Stacey Cline 2<sup>nd</sup>. Mike Hibbard: Todd, somebody mentioned that your dumpsters can't be locked. Todd Preher, Republic Services: We do offer a lock bar. You provide your own lock. Mike Hibbard: That will be a benefit to commercial places that don't want the average citizen to have access to their dumpsters, but their business people could open it and such when they go out. Stacey Cline: Is there a fee for that? Todd Preher: We can work something out, there is a fee for them because obviously they cost money, but we can sit down and discuss that further. Donna Burke: The additional thing you have to worry about is on the one in the ordinance; the ones that are not butting up to such as what's behind the bank on Frank E Simon that had what looked like something sticking up out of their dumpster 10 feet. That's visible and quite an eyesore so we need to have something included in that ordinance that specifically addresses a fine for having something that makes the lid go above if they are not going to have a fence. Mike Hibbard: As it's written right now, and I use Kroger and WalMart as an example, their dumpsters are behind, and they don't abut to residential and for the most part you don't see them. John Bradley: If we go back to the old ordinance it's still got misdemeanor penalties in it that will have to come out of it before we can address it before the Code Enforcement Board. But it still says if your business backs up to a residential zoned area you are still required to get a fence. Motion carried 6-0 to rewrite the ordinance. Mike Hibbard: The gentleman that was here a couple meetings ago about the lights in the ballpark in the Park and quite frankly looking at our financials I expressed then the opinion that people want new things, more things. I feel we need to get a grip on what we've got and make sure that's taken care of first and not allow it to fall into disrepair. I think there are sufficient funds in accounts that could be used if we need to amend but there are sufficient funds there so can we get an estimate on doing that work. I think he said about \$17,000 at the time. Mayor Hockenbury asked Tom LaFollette to get an estimate to fix the lights that are at the ballpark. Mike Hibbard: There was a bill paid for someone to look at a situation out there. I don't know if it was the very same one or not. It was to troubleshoot issues with a panel, two poles and the concession stand. I think that's the only concession stand out there. I know time is getting later this season but if we've got these assets let's take care of them so that people can use them. That's my opinion. There has been some discussion this past week about the pickup for Public Works. The only thing I saw a difference of; I think when we talked to you Mayor you mentioned the snow plow. That addition, Tom, it says snow plow package; was that just left off the original proposal? Is that a towing package? It's not the snow plow itself? Tom LaFollette; No, it is not the snow plow. It's the switches and things that will control the plow. Mike Hibbard: That was not on the original estimate. Tom LaFollette: No, it was not. Mike Hibbard: Which we have to have otherwise we won't be able to use the snowplow. Tom LaFollette: In return our plow will be less costly.

**Lisa Carter:** At the last meeting we had I asked about the composite posts for the Welcome to Shepherdsville signs. I actually forgot to ask for the four caps that go on top of those. I was wondering if we could go ahead and submit to get those? Stephanie did you get the W-2 from the gentleman? I will get a price on those and get with everybody on those. I have some issues with grass and I'm going to have you

this list Mayor. I'd like to thank Chief McCubbin and any other officers that are in here tonight. I've had many calls in my neighborhood about four-wheelers and dirt bikes; they've been a nuisance to our neighborhood. The Police Department was there Saturday and our neighborhood has been peaceful since. Thank your officers. I appreciate that.

**Donna Burke:** I have had numerous calls but all from one person regarding the fence ordinance so I'm glad to see that we are going to revisit that. That will also alleviate the expense we were going to have of getting our own dumpsters fenced. We had an issue of a higher cost on the truck. How did that get handled? Stephanie Kellerman: The extra stuff that was added on the truck can be moved to another truck too so those are actually equipment on their own. So that goes under another line item. I thought the whole thing was the truck; but it was actually equipment. So as long as we can use it on another piece of equipment it is considered its own equipment.

**Stacey Cline:** The dumpsters and ballpark what Mike brought up was two of my concerns. John do you know anything or what's going on with Riverview Drive after it went to the County Attorney? John Bradley: I've got a subpoena for October 10<sup>th</sup> at 1:30. I've reached out to my contact and they don't have anything yet but as soon as they do they will give me a call. If they are in foreclosure the foreclosure laws release them from their responsibilities. I would like to thank Bryan Whittaker for what he said about our Chief and all the people he's worked with; it makes me feel good to sit up here on this Board and I'd like to thank him for all his hard work he did for the City. I don't know if some of you Council know this person, but Russell Peacock passed away and he worked for the City. I'm pretty saddened by it. He was a great worker.

Bonnie Enlow: Layne, I have that stuff ready for the Fire Department. I'm donating all the photo albums and certificates that Jim has saved over the years so they can put up a history. I also had several items that have been discussed.

**Stacey Cline:**

Mayor Hockenbury asked for a motion to adjourn to Executive Session to discuss possible litigation with Arthur Jones. Donna Burke made motion to adjourn to Executive Session. Bonnie Enlow 2<sup>nd</sup>. Motion carried 6-0.

Lisa Carter made motion to return to Regular Session. Donna Burke 2<sup>nd</sup>. Motion carried 6-0. Mayor Hockenbury reported there was no action taken in Executive Session.



Lisa Carter made motion to adjourn. Donna Burke 2<sup>nd</sup>. Motion carried 6-0. Meeting adjourned at 8:35 p.m.

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Curtis Hockenbury, Mayor

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Tammy Richmond, City Clerk