

**CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY, JANUARY 14, 2019
6:30 PM**

CALL TO ORDER

With an invocation by Pastor Tom Elbert of Divine Savior Lutheran Church and the recital of the Pledge of Allegiance, Mayor Curtis L. Hockenbury called the meeting to order at 6:35 PM.

ROLL CALL

Present were Mmes. Lisa Carter, Stacey Cline, Bonnie Enlow and Deb Huffman as well as Messrs. Larry Hatfield and Kenny Newton.

APPROVAL OF MINUTES

Approve 12/10/18 regular meeting minutes as submitted.

Motion: Lisa Carter

Second: Stacey Cline

Ayes carried, Ms. Enlow voting no.

UNFINISHED BUSINESS

Ordinance 018-275 – AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF .3256 ACRES, MORE OR LESS, KNOWN AS 368 HIGHWAY 44 WEST, ALSO KNOWN AS PVA #036-SEO-03-004, LOCATED IN THE CITY OF SHEPHERDSVILLE, KENTUCKY, FROM R-3 TO B-2.

Second reading of the ordinance in its entirety by City attorney Tammy Baker.

Motion: Larry Hatfield

Second: Stacey Cline

Ayes carried to approve.

NEW BUSINESS

A) Surplus Police Property List dated 12/10/2018

Police Chief McCubbin asked the councilmembers to postpone action on the list until the meeting on January 28th so that distribution to other departments to see if there is any potential useful life elsewhere could occur. It was agreed to do so.

B) ORDINANCE NO. 019-277

AN ORDINANCE OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY CONCERNING THE CREATION OF COLLECTIVE BARGAINING PROGRAM WITH THE SHEPHERDSVILLE FIRE DEPARTMENT FIREFIGHTERS AND THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY

First reading of the ordinance in its entirety by City Attorney Tammy Baker. Mr. Hatfield desired information on the status of the Police contract. Mayor Hockenbury declared another meeting would be held this week and negotiations are somewhere in the middle.

C) ORDINANCE NO. 019-279

AN ORDINANCE OF THE CITY OF SHEPHERDSVILLE, KENTUCKY, PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION NOTE, SERIES 2019N-1, UP TO A MAXIMUM PRINCIPAL AMOUNT OF \$2,600,000 FOR THE PURPOSE OF (i) PAYING ALL OR A PORTION OF THE COSTS OF THE CONSTRUCTION OF A FIREHOUSE AND FIRE TRAINING TOWER ON ORION DRIVE WITHIN THE JURISDICTIONAL LIMITS OF THE CITY AND (ii) PAYING ALL OR A PORTION OF THE COSTS OF ISSUANCE OF THE NOTE; SETTING FORTH THE TERMS AND CONDITIONS UPON WHICH THE NOTE IS TO BE ISSUED AND OUTSTANDING; ORDERING AND PROVIDING FOR THE LEVY OF AN ANNUAL TAX, TO THE EXTENT NECESSARY, SUFFICIENT TO PAY THE INTEREST ON AND PRINCIPAL OF THE NOTE; AND PROVIDING FOR A PRIVATE SALE OF THE NOTE AND THE APPLICATION OF THE PROCEEDS THEREOF

First reading of the summary ordinance in its entirety by City Attorney Tammy Baker. Ms. Enlow inquired about the interest rate, which is 3.50% and it was confirmed for Mr. Hatfield that the City could pay the off the loan early with no penalty.

D) First reading ORDINANCE NO. 019-280

AN ORDINANCE PURSUANT TO KRS 81A.412 ANNEXING INTO THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, UNINCORPORATED TERRITORY INCLUDING PROPERTY OWNED OF RECORD BY SALT RIVER INVESTMENT, LLC AND ROLLING ACRES FARM, LLC, BY CONSENT OF ALL PROPERTY OWNERS OF RECORD OF THE PROPERTIES.

First reading of the summary ordinance in its entirety by City Attorney Tammy Baker. Mayor Hockenbury confirmed public speaking for this ordinance.

Eric Farris, Buckman Farris & Mills, representing Salt River Investment, LLC, Rolling Acres Farm, LLC, and the Miller Enterprises, LLC et al, provided an annexation plat for Rolling Acres Farm listing also the three tracts of approximately 42 some odd acres for Salt River for consideration. He declared this was first presented as a combined tract, now split into two ordinances with this one covering roughly 42 acres for Salt River and 227 for Rolling Acres Farm. To the northeast and west already bordered by Shepherdsville, contiguous by three other tracts and how this should fit nicely into the long-term county comprehensive plan and sewer line. Ms. Enlow had questions on the 227 acres [of Rolling Acres] and the 42 acres in the three tracts [for Salt River] and how they were contiguous. Mr. Ferris explained the map and the referencing annexing ordinances.

Mayor Hockenbury asked audience members to hold comments until the reading of the next ordinance so they could be recorded together.

E) First reading ORDINANCE NO. 019-281

AN ORDINANCE PURSUANT TO KRS 81A.412 ANNEXING INTO THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, UNINCORPORATED TERRITORY OF PROPERTY OWNED OF RECORD BY MILLER ENTERPRISES, LLC, THE GEORGE RANDALL MILLER REVOCABLE TRUST, AND PART OF

CHAPEZE LANE, BY CONSENT OF ALL PROPERTY OWNERS OF RECORD OF THE PROPERTIES.

First reading of the summary ordinance in its entirety by City Attorney Tammy Baker. Distributed were aerial maps by Eric Ferris showing the subdivision with surrounding proposed annexations, and proposed annexations in relation to the Shepherdsville sewer lines, a vicinity map, and a copy of Bullitt Circuit Court Division I Civil Action No. 16-CI-00110. Mr. Ferris noted that there had not been change in consent from KDOT for Chapeze Lane annexation since the original ordinance 018-276, recalled the 18 million dollar bond for the “Beam extension” of the sewer system and ordinance 14-170 which called for tap and impact fees of \$2,500 per acre to the line, and clarified/answered resident statements made regarding 16-CI-00110 during last council meeting.

Mr. Frank Cramer, 260 Meadow Lane, handed out folders to councilmembers containing a copy of KRS 81A.410, and pictures with notes written on them. The question was asked regarding the statute: to what, with reference to the Miller properties, is the City annexing? There is nothing surrounding that property which is Shepherdsville.

Also, the pictures show deterioration in the roadway on which the City would be sending tractor trailers. It has been repaired twice within the last two years, there is drain pipe that runs underneath it, sharp drop offs and curves on inclines all of which present very dangerous situations.

Susie Watkins, 1167 Peaceful Way, proposed the following to each councilmember: “knowing that Jim Beam will not purchase property in an incorporated City, why would each of you want to bear the responsibility to prohibit the bourbon trail to start at exit 112?”

Steven Phelps, 295 Lover’s Leap Lane, read a prepared statement, attached as “Attachment A.” and highlighted.

Eric Ferris commended Mr. Phelps on being an excellent orator but had a fundamental disagreement with the interpretation of the law, citing an example of “the Rogers Group property to beyond Brooks” as having withstood legal scrutiny and believing this to be a similar circumstance in using Chapeze Lane to connect the Miller properties to current Shepherdsville boundaries. Mr. Ferris’s clients desire to meet with residents to discuss concerns, questions, goals, etc.

Ms. Stacey Cline wished to see those in total (appx. 35) that were opposed to the annexation and those opposed (7) who were residents from the City.

Ms. Bonnie Enlow would like to see better mapping that shows all the boundaries and how the proposed annexations connect. She is not for corridor annexation as it is her belief that it is not morally right and will not vote for it.

Ms. Lisa Carter questioned Arthur Jones on mapping as well.

F) Discussion and possible vote on proposal for surveying and design services from Integrated Engineering for the Adam Shepherd Parkway Improvement Project.

Arthur Jones, City Engineer, discussed the main points for the project which include:

- Adam Shepherd Parkway – Restriping for dual left turn lanes at KY 44, modifications to the Adam Shepherd Parkway / Conestoga Parkway intersection, and access management improvements between Conestoga Parkway and KY 44,
- Conestoga Parkway – Widening approximately 800 feet to a 5-lane urban typical section with curb and gutter,

- KY 44 – Eastbound striping improvements from Hester Street to Joe B. Hall Avenue and extension of the storage area for the westbound left turn lane to Joe B. Hall Avenue and southbound I-65,
- Traffic engineering analyses and microsimulation modeling of the project area,
- Traffic signal modification plans for the KY 44 / Adam Shepherd Parkway / Joe B. Hall Avenue intersection and the Adam Shepherd Parkway / Conestoga Parkway intersection.

Motion made by Ms. Enlow, seconded by Ms. Huffman to accept the proposal from Integrated Engineering including the aforementioned scope of services totaling \$184,116. Ayes carried 6-0.

COMMITTEE REPORTS

Planning and Zoning - Mr. Daryl Lee was not present to give a report.

Board of Adjustments – Mr. Duane Price did make a comment from the audience, but it was garbled.

Other Speakers

Barbara Kindall, Kindall Realty Co, talked to councilmembers and the audience regarding the Nulease Medical Solutions, 322A Hwy 44 East, remarking that the tenants had misled her upon initial occupancy of the property saying they were going to provide drug counseling but have turned into a drug clinic. Approximately 140 people a day, she believes, come from the Louisville area, to get drug testing, prescribed methadone and suboxone. She also believes the same will be coming before City Council for a building permit after they purchase “Mr. Price’s place” and wants to warn all beforehand because once they get in and receive state funding, it is difficult to remove them.

Judge Executive Jerry Summers spoke to councilmembers and the audience regarding the new Bullitt County Fiscal Court, quality of life issues, encouragement of cooperation amongst governmental entities, and informing that Robert’s Rules of Order would be used in the meetings.

Debra Lee, 538 Beechwood, inquired about the City’s role and responsibilities in a developer’s cutting of 25’ of trees behind her property, the installation of a storm drain, and non-maintenance of Blue Lick Creek.

Department Head/Specialty Reports

Accounting - Ms. Stephanie Kellerman, Controller, reported December financials will be late as she will be attending KLC training, going on vacation, then distributing W2s before month’s end.

Code Enforcement – Mr. John Bradley, Code Enforcement Officer, informed that 406 Riverview had 36 counts and \$24,000 dropped to 1 count and community service. The City is getting nothing from the one remaining District Judge. Discussion ensued regarding status of the updated ordinance.

Council Comments

Mr. Hatfield wished to commend accounting personnel Gayla Bright and Stephanie Kellerman for recent audit success in lessening findings from four to one.

EXECUTIVE SESSION

Motion made to adjourn to executive session at 7:57PM to discuss pending litigation. Ms. Enlow desired to add personnel. Pursuant to KRS 61.810 1(C) and (F).

Motion: Larry Hatfield

Second: Lisa Carter

Ayes carried.

Motion made to return to regular session at 8:40 PM with no action having been taken in the executive session.

Motion: Bonnie Enlow

Second: Lisa Carter

Ayes carried.

After general discussion, motion to adjourn made by Larry Hatfield, seconded by Deb Huffman, at 8:41 PM. Ayes carried.

Mayor Curtis L. Hockenbury

City Clerk C.R. Wirthlin