

CITY OF SHEPHERDSVILLE
MONDAY, March 28, 2022
6:30 PM

Invocation given by Pastor Tom Elbert, Divine Savior Lutheran Church.

The Pledge of Allegiance was recited.

Mayor Hockenbury called the meeting to order at 6:33 p.m.

Council Members Cline, Carter, Enlow, Hibbard, Huffman, and Newton were present.

Mayor Hockenbury asked for a motion to approve the 3/14/2022 regular meeting minutes. Motion made by Lisa Carter. 2nd by Stacey Cline. Motion carried 6-0.

NEW BUSINESS:

City Attorney Tammy Baker had first reading and public hearing on Ordinance 022-048 a request from Samuel & Vicki Dever to rezone property located at 200 Koi Way from AG, R-1 and R-3 to R-1 Residential. The property in question is 9.874 acres, more or less, listed as PVA 028-000-00-025 in the City of Shepherdsville. There was no public comment.

City Attorney Tammy Baker had first reading and public hearing on Ordinance 022-049 a request from Elizabeth Deweese to rezone property located at 1896 Highway 44 E from R-1 Residential to B-2 Central Business. The property in question is .70 acre, more or less, listed as PVA 045-W00-07-012 in the City of Shepherdsville. There was no public comment.

OLD BUSINESS:

City Attorney Tammy Baker had second reading and public hearing on Ordinance 022-044 a request from A & H Lakeview Land, LLC to amend the Bullitt County/City Zoning Order and Bullitt County/City Zoning Map as amended, changing the zoning of 43.79 acres more or less located at South Lakeview Drive in the City of Shepherdsville Kentucky, also known as parcel 046-000-00-004A, and 045-SWP-01-005 and 046-000-00-001 from B-1 Highway Business to IL Light Industrial. Based upon the testimony offered in that hearing recommended that the zoning change application be denied. Mayor, the one thing that I will add is because this application received an unfavorable recommendation from the Planning Commission, if the Council does want to vote to approve, you will have to make your own findings of fact, that is why that is referenced in the Ordinance. That is something that would have to be come up with so that I can draft that in type form if the Council chooses to approve the zoning. Mayor Hockenbury stated we would start with Mr. Eric Farris who needs 15 minutes to present. Mr. Farris: This project involves two tracts. Essentially, it is one project based upon two tracks to be rezoned; both are currently zoned B-1 Highway Business, and the requested zoning change is to IL Light Industrial. For the sake of time, we are going to address all of this at one time. City Attorney Baker: Yes, Mr. Farris we had a conversation about this, and I recall it right now. Mayor that is perfectly fine if you all want to have just the one public hearing; it is on two adjacent parcels. That way the folks that have to testify will only have to speak once. I would recommend that I go ahead and do the second reading of the next Ordinance as well then, that way it is clear what all we are talking about.

City Attorney Tammy Baker had second reading and public hearing of 022-045 a request from Reall Holding, LLC to amend the Bullitt County/City Zoning Order and Bullitt County/City Zoning Map as amended, changing the zoning of 7.50 acres more or less, located at Tracts 1 through 6 on South Lakeview

Drive in the City of Shepherdsville. Kentucky, also known as parcel 045-SWP-02-001, 045-SWP-02-036, 045-SWP-02-037, 045-SW P-02-036A, 045-SWP-02-035A from B-1 Highway Business to IL Light Industrial. Based upon the testimony offered in that hearing it was recommended that the zoning change application being denied. Eric Farris, Counsel for the applicants. Thank you very much. With me tonight is Steve Poe, the applicant, Hank Hillebrand, Director of Development with Mr. Poe. Eric Senn who is one of the Principals and is an Engineer at Land Design & Development, Ann Richard who is responsible for all of the designs we will be showing you., and Diane Zimmerman who is an Engineer who performs traffic studies as a career. The property we are talking about, the first 43-acre tract and there a smaller 7-acre tract we are discussing a rezoning of both of these tracks to Light Industrial with the ability to then establish a new roadway that would be created and would empty on to Kentucky 44 across from Roby Elementary, at a specific size because of its location. And we will talk a little bit about why the Planning Commission gave us unfavorable recommendations. We think when we are through here, you will see why that was incorrect; and why we think you will want to follow the project plan that we are recommending as opposed to the existing zoning. I want you to keep in mind this property we are talking about tonight, is already zoned B-1. And those of you who have been around for a while know that many, many uses that are currently possible in that zone right now without anything further than a site plan and pulling permits. In addition, there is already zoned and adjacent to the new drive, a set of apartment complexes not yet constructed, but approved, for 177 units. So, all that you are going to see and hear involve what is currently on the ground approved, ready to go, regardless of the Council's actions here tonight. City Attorney Tammy Baker: Mr. Farris, we will need to have them sworn. City Attorney Baker swore in Mr. Poe, Mr. Hillebrand, Mr. Senn, Ms. Richard, and Ms. Zimmerman who then addressed the Council on the pros of rezoning of this property. Mayor Hockenbury: For the record, that was 18-1/2 minutes they were talking and to be fair, so I am going to allow those opposed 18-1/2 minutes to speak. Question: When did you do your revised study? Ms. Zimmerman: The revised study is dated March 25, 2022. The original one was dated October 5, 2001. Question: Are you the one who did the original study for the new apartments? Ms. Zimmerman: No, I did not study for that. Question: And when you did all this, it says that we are eligible for a light. You actually talked to District 5 about the probability of us even getting the light? Ms. Zimmerman: Yes. Question: And what was their response that it met their requirements. Ms. Zimmerman: It is a matter of who is willing to pay for the signal. And it still requires one more level of review before they would confirm that. Comment: We were turned down close to where this is as it takes the volume of traffic from one of the side streets to meet it and the school by itself would not meet the requirements to install a traffic signal. Also, the distance from the exits. It has to be at least 800 feet from the edge of the traffic signal at 65. How far is this one? Ms. Zimmerman: It is about 14, I do not remember it now but 1400 – 1000; somewhere between 1200 and 1400. That was the first thing I asked this team when they called me what is the spacing? It is an uphill battle if you are less than 100 feet. Question: Do any of you all live in City of Shepherdsville city limits? So, you guys have never actually physically been out here at morning rush hour or afternoon rush hour. I would personally invite any and all of you to come out here with every one of these citizens and drive that road especially the residents who live on Centerview Drive. It will take 20 to 25 minutes at times to get out of that street and there is no 100% guarantee that the light is going to be at that location. I have spoken with the Highway Department; they say the road needs to be completely reconstructed there and until that has been done, I do not agree that this can happen because of the volume of traffic. We have an elementary school there our kids cannot even walk to school these days. Also, I do not want all those tractor trailers around our kids coming in around that school either. Eric Farris: Mr. Poe and his team have actually come out here to experience that traffic because that is why they have turned down the project to begin with. So, it was not until that could be resolved that it was deemed even worth a project. There is going to be delivery trucks; there is going to be some sort of trucks and commuter retail traffic that is going to be going back there; plus, the 177 times two residents who are going to be back there, so what we are giving is the option of how much volume. City Attorney Tammy Baker swore in the speakers signed in to speak on this topic.

Trina Summers, 161 Salt River Drive: First, I would like to offer my condolences to the Shepherdsville Police Department and the City of Shepherdsville on the loss of their Canine Officer Dash. Such a tragedy. Spoke in opposition of the zoning change. I am here to ask that you accept both the unfavorable recommendations for the rezoning of this property. When considering cases like this is important to consider what the development has to offer. On one hand, you have a property owner that wants to develop a piece of property in a fast- growing City bringing with it jobs and revenue. On the other hand, you have very close bond residents that will be tremendously impacted by that development. It is very important to weigh the impact of this development. Will it provide for a beneficial and convenient relationship among residential and industrial areas to the best interest of the general public? There is nothing beneficial or convenient, or in the best interest of the general public with this proposal. First are traffic issues. This area is very crowded. Yes, they have done a professional traffic study and proposed a red light, but that is not yet approved. This development will be finished way before a red light is approved and installed. This area has been residential for as long as I can remember, there is not any kind of development of this kind on 65. There has been no substantial change to this area for the past 20 years. And these two reasons alone are enough to accept the unstable recommendation for the rezoning of this property.

Jerry Rymer, 279 Cedar Grove Road: I agree with everything she had to say. I think you all need to vote this down.

Jo Coffman, 411 Centerview: I know a lot of people had a lot of concerns at Planning and Zoning I was there. Personally, I do not think Planning and Zoning did a very good job of answering questions. So, I did my homework. I called the State and talked to a gentleman about the impact study. They told me that we will not ever get a traffic light from Centerview, Eastview, Riverview, Tollview--that will never happen. It has to be a consistent 8-hour traffic steady. And peak times for the schools in the morning and afternoon is not a continuous 8 hours. I asked for a traffic light somewhere between Roby and the end of Bullitt Central going back into the Vocational School and the gentleman told me that will never happen that it usually does not happen around a subdivision. I asked him whether it be warehouses or retail that goes in back there. He said that is a continuous 8-hour flow. So yes, there could be a red light 1400 feet from the others. They are still working on some preliminary stuff that they will be sending to these gentlemen, that they are going to have to correct. We are going to get something back there. I did look at the impact study and I talked to this gentleman, and he told me that the less traffic you have coming out of Lakeview, I asked him twice, and I repeated what he said, because I do not want to get anything wrong. He told me, the less traffic you have coming out there would be better than retail stuff. Also, at the Planning and Zoning meeting, I think these gentlemen did say they would build the road first. It has to be built before the red light goes in. The gentleman I talked to said that is correct. I am not here for them. I am here because at the time of planning study I did not understand everything. Yes, we do have problems at peak times. I know people are frustrated. I am frustrated there is a lot of traffic. But there is nothing we can do about it.

Billy Young, 526 Centerview Drive: I have just got a few questions. The first lady, she just covered everything. I was just taking notes during it. On the reading you said that you all had a public meeting and vote or decided to override the Bullitt County Zoning Commission. City Attorney Tammy Baker: The way it has to work, when the Planning Commission sends an unfavorable recommendation, the Council is not going to pass an Ordinance that says we are not going to rezone. We do not need to have an Ordinance that says that. So, they decided they are not going to allow the rezoning. They just turned down the Ordinance. So, the Ordinance itself has to be approving the zoning otherwise, you just do not pass the Ordinance and there is no Ordinance. That is why we had to read it that way. This is the public hearing. Mr. Young: One of the questions asked was when the traffic study was done, and your whole plan is based on it. A light has not approved and there is no guarantee it will be approved. It might reach at the bottom of applications now, but that is still up to the State to make that decision. So, everything the developer is talking about was based on a light that we do not know will happen. And this other gentleman was talking about the traffic lanes; he said there should be sufficient space coming out sooner for you to make the merge, should is not a very technical term. And some of the numbers you were coming up with

on the warehouse traffic, you are talking about the number of employees for warehouses, talking about the truck traffic in and out. Did these numbers come from estimates, evaluations, any engineer can come up with any numbers they want to try to skew their findings? And one thing not addressed this time around, is the safety of the children to cross this proposed road. The backfill they are going to do to build the warehouses or any development, flooding will be pushed into other areas. Flooding will affect me because I am on high ground, but there's other people who will get flooded. Those are my concerns.

Christie Kirk, Audubon Drive off of 245. I would like to say your posters are great. Do not get me wrong. It is a great plan. But as a parent, my child's safety is my top priority. I see a lot of people around here close to my age. I know that when I was in high school, it was nothing to skip school a day. You put two teenage girls skipping school and you have how many truck drivers coming in and out of this place. How many opportunities do you have for those girls to go missing? There comes a point in time where we have to stop looking at the dollars and look at the good of the community. And remember these are also the same people that vote you in your positions too. Keep that in mind when you are thinking about what is going on.

Herb Hibbs, 1185 Castleman Branch Road: I think Planning and Zoning made the right call, and I would hope the Council will stick behind our Planning and Zoning. This is our City, not their City. How many times like the lady mentioned 245; there's supposed to be a whiskey warehouse was that just a shell game to where they tried? Okay, we did not get the money, did not get the funding, all the sudden now we have got a concrete monstrosity going to be built there. The lady mentioned schools, traffic, you know enough is enough. We need to do more due diligence more investigation, and more communication amongst our constituents. Let them know this stuff is going on in our City and in our County. We got Planning and Zoning, it is in the paper bottom corner two, three or four paragraphs, three or four sentences at the bottom of the page. That is it. Our City is getting taken over. How many people live off Cedar Grove knew Amazon was going to be this warehouse? They have \$300,000 or \$400,000 homes over the golf course that they take an hour and a half to get home fighting all that traffic. So how long is it going to take my kid to get home from Bullitt Central and find all that traffic trying to get in and out there when there isn't a light? I appreciate your consideration and go with the Planning and Zoning.

David Strange, 878 Peaceful Way: My concern is there is an historic grave on this property. The lone grave has been there since 1848. That is my particular interest in this that it be preserved where it is because the whole story is based on it being at that spot.

Rebecca Johnson, 275 Beechwood Circle: I live in Mount Washington. I have lived there almost 30 years. I have been looking for housing. I have family members and friends that all live in Bullitt County. As I have been looking for homes the erosion and water problems are knocking me out of buying homes right now. It scares me to see more warehouses go in. I have traveled and worked most of my life out west. They have Planning and Zoning. They have sand pollution under control. I am freaked out about Shepherdsville Just driving through there to get food or go to the store you are taking your life in your own hand. How can we with the roads that are in Bullitt county right now even consider some of this stuff that is being considered? I am outraged. I am upset. My daughter has a home on 480. I was driving through there with her this weekend and said, Oh my God, there's warehouses out here around the golf course. These poor people have spent their life earnings in these expensive homes, and they are being devalued. I am going to be forced out of the house right now. Everybody is moving from Louisville. The people that have been here that is built this place worked in this place, serve their community are being pushed out. It is serious. I have friends that bought property out on Beech Grove, and they are trying to build; they cannot build because of the water problems, and they want to build more warehouses for more runoff. I am just saying you all represent us. Please represent us we are not happy with the roads. Can we deal with the roads before we start building more and creating more problems?

Marita Cogburn, 147 Kousa Drive: I am opposed to these warehouses going in. I drive down Preston Highway, it used to be a nice little farm area there. And now it is like a concrete environment sitting there on 245. They are going to be building apartments out there also, which is going to create a lot more traffic and a lot more water runoff; and is going to cause our schools to get overloaded with more children. Either

you have to build another school, or you will have to have different timeframes that kids go to school. Since Walmart has gone in our crime rate has gone through the roof. I used to be able to park in Kroger's parking lot and leave my car unlocked and my windows rolled down; now you cannot do that here period since Walmart went in and these other small businesses which brings people in from Louisville, there is a lot of people from Louisville moving out here and they wish that they did not. We moved out here because we want a small town. What we got are concrete embankments, every corner that you turn. Taxes out here are outrageous. These businesses are going to get a discount on their electric bills and their water bills. But we get no discount. It is just asinine to take a small, beautiful community with great people in it and destroy it with traffic and concrete buildings. Why not build something for the kids in the community? Our kids are being bullied on the school bus because they have nothing to do out here. They either have to drive to Louisville or Mount Washington, or another town to do anything. We have no movie theaters, no bowling alleys, no nothing. No community centers for the kids to go.

Billy Smith, Centerview:

Wayne Downey, Rams Road: He talks about his warehouse. I work in a warehouse. Warehouses work 24/7 all night. We cannot guarantee we are not going to have noise pollution all day all night. Noise pollution is going to be happening. Traffic is going to be horrendous going east or west 44. You are going to have to expand 44 almost all the way down to come back to traffic coming in and out of there. You will have semi-trucks, box trucks, apartments, you are going to have cars. I rarely see businesses. They are small businesses that generate places to work because right now warehouses are mostly temporary work. There are not permanent jobs for these people. The Community needs the money, needs permanent jobs, not temporary jobs. Then you are going to have water issues; that we are already experiencing down Preston. You need bigger drainage, you need better roadways, you are going to have to increase Preston to make that four lanes now. But the mountain warehouse is already there being constructed. Preston is not going to accommodate semi-trucks with these massive concrete pieces going down it. It is horrendous what is being done to our Community to our County, which the City is affecting our County. So, you are making decisions for the County, not the City, and that affects a lot of us out there.

Steven Phelps, 295 Lovers Leap Lane: The question I have in regard to the proposal, and I do have expertise in traffic studies. I certainly can count. But the proposal talked about volumes of traffic. My question is, is a 15-foot family sedan and a 65-foot semi-trailer both considered one vehicle in a traffic study?

Tamra Lakes, 130 Ricky Court: In the interest of time, I am not going to repeat everything that my lovely fellow citizens have said. But I will, if you do not mind, a picture's worth 1000 words. I would like to show you a picture of my backyard. Normally, there is no water in my backyard. Now it looks like Salt River. That is with just one and a half inches of water. That is now ever since we started getting those warehouses down at the end of 245. That is what has happened to me. This is a retake to retaining walls placed in the back of my home for the cost of \$60,000. If there is another warehouse, I do not know. I have lived here since 1988 and we have lived in our home for over 21 years. I have never seen these problems before. The last year has just been a nightmare. And if I may, I would like to say that because I work at a school in Jefferson County, I happen to know some things about the workers that are working at the warehouse. I cannot say a whole lot because of HIPAA laws, but there are workers that work in the warehouses that get rides in. And I happen to know because of some behavioral issues that the people dropping them off wreaks havoc in our neighborhoods. It really concerns me. I do not know if anyone has noticed or not, but we have had a lot more crime recently.

Duane Price, 222 Beechwood Circle: I am not in agreement with this proposal. I am no expert, but I do know I sit in traffic every day over here. After work and we are trying to get through; we do not need no more delay. Anyhow, as far as traffic goes, and I do not like what happened tonight is the little minor threat that was being thrown out, you are going to get this stick of dynamite that is not why we are here.

Eric Farris: I am going to address just a few things. Then I am going to make a final statement. The question about the light and the road, we are absolutely willing to make it a contingency of this approval that that roadway be constructed before a certificate of occupancy is issued for any of these structures.

Without a light, the proposed industrial project cannot go. It will not work. It will, however, not stop the existing zoning from happening. And folks, we are not making a threat here. I am just telling you what the law allows. And I know that this is political. I know it is an election year. And I know that you got to go with what you think is the popular thing to do, as opposed to what might be the legal and appropriate thing to do. You have got no evidence to the contrary, that traffic counts will be substantially higher as much as 14 times higher during peak time in this area in front of our schools. The school district supports putting this light in; they are the ones that are in charge of watching over the kids. They are the ones in charge. You know, I am from around here, my mother was on the Board, I know exactly. who is looking after the best interest of whom? Let me just back up and say that it amazes me that this has turned into a discussion of industrial or general growth in this County. How many times have you all approved in depth real projects? How many times have you issued incentives for industrial projects, because you know, it is in the best interest of the Community? There are no incentives requested here. All we are asking is the opportunity to put in a use. That is the preferred use for the developer. But it makes more sense to reduce the traffic with his proposed use, with the improvements that he is promising to bring to the road system; and to do the contrary, finds against all that you have been doing to bring growth to the Community. Without industrial growth that we have had, we would not have the City services, you would not have the good City coffers that you have, through the property taxes, occupational taxes, you don't have the services, you wouldn't have the equipment, you wouldn't have sewer lines extended to some of these residential areas that you now have, because of this growth. This is about this piece of property and getting people in and out of this piece of property, which is going to be developed, it is going to have apartments, somebody else is building those, it is going to have a retail component, we will build those if that is what you choose. But the option we are giving is less traffic and nobody has been able to say that is not true. There will be trucks with retail uses just as much as any, the types of trucks that are serving the load center, the types of trucks that are serving a Walmart type of center, a large grocery center, those are the things that are going to happen here regardless, as a matter of legal right. We have listened to people, we have listened about the lone grave we are addressing, I have addressed it with the County Coroner, we know exactly what has to be done to protect access. We have talked to anybody that wants to talk to us. We have listened to, and we have offered all the information we can offer. We are transparent, there is nothing hidden here. We are just telling you; it is a simple choice. And it is up to you to make that choice. And just be prepared. It is not a threat, we are just telling you, something is going to go in there that is going to bring a lot more traffic, if you do not approve this proposal. Give us the chance to put in this proposal with the safeguards that we want to build in and we think you will be happier down the road. Again, is it the popular decision? No. But it is the right decision.

Bonnie Enlow: How many people here know me, raise your hands. I am insulted that they are calling this political. Everybody that knows me knows me well knows I do not vote by politics. I vote by what I believe in and what is right to do. It gets me in trouble. I do feel like it is a threat when they are going to tell us either or. I have been threatened before. I have been forced to accept things that I should not have. I will not go into details of that, because then I might have it happen to me again. The traffic light is not a definite, I cannot go with that. Our children's safety is the most important thing down through there. We cannot even get the School Board to put crossing lights out there for our children. We are trying to figure out ways to pay for it ourselves because the School Board will not do it. So, we want to add tractor trailers to that. No, I do not think so. This is a neighborhood community just like Trina said; it is a neighborhood; we do not want the warehouses. I have not wanted all the other warehouses. If you go back and look, you will see I voted against them. I agree no more warehouses and we need to protect the lone grave, and we need to stand for ourselves. I have been coming out here since a small child, my grandparents lived up here, and I remember when it was one red light and the hotel, and I hate the growth and I do not want to see no more of it.

Lisa Carter: I would just like to say, at one time I lived on Centerview. Most of you all know C. Roby. His daughter passed away by being T boned near Centerview Drive many, many years ago, I did not know her. She was a teenager. As I look at the plans they have drawn out here. Oh, any of you all that have

driven 44 East, and I wish my adult children that are 19 and 24 were here this evening. Because most of you all realize that there is that lane that merges right before you get to the church, on the right, right at the Five Star and the Shell gas station that was previously there. I cannot tell you how many times my kids were sitting in my lap, afraid of the cars that were going to take their side out petrified they were going to run into our side, and this has been many years ago. But I wish my children would have been here because I would have loved for them to have stood and discussed their fear at that particular area; and looking at this, and I don't know how many people in the audience had this paper to look at, but if you don't think that turning lane to go into that street that they want to put in there, if you don't think you're going to have road rage of people running that particular lane out to get two more seconds ahead of the next person to get home, we'd be all be fools. I am sorry. It is going to happen. I just do not see that working there. As the State has not given 200%, 300% that they will put a red light there. I have been here 27 years. I know some of these other people have been here longer. I do not see a red light going there. I want some good development. People are tired of the warehouses. It is Shepherdsville; it is our homes; it is our Community. I do not want concrete buildings. I want nice brick buildings like the east end of Blue Lick. Why can't we get that? Why can't we get a senior living facility? We have nothing here for our Seniors with family members that live in this Community to visit. If you could come up with a plan of Senior living where the Seniors are not driving as much. I would be for that. But a warehouse, I am sorry. It is nothing personal. I know you probably build great buildings. Your name is well known. I just do not think a warehouse on that side is what we need.

Stacey Cline: You all know I live at 638 Centerview Drive. I have lived there my whole life. When I taught my kids how to drive, I did not teach them to come out Centerview to turn right I told them get out in the center lane. Get it and get out. That is what my parents taught me. I think it is ridiculous. It is a flooding area. If I can add another thing; the animal hospital, they do not access the road from 44 they access the road from Centerview Drive. And as Stacey said she told her children to get out on the road until the Church of Christ decided to quit using their parking lot for free for the hospital to use their parking lot. They resurfaced it, blocked it off, and told them no parking. So now their traffic really backs up on Centerview. They are open till two o'clock on Saturdays. And it is just it is terrible. They park in people's grass; not to mention I am a huge dog lover, they let their dogs poop in everybody's driveways and everybody's yards.

Mayor Hockenbury: That concludes our public hearing. I need a motion to accept our Ordinance with the zoning change or I need a motion to accept Planning and Zoning's unfavorable recommendation. Stacey Cline made motion to approve the Planning and Zoning unfavorable recommendation. Bonnie Enlow 2nd.

Mike Hibbard: I got to look into some old minutes in the last few days and I noticed that at some point back in 2018, there was discussion about having these types of meetings at the first reading. It was just simply a matter of change of procedure, there had to be no Ordinance or anything like that. I have heard a lot of opinions tonight that I have not heard in the last two weeks. And I respect everyone's opinion. But I have been left to gather what facts I can come up with just by looking at Planning and Zoning meeting minutes. So that is just what I have. So, I kind of wish there had been this meeting two weeks ago. And I hope we do that in the future because I have got a list of about 15 people that took the time to come in to speak to express their opinions. And if I do not understand their point of view, or I want some more knowledge, I would like to be able to go see them, call them to talk to them. I have not had that opportunity. So that is one thought. The second one is; and I have told some people that did call me I am not a big fan of telling people what they can and cannot do with their property. All of you own property. And I use examples of, for instance, right down Centerview, there is pretty much all one single family ranch type homes. If one of those homes burned down, the occupant could turn around and build a two story, 35-foot-tall building right next to your 15- or 16-foot ranch home and take your view out. But they can because it meets the requirements. Okay, so things change, I do not agree with all change. Some of you may agree with change that I disagree with, or vice versa. So tonight, when it comes time to actually vote, as they say where the rubber meets the road. They are someone that signs each and every one of their emails that goes out in City Hall and out to the City. And it is very simple. I do not compare myself to Dr.

Martin Luther King in any way, shape, or form. His quote is, "The ultimate measure of a man is not where he stands in moments of comfort and convenience. But where he stands at times of challenge and controversy." And I think that we should all think of that, because it is very easy to go along with the crowd. Now it is not always right.

Mayor Hockenbury: We have a motion on the table. You have to vote separately so this is for the first Ordinance 022-044. City Attorney Tammy Baker: Let us clarify. If you withdraw your second, and you withdraw your motion we can clarify what we are talking about. Ordinance 022-044 that was motion to accept. Are you adopting the findings of fact of the Planning Commission? Stacey Cline and Bonnie Enlow both answered yes. City Attorney Tammy Baker: Are there any additional facts that you want to add? Stacey Cline: I say we go with the findings of fact that they have. The ordinance is correct. Bonnie Enlow 2nd. We will call the vote. Yes, is to accept the unfavorable recommendation of the Planning Commission. Lisa Carter-yes; Stacey Cline-yes; Bonnie Enlow-yes; Mike Hibbard-no; Deb Huffman-yes; Kenny Newton-yes. Motion to approve Planning and Zoning unfavorable recommendation passes 5-0-1 (MH).

Ordinance 022-045 Bonnie Enlow made motion to adopt the findings of fact for an unfavorable recommendation from the Planning Commission. There were no additional findings in adopting the recommendation. Stacey Cline 2nd. Lisa Carter-yes; Stacey Cline-yes; Bonnie Enlow-yes; Mike Hibbard-no; Deb Huffman-yes; Kenny Newton-yes. Motion passes to accept Planning & Zoning unfavorable recommendation 5-0-1 (MH)

City Attorney Tammy Baker had second reading and public hearing on Ordinance 022-046 a request from BDHM Inc. to amend the Bullitt County/City Zoning Order and Bullitt County/City Zoning Map as amended, changing the zoning of 27.8 acres more or less located at the Northeast Intersection of Cedar Grove Road and Interstate 65 in the City of Shepherdsville, Kentucky also known as parcel 046-000-00-014 from B-1 Highway Business to IL Light Industrial. Waiting for the crowd to exit the meeting Mayor Hockenbury suggested to have the last sign in speakers address the Council. He asked each to limit comments to 3 minutes.

Perry Cooke, 6504 Route Road, Fisherville, KY, Mark 12 Ministries: I have just one question. I want to clarify a point that I brought and proposed two weeks ago. We sat here after the end of the White Flag Shelter when we helped 56 people. I love some of the examples given today, the high prices of water, gas, electric going up. I am getting calls more and more from people in this Community asking for help. Unhoused in our community, the homeless, the impoverished. We asked if we could buy a building that the City owns and has laid dormant for years. I have found out that other people have interest in buying this property and have actually approached the Council about buying this property. So just to clarify, because a lot of media agencies have been calling me about if the City Council was going to listen to our proposal from the Kaufman Safe Haven Foundation to buy a building from the City to open the first homeless shelter, homeless Resource Center in our County; to also bring programming here for the impoverished like welding courses, auto mechanic courses in partnership with Jefferson Technical Community College that have already been set up. Again, we have been operating the White Flag Shelter for four winters now, and we have ministered to over 300 homeless individuals in our county. 88% being from Bullitt County. So, I just want to ask again, two weeks ago we asked if we could purchase that building, and you guys did not want to go into Executive Session, you instead denied that opportunity for us to have the conversation. But just so that I do not misquote anyone, when I talked WHAS; he was wondering if we are going to put a homeless shelter in Bullitt County. Any comments from the Council Stacey Cline: I do not know where you heard that it was for sale. Mr. Cooke: I was told by an individual. Stacey Cline: We want to know who told you that? Because nobody told anybody. Mr. Cooke: It is an individual that is not in this room. Stacey Cline: Secondly, you commented that we were not using it, we had been using it, the Mayor closed it because somebody tore it up and we cannot let our citizens use it

because of a maintenance problem. So, all of a sudden, we are letting the homeless use it. These citizens work hard. Their stuff is going up. You do not think they need a break? I am sorry, for a homeless shelter in Shepherdsville, I cannot vote for that I am not for it. The citizens deserve better. Our Public Works guys have to go out and work to clean up stuff. People that pay taxes; their properties are getting torn up. They are being threatened. And our Police Officers have to work and take care of all the homeless. It is not fair to the Community. Mr. Cooke: So, my question is, the folks that are homeless in our community what should I do with them? Bonnie Enlow: Take them to your house. Understand why I say that. He is not telling the truth when he says 80% of these are from Bullitt County. The Police Department has informed me that they take names of those they come in contact with, and they did not come from here; the majority does not come from Bullitt County. I asked you before how you knew where they were from. And you said, I ask them. I said, do they show you an ID or anything? You said, No, I trust them. That is the same thing that Police do. The Police ask them where they are from, and they tell them they are not from here. I do not mind helping the homeless. I have one that I stop by every few days and buy him food; I have bought him clothes I help him all the time. There were some other ones that hang here that I help too. I do not mind helping them. But if we put your homeless shelter that you want in the middle of Shepherdsville, when all the business owners all around are complaining about being stolen from, threatened, I have got apartment people that say they cannot come out their doors at night. Who are we supposed to take care of first? The people that live here or them. Mr. Cooke: These are individuals that live here, ma'am. They may not live the way that you want them to live and some of them are trying very hard. Mental health and addiction are an epidemic in our County. One out of six individuals in our County are directly impacted by the opioid crisis. We are one of the highest counties with this drug addiction problem. Stacey Cline: Do you think it is right if they are tearing up people's property? They are pooping on their sidewalks. They cannot even go to the park. We have people that run a business that is their livelihood, and they are tearing up their property. I must have 10 videos that people have sent me that live right on or that work on Buckman Street. They have been threatened. We never had a problem before this I have lived here my whole life. I have never seen a problem like this before. Mr. Cooke: But just like it was pointed out here; before we had people moving from other counties that have been coming to this County. Homelessness in the entire nation is growing. It is not just Bullitt County. I see it, I work in it. It is the entire nation, it is growing. There are folks that call me that are getting ready to lose their houses, the rent in the apartment complex right in front of where this development is going; they just raised the rent \$250 a month on their tenants, a lot of those are on fixed income. So, I guess, just so I can state factually the City Council has no interest. I am just asking that you have no interest to talk about helping our impoverished homeless in our Community. Bonnie Enlow: We are not against helping them just not in the middle of town or close to the First Baptist Church. Mr. Cooke: Okay. Now I know what to do. Frank Kramer, 260 Meadow Lane: This has really been an interesting meeting tonight. I really liked the fact that you all use these guidelines for approval on issues based on the Comprehensive Plan. I think it is pretty much the way it should be. However, what I do not understand, and we will talk about what I wanted to bring up the warehouse all for 245. Everything you all have talked about, the schools, the traffic, that all applies to 245. The flooding, the water is getting horrendous out there because it has got nowhere to go. The thing I do not understand is I thought you all were behind County Executive Jerry Summers' plan for the Bourbon Trail. He had envisioned the Bourbon Trail everything on the east of 65. He spent \$25,000 on this to have it done. Everything east of 65 was going to be Bourbon Trail. Everything west of 65 coming up to 245 was going to be Light Industrial. That was the plan. That is why the distillery was such a good idea. So, what you all are proposing is you follow some plans. And I thought you all were behind the Bourbon Trail. I have heard you all talk about it. But the thing I do not understand is why you do not have the same feelings for that area. Every time somebody comes from Louisville or Nashville and gets on to 245 expecting to see a bourbon facility, they will see a warehouse maybe get stuck in traffic. I do not think you are going to get a lot of people that want to come through there and have to deal with that. I mean, you are defeating the whole purpose of what the Bourbon Trail was supposed to be starting. It was

supposed to be a starting point right there, and everything was related. And you all just chalk that up in there. And personally, I think it is an awful idea but that is my opinion.

Steve Phelps, 295 Lovers Leap Lane: We've been here before I hold the title of Vice Chair of the Southeast Bullitt Community. A lot of what I talk about I do is predominantly for that organization. This includes Council Members, I want to take a few minutes and address the Council and the people in the audience concerning the warehouses that have become a blight of this City, surrounding areas, the County and that continues to grow. If we were to take a poll of the citizens of Shepherdsville in the surrounding areas, the finding would be a resounding no to any more warehouses. They are ugly. They detract from the beauty of the whole area. They create major traffic problems that interrupt our everyday lives causing missed work, waste of gas, major delays on all roads of Shepherdsville, tremendous safety issues for our children riding to and from schools. They add to flooding problems and just a tremendous distaste in the mouths of your constituents. The last straw for me is this new 400,000 square foot warehouse planned next to the County Fairgrounds. The area of the County, yes County is slated for tourism and the adopted tourism corridor overlay for the Comprehensive Plan. A warehouse does not nor never will fit into this overlay. But sadly, very sadly, the homeowners and citizens of this area see a Mayor and Council who do not care in our eyes. It expands the City's boundaries at all costs and damn the people who live here, raise their families here, or want to call Shepherdsville and the surrounding areas home. The Council has taken it upon itself over the last many years to find and exploit loopholes in the KRS Statutes of Annexation. What loopholes, the loopholes of corridor and leapfrog annexation, which jumps from this property to this property bypassing homeowners and citizens, not allowing them to rise up and vote no on the annexation. Sure, we can take you to court. Oh, we have done that. A costly and time-consuming venture for all parties involved only to see overpaid attorneys find new loopholes to circumvent the last loopholes. In KRS Statute 81A.5 (10) it states in part, "it hereby is declared to be the public policy of the Commonwealth of Kentucky to encourage the location of new industries and the expansion of existing industries in Kentucky by prohibiting unfair and unreasonable annexation by municipal corporations of industries now or hereafter located in unincorporated areas" and these are important words. So now will one of you people please tell the audience what is fair and reasonable annexation by the City of Shepherdsville to the owners and citizens of an area is that has circled the properties and locked out the right to vote. Enough warehouses. If one Google's the impact of tourism in Kentucky, simply write that in. This is what you read, "tourism and Kentucky generated \$1.5 billion in tax revenues in 2019 with \$8.23 million accruing to State and Local governments; it is a lot of money. Tourism enhances Kentuckian's quality of life. Kentucky tourism markets Kentucky products, tourism, and tourism marketing builds awareness of what is good and positive about Kentucky What do warehouses compared to this but continuing to vote for more warehouses and this whole area will become nothing but paved roads, parking lots, and ugly concrete buildings. A Jefferson County Industrial Park. Lastly, we embrace the tourism offer and get a beautiful countryside with buildings that we can take pride in showing, seen, and having in our own backyards.

Dennis Mitchell read a letter opposing the 245 annexations.

City Attorney Tammy Baker had second reading and public hearing on Ordinance 022-046 an ordinance amending the Bullitt County cities zoning order in the Bullitt County cities zoning map as amended, changing the zoning of 27.8 acres more or less located at the northeast intersection of Cedar Grove Road and interstate 65 in the City of Shepherdsville, Kentucky, also known as parcel 046-000-00-014 from B-1 Highway Business to Light Industrial. John Wooldridge: This is the last piece of property owned by BDHM that they are asking to rezone to Light Industrial. Actually, this zoning may have done about 20 years ago. This property, if you get on 480 and progress east and you go by Loves Truck Stop where the light is, is the entry to this property. This property is exactly 500 feet from the intersection of I-65 to the entrance of the site. This was about 200 acres actually that was zoned industrial by an individual with a small portion up front being commercial. We have asked that it be rezoned. It does meet the Comprehensive Plan. The Planning Commission reviewed and looked at. It makes it in just about every

facet of the goals and objectives. We have a five-lane highway, we have turning lanes, we have a traffic light. We are within 500 feet of the intersection. We are not in any residential zone whatsoever. Everything around us to the east is Light Industrial; Light Industrial to the north. It is Light Industrial to the south and on the west. As far as the use of it, it will be an industrial building, site is yet to be determined. The building that we are looking at is about 200,000 square feet. It is probably one of the smallest buildings that will be built in that particular area. It has access to City sewers, water, all utilities. Actually, the developer has met with the Shepherdsville Sewer Department, and they are upgrading what would be needed to be on that site, and then other areas. Again, it is not adjacent to any residential area, it has the traffic light, it is not in the flood zone. The site itself is going to be about a 25-acre site. On the site as a whole there is probably going to be 15 to 20 acres of green space in the rear that has nothing to do with this site. The back is closer to Salt River. Mayor Hockenbury: Audience any questions? Questions from the council? Yes, I have a question for you. In the paperwork that we received from Planning and Zoning there was a total of 137.4 or 137.8 acres, have these two parcels been subdivided off of the 137 total? John Wooldridge: Without what we have there is 100 and about 40 acres left of which all except for the portion that you are looking at tonight. All of the property in the rear of this has already been rezoned Light Industrial probably 20 years ago by the City before the interchange was even there. Comment: So, do these parcels have to be broken off of 137.4 acres that you are rezoning are off of. Because I had spoken with the PVA office, and they did not have any parcel numbers for either one of these. John Wooldridge: It has been spun off this part of the 137 acres. Probably what you are looking at would be the parent track. It is on the published docket that Planning and Zoning put out PVA #046-000-00-014. That is the information we received from Planning and Zoning. Council: So, is it actually just a portion of that parcel then? Is a portion of that parcel that you are rezoning of the 137 all one track? John Wooldridge: It is listed as that parcel, but it is only a portion of that parcel, and the remaining part of that parcel is already zoned. The Truck Stop is actually B-1 Highway Business, and this parcel lays behind that and also lies to the east of that.

Stephanie Arnell. Lazy River North made a comment, so the Mayor asked her to sign in to speak: Where does it stop? Will it ever stop? We have never been to one of these before, but I just know there are warehouses everywhere. Where does it stop? I married my husband 25 years ago and I know things change. But I am blown away; we drive through the countryside and the countryside is gone. And I want you to do a GoFundMe for Tamra Lakes. Her backyard is a lake. \$60,000 so far but if we get another warehouse ... When is this going to stop? We cannot get up and down 44 hardly now at all. It is just crazy. The traffic I mean, I want that small town feel. I am like are we going to have to move for this? It is unbelievable. We go out and there is this beautiful area off 245 It is gorgeous when you go towards Bardstown, but there is going to be a warehouse now going into that. It is already off to the right. We had neighbors that moved to try to get to the country out from our subdivision. I am like, oh my gosh, there is a frickin warehouse, multiple warehouses. And I do not know what you all can do. But I hate that we are going to in our retirement years and have to move to another County to try to get into a small County feel. The warehouses are unbelievable. They are unsightly, they do not even try to paint them or even look like something that blends into the rest of the backdrop. It blows me away. I do not want to be little Louisville. I grew up in Louisville, and I do not want to live in little Louisville. I do not know what you all can do. I have heard the word Flynn Brothers. I do not know who the Flynn Brothers are. I do not know if I can do anything about it. But that is what I am hearing that maybe that is just being thrown around. These people come in and they do not live in our Community, and they have trashed our community. And this is not political for me. I am a conservative that's registered Democrat. So, this is not political for me. I do not care about any of that. I am saddened about what has happened. And I never thought we would ever move out of Bullitt County. But we may be moving out of Bullitt County.

Comment from the audience: How's it going to impact the traffic northbound southbound? I know early morning I only take 65 because it is so backed up for people. I tried Preston and it is a lot quicker. So, you got all the traffic getting off the expressway? How is it going to handle that as well? Trying to make turns how many accidents have already happened in that area there since they built all those warehouses and

now trying to go more warehouses. It is impacting the environment. It is impacting our way of life. It is impacting our Community.

City Attorney Tammy Baker: This received a favorable recommendation from Planning and Zoning. Here is the situation you find yourselves in; this does meet the Comprehensive Plan. The Comprehensive Plan labels this property as industrial. So, if the Council did not want to approve it, there needs to be findings of fact based on the Comprehensive Plan why this should not happen because like I said, this meets the Comprehensive Plan. This is a spot that was designated for industrial, it is still up to the Council, but you have to make findings of fact to support if you did turn it down. Council Question: What is the size of warehouses that are going to be built on this property? John Wooldridge: As I said, this particular site you are looking at, possibly this site will be at 200,000 square feet, which is just for the one parcel or for both because of rezoning. They are saying it is about 200,000, maybe 240. If you are familiar with the Hunt Group building, which is the next building up 480, it is about that size, this one is going to be a little longer and narrower. It will not be on the road; it will probably be 75 to 100 feet back because of the way that configuration goes in. You have to go in and turn at Love's Truck Stop, this road will go straight back. City Attorney Tammy Baker: The council could table if they want to go back and study the Comprehensive Plan. Question: Is any of this property going to have to be raised up? John Wooldridge: This property is out of the flood zone. It's very rare property will be in a flood zone. That is not what you are zoning tonight; that has nothing to do with it. That is the property in the very back close to Salt River. It is probably in a floodway, which you cannot build on. There is probably will be detention basins of some sort put in there that will hold some water off of the proposed development. Stacey Cline made motion to table until the next meeting in order to review the Comprehensive Plan. Bonnie Enlow 2nd. Motion carried 5-0-1 opposed. City Attorney Tammy Baker: Just to clarify, if anyone plans to come back, we have had the public hearing tonight, there will not be any more signing in to talk about this issue unless the Council has questions for anyone.

City Attorney Tammy Baker had second reading by Summary of Ordinance 022-047 amending Ordinance 019-037 and adopting personnel and pay rate classification plan for City employees and nonelected City Officers. Lisa Carter made motion to table until the next meeting to get revisions made and added to the Ordinance. There was already a motion on the floor. After discussion it was decided to add the pay scale for this position at minimum \$55,000; maximum \$69,000; they will report to the Mayor and work out of the Public Works Department. Stacey Cline made motion to approve with changes. Kenny Newton 2nd. Motion carried 5-0-1 abstention.

COUNCIL COMMENTS:

Bonnie Enlow: I want to donate the flag set that I bought for Dash's procession to the Police Department. Jeff Schank I would like for you to accept these for your Police Department. (Jeff came up and accepted the flags from Bonnie.)

Stacey Cline: I got a call on the underpasses to see about having the walls cleaned; especially the one at Cedar Grove at Salt River. I also got a call about a residence at 134 North Peak in The Pointe about the blacktop. I will contact Tom about that tomorrow.

Mike Hibbard: I just want to say something about the event the other day. Jeff expressed his opinion and how much it affects him personally, as a family, that this happened, and I know he is questioned himself about making the right decision. I do not think you should ever question yourself. You can look at Dash as a tool. You can look at him as a dog. But I would much rather see this happen than it be you Don't ever second guess that you did the right thing. The other thing is a couple of weeks ago I mentioned the situation on Beech Grove Road with the road and the drainage and everything. And I pursued that with different agencies. Right now, just as an update, I am to the point where the State will accept responsibility for the road; and between the State, County, and our City none of them will accept responsibility for the drainage

or for the sidewalk. So, I am getting ready to move on. I will not be stopped there. It is not going to be easy I think but I will pursue.

Deb Huffman: Asked about setting up budget meetings. After some discussion it was decided Thursday would be the best day. The Mayor said Tonya will let everyone know when through an email.

Lisa Carter: Announced there would be a Beautification meeting on Wednesday, March 30th at 6:30 at City Hall.

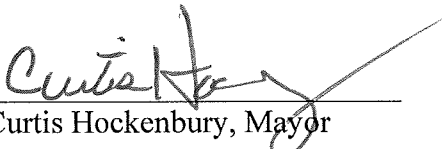
Mayor Hockenbury asked for a motion to go into Executive Session pursuant to KRS 61.810 to discuss personnel. Deb Huffman made motion. Bonnie Enlow 2nd. Motion carried 6-0.

Mayor Hockenbury asked for a motion to return to Regular Session. Kenny Newton made motion. Mike Hibbard 2nd. Motion carried 6-0.

Mike Hibbard: I thought we were going to have two Resolutions ready for this meeting. Can you tell me the progress is on those? City Attorney Tammy Baker stated they would be ready for the April 11th meeting.

ADJOURN

Kenny Newton made motion to adjourn. Mike Hibbard 2nd. Motion carried 6-0. Meeting adjourned at 8:22 p.m.


Curtis Hockenbury, Mayor


Tammy Richmond, City Clerk