

REGULAR MEETING OF THE CITY COUNCIL

OF THE CITY OF SHIVELY HELD IN THE

NEWMAN MEMORIAL BUILDING, 3920 DIXIE HIGHWAY

SHIVELY, KENTUCKY 40216

ON MONDAY, JUNE 21, 2010

The meeting was called to order at 7:30 p.m. by Mayor Conner.

Opened the meeting with the Pledge of Allegiance to the flag.

ROLL CALL:

Mayor Conner	present		
Ms. Burton	present	Mr. Dummitt	present
Ms. Mayes	present	Ms. Renn	absent
Mr. Vance	present	Mr. Wathen	absent

Motion made by Ms. Mayes, second by Mr. Dummitt to approve the minutes from the last meeting as received.

Mayor Conner made a correction to the previous minutes. Last page, first line should read: Officer Guffey.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

COUNCIL REPORTS:

Ms. Burton, reported there will be a “Yard of the Month Contest” in which neighbors can nominate themselves or someone else and they will receive a gift card from Home Depot and this will be for an entire year. We will be advertising this at the festival and the music in the park in July. We will also be advertising the BBQ at the festival as well.

Mr. Dummitt, no report.

Ms. Mayes, reminded everyone this weekend is the Shively festival and she is in charge of the dog show contest. The festival will be June 25th & 26th.

Mayor Conner said there will be a lot of other things going on too.

Ms. Renn, absent.

Mr. Vance, no report other than Ms. Mayes asked me to be a judge at the dog show contest.

Mr. Wathen, absent.

CORRESPONDENCE:

Mitzi Kasitz, City Clerk said Mr. Bud Schardein from MSD is here to speak to the city council tonight.

Mr. Schardein said every city has the right to make it's own decisions for the citizens of their city; I'm just here to provide information for you. The drainage utility program began in January 1987 and was formed because many residents in suburban areas of Jefferson County did not have drainage; neighborhoods were built without proper drain systems. MSD was selected to form a drainage utility and it was done under KRS 76 which gives us the authority to provide sewer service, flood protection and storm water drainage. There were nine (9) cities in the 3rd and 4th class that had not made a decision at that time. Five (5) cities did not join but four (4) cities did. The current drainage fee for residents is \$5.70 monthly, commercial and industrial customers are based on square footage. When Louisville Metro became government in 2003, we invested \$140 million dollars in neighborhood capital grants and some of that money has been spent in Southwest Jefferson County.

DISCUSSION WITH MR. SCHARDEIN FROM MSD:

Mr. Vance asked in order for us join this program; we have to pay an enormous amount of money up front right?

Mr. Schardein said it would be done over the course of a four (4) or five (5) year period and is calculated based on your populated size, residential and commercial so I don't have a firm number to give you but there will be a fee to bring you in the program.

Mayor Conner said the initial fee would be paid by the city and not the residents.

Mr. Schardein said yes.

Mr. Walt Cato, City Attorney asked how would schools and churches be affected?

Mr. Schardein said schools are exempt but churches are not.

Mr. Dummitt asked if we could have something in writing as far as the calculations that would be helpful.

Mr. Schardein said I would be happy to do that; I just wanted to come and talk to you about your interests and concerns. It will be based on the same formula as Prospect's was. I know this is a tough decision for the city to make due to the economy. I try to get to the worst problems first and as long as I'm in the position I'm in, flooding will be my primary issue in protecting everyone's personal property.

Mitzi Kasitz, City Clerk said when you said you removed people from a flood plain isn't that done every so many years as far as MSD's assessment and wasn't it done recently?

Mr. Schardein said we mapped it a year ago.

Ms. Kasitz asked when will that happen again?

Mr. Schardein said in four (4) more years. FEMA calls for re-mapping of flood plains every five (5) years.

Mr. Vance said he lives by the pumping station on Fern Lea Road and every time a big rain comes, the alarm goes off but no one comes until the next day to turn it off. He also said the street needs paving so how long will it be before the street is dug up?

Mr. Schardein said before he left his office, he signed papers on the \$11 million contract to do the Shively interceptor which will start within 60 days of the award of the contract which means this year.

Mr. Vance asked do you take the whole road up or just a section of it?

Mr. Schardein said just the section that we need and if we take more than half of it, we pave the whole thing. He also talked about a new program where if you hire a plumber, MSD will pay for it and you will then pay MSD at 0% interest over a three (3) year period. We also offer a 30% senior citizen discount if you are 65 or older and earn an income of \$35,000.00 or less. We are the third city in the U.S. to offer this.

Ms. Burton asked do they have to fill something out?

Mr. Schardein said no all they have to do is call and we'll send them something and they'll send back to us showing their date of birth.

Mayor Conner said I believe we've published that in our newsletter before. She also asked Ms. Mayes how does she know she needs a new sewer?

Mr. Vance said she has weeds and tree roots growing in it.

Mr. Schardein said you'd know because it will start backing up on you. Tree roots are probably the number one cause. MSD is responsible for the sewer from the center of the street up to your property line but we cannot go in your private yard.

Mayor Conner asked on an average what does that cost?

Mr. Schardein said it depends on the size of the lot.

Ms. Kasitz asked if the city initially spent this money and got on board with MSD, does this mean the culverts would be cleaned out too?

Mr. Schardein said call the city clerk at Prospect and ask them what they think of the last 3 ½ years.

Ms. Kasitz also asked did MSD ask them not to do the drainage projects for the next four (4) years?

Mr. Schardein said no because we set a five (5) year cap on a budget program – we have projects designated for five (5) years. If you had a block that had a drainage squall that had to be regrated causing standing water or drainage stopped up that is considered drainage maintenance.

Mr. Dummitt said aren't we already doing that?

Mayor Conner said we pretty much take care of the culverts now.

Chief Wendell Vincent said you said the residential rate is \$5.70 monthly. Do you all plan to impose a rate increase?

Mr. Schardein said yes 6 1/2%, which will make it \$5.86 or \$5.87.

Chief Vincent said do you all pressurize the sewers when they are tested?

Mr. Schardein said we are doing a sanitary sewer evaluation study and it has to be flushed out first, then run a tv camera through it to see the conditions of it then the EPA will look at it from there.

Mayor Conner asked what information could you give to us or should we contact Prospect?

Mr. Schardein said the best way to handle this is to contact someone who wasn't in at the beginning but came in at a later date and ask them how they feel about it.

Mr. Dummitt said I think we're interested in it, we would just like see the numbers.

Mr. Schardein said I will have our accounting office run the numbers in the meantime call Prospect and I will send to you what I have and if you want me to come back, I will.

OLD BUSINESS:

Second reading: Ordinance No. 3, Series 2010 – Levying Taxes For The City Of Shively, Kentucky For The Fiscal Year 2010-2011. Introduced by Mr. Vance. Motion by Ms. Mayes, second by Mr. Dummitt.

Mr. Vance asked is this the same amount as last year?

Mayor Conner said yes sir.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

Second reading: Ordinance No. 4, Series 2010 – Adopting The City Of Shively Annual Budget For The Fiscal Year July 1, 2010 Through June 30, 2011. Introduced by Ms. Mayes. Motion by Mr. Dummitt, second by Mr. Vance.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

Second reading: Ordinance No. 5, Series 2010 – Setting Salaries For City Officers. Introduced by Ms. Renn. Motion by Ms. Mayes, second by Mr. Dummitt.

ROLL CALL:

Ms. Burton	no	Mr. Dummitt	no
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	no	Mr. Wathen	absent

Mr. Vance said the city council sets the salaries and no one talked to me ahead of time about this so at this time, I'm voting no. We need to discuss this before we bring it up for a vote.

Mayor Conner said three to one is that correct? This kind of makes the budget a problem.

Mr. Cato, City Attorney said I fail to see why the passing of the budget ordinance would be affected by failure of the ordinance setting salaries. This is a similar circumstance the state found themselves in where the salaries would continue until further action is taken or pass a new ordinance addressing that question.

NEW BUSINESS:

Mayor Conner said the department heads will now give reports so we'll start with the police department.

Chief Ralph Miller, Police Department explained his department's bills over \$500.00 June 1st thru June 15th.

Chief Wendell Vincent, Fire Department explained his department's bills over \$500.00 June 1st thru June 15th.

John Haywood, Works Director explained his department's bills over \$500.00 June 1st thru June 15th.

Ms. Burton asked what is United Construction for?

Mr. Haywood said the two repairs on Savage Drive.

Mitzi Kasitz, City Clerk explained her department's bills over \$500.00 June 1st thru June 15th.

Ms. Burton asked what is Sam's Club for?

Ms. Kasitz said there are three (3) employees at City Hall that make purchases there and this is an annual membership fee.

M.O. No.19, Series 2010 – Approving Bills Over \$500.00. Introduced by Ms. Mayes. Motion by Ms. Burton, second by Mr. Dummitt.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

M.O. No. 20, Series 2010 – Authorizing Participation In The Metro Partnership Program With Suburban Cities. Introduced by Ms. Mayes. Motion by Mr. Dummitt, second by Mr. Vance.

Mayor Conner said this is to accept the money from Louisville Metro Council Woman, Mary Ann Butler to pay for the light at the viaduct.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

Resolution No. 2, Series 2010 – Authorizing The Mayor To Make Application For And, Upon Approval, To Enter Into An Agreement With The Kentucky Office Of Homeland Security (KOHS), To Execute Any Documents Which Are Deemed Necessary By KOHS To Facilitate And Administer The Project And To Act As The Authorized Correspondent

For This Project. Introduced by Ms. Burton. Motion by Mr. Vance, second by Mr. Dummitt.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

Resolution No. 3, Series 2010 – Honoring The Butler High School Baseball Team For Having Been Declared Runner Up In The State Championship Competition And Declaring June 21, 2010 To Be Butler High School Baseball Team Day In Shively. Introduced by Ms. Mayes. Motion by Ms. Burton, second by Mr. Dummitt.

ROLL CALL:

Ms. Burton	yes	Mr. Dummitt	yes
Ms. Mayes	yes	Ms. Renn	absent
Mr. Vance	yes	Mr. Wathen	absent

CITIZENS PARTICIPATION:

None.

Ms. Burton suggested the city post a sign for park hours for Shively and Leeds Parks.

Mayor Conner said we have ordered signs that will have park rules and hours on it.

Ms. Kasitz said we talked about having 6:00 a.m. on it but we have a lot of people that get out real early and walk on the walking path.

Ms. Burton said some parks even rope it off to where cars can't go through it.

Major Kleier then thanked Ms. Mayes for her support for the department heads.

Mitzi Kasitz, City Clerk then gave a run down of all the activities for the Shively Festival.

ADJOURN:

There being no further business to come before the council, motion by Ms. Mayes, second by Mr. Vance to adjourn the meeting.

All in favor signify by saying aye. Those opposed, no. Ayes have it, so ordered. Motion carried. Meeting adjourned at 8:40 p.m.

MAYOR

CITY CLERK