

**CITY OF SHEPHERDSVILLE**  
**REGULAR COUNCIL MEETING MINUTES**  
**MONDAY July 24th, 2023**  
**6:30 PM**

The invocation was done by Deb Huffman.

The Pledge of Allegiance was recited.

Mayor José Cubero called the meeting to order at 6:31PM.

**Council Present:** Bonnie Enlow, Mike Hibbard, Paula Mangus, Jennifer Mendez, Faith Portman, and Brad Whittaker.

**APPROVAL OF MINUTES**

**Minutes for July 10th, 2023, Regular Meeting were presented for approval.**

**Motion to Approve:** Faith Portman **Second:** Paula Mangus

Ms. Enlow: Yes                      Mr. Whittaker: Yes                      Ms. Mendez: Yes

Ms. Portman: Yes                      Mr. Hibbard: Yes                      Ms. Mangus: Yes

**Carried: 6 Yes – 0 No**

**Minutes for July 19th<sup>th</sup>, 2023, Special Meeting were presented for approval.**

**Motion to Approve:** Paula Mangus **Second:** Faith Portman

Ms. Enlow: Yes                      Mr. Whittaker: Yes                      Ms. Mendez: Yes

Ms. Portman: Yes                      Mr. Hibbard: Yes                      Ms. Mangus: Yes

**Carried: 6 Yes – 0 No**

**PRESENTATIONS**

**Jeremy Kubac-** Explained the Planning and Zoning meeting and told he is still learning the rules that he will need to abide by. He said that Bullitt County is hiring a consultant to put together a new Comprehensive Plan for the county.

**OLD BUSINESS:**

**A.** ATTORNEY KATHERINE DOZIER PERFORMED THE **SECOND** READING OF SUMMARY ORDINANCE **023-043** AN ORDINANCE AMENDING SECTION 32.62 OF THE CITY OF SHEPHERDSVILLE CODE OF ORDINANCES RELATED TO TENTATIVE AGREEMENT UNDER COLLECTIVE BARGAINING PROGRAM FOR POLICE OFFICERS.

**Motion to Approve:** Paula Mangus **Second:** Brad Whittaker

Ms. Enlow: Yes                      Mr. Whittaker: Yes                      Ms. Mendez: Yes

Ms. Portman: Yes                      Mr. Hibbard: Yes                      Ms. Mangus: Yes

**Carried: 6 Yes – 0 No**

**B.** ATTORNEY KATHERINE DOZIER PERFORMED THE **SECOND** READING OF SUMMARY ORDINANCE **023-044** AN ORDINANCE AMENDING SECTION 32.72 OF THE CITY OF SHEPHERDSVILLE CODE OF ORDINANCES RELATED TO TENTATIVE AGREEMENT UNDER COLLECTIVE BARGAINING PROGRAM FOR FIREFIGHTERS.

**Motion to Approve:** Faith Portman **Second:** Brad Whittaker

Ms. Enlow: Yes                      Mr. Whittaker: Yes                      Ms. Mendez: Yes

Ms. Portman: Yes                      Mr. Hibbard: Yes                      Ms. Mangus: Yes

**Carried: 6 Yes – 0 No**

C. CITY ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-037** AN ORDINANCE PURSUANT TO KRS 81A.412 ANNEXING INTO THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, BY CONSENT OF ALL PROPERTY OWNERS, A PARCEL OF REAL ESTATE CURRENTLY OWNED BY BULLITT COUNTY SCHOOL DISTRICT FINANCE CORPORATION AND LOCATED AT AUDUBON DRIVE, SHEPHERDSVILLE, KENTUCKY 40165 AND KNOWN AS BERNHEIM MIDDLE SCHOOL ALL AS MORE PARTICULARLY DESCRIBED AND ILLUSTRATED IN AND ON EXHIBITS TO THIS ORDINANCE.

**Motion to Approve:** Brad Whittaker **Second:** Paula Mangus

Ms. Enlow: **No** Mr. Whittaker: **Yes** Ms. Mendez: **No**  
Ms. Portman: **No** Mr. Hibbard: **Yes** Ms. Mangus: **Yes**

**Carried: 4 Yes – 3 No**

**Mayor Cubero broke the tie with a favorable vote.**

D. CITY ATTORNEY KATHERINE DOZIER PERFORMED THE **SECOND** READING OF SUMMARY ORDINANCE **023-038** AN ORDINANCE PURSUANT TO KRS 81A.412 ANNEXING INTO THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, BY CONSENT OF ALL PROPERTY OWNERS, 33.220 +/- ACRES OF PROPERTY LOCATED AT THE NORTHEAST INTERSECTION OF PRESTON HIGHWAY AND CHAPEZE LANE ALL AS MORE PARTICULARLY DESCRIBED AND ILLUSTRATED IN AND ON EXHIBITS TO THIS ORDINANCE.

Ms. Portman would like the developer to add a turning lane.

Ms. Mendez agreed.

**Motion to Approve:** Faith Portman **Second:** Jennifer Mendez

Ms. Enlow: **Yes** Mr. Whittaker: **Yes** Ms. Mendez: **Yes**  
Ms. Portman: **Yes** Mr. Hibbard: **Yes** Ms. Mangus: **No**

**Carried: 5 Yes – 1 No**

E. CITY ATTORNEY KATHERINE DOZIER PERFORMED THE **SECOND** READING OF SUMMARY ORDINANCE **023-040** AN ORDINANCE AMENDING ORDINANCE 019-283 OF THE CITY OF SHEPHERDSVILLE RELATED TO PERSONNEL AND PAY RATE CLASSIFICATION PLAN FOR CITY EMPLOYEES AND NONELECTED CITY OFFICERS FOR THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY.

Mayor Cubero stated he would like to keep the part-time position for later if needed. However, the city needs a full-time Planning and Development Coordinator. He explained that Ms. Odle, the current Planning and Development Coordinator, will be required to go through the hiring process for Civil Service purposes.

Ms. Portman said it was about time and praised Ms. Odle for being a hard worker.

Mayor Cubero and the other Council Members agreed.

**Motion to Approve:** Faith Portman **Second:** Jennifer Mendez

Ms. Enlow: **Yes** Mr. Whittaker: **Yes** Ms. Mendez: **Yes**  
Ms. Portman: **Yes** Mr. Hibbard: **Yes** Ms. Mangus: **Yes**

**Carried: 6 Yes – 0 No**

F. CITY ATTORNEY KATHERINE DOZIER PERFORMED THE **SECOND** READING OF SUMMARY ORDINANCE **023-041** AN ORDINANCE REPEALING ORDINANCE 020-003 OF THE CITY OF SHEPHERDSVILLE RELATED TO THE ESTABLISHMENT OF THE MAXIMUM AMOUNT OF ANY CONTRACT, LEASE, OR PURCHASE THE CITY MAY MAKE WITHOUT PUBLICATION OF REQUEST FOR BIDS.

Mayor Cubero explained that this is a KRS Statute that has changed.

**Motion to Approve:** Paula Mangus    **Second:** Brad Whittaker

Ms. Enlow: **No**    Mr. Whittaker: **Yes**    Ms. Mendez: **No**

Ms. Portman: **No**    Mr. Hibbard: **Yes**    Ms. Mangus: **Yes**

**Carried: 4 Yes- 3 No**

**Mayor Cubero broke the tie with a favorable vote.**

Ms. Portman stated that she voted no because she would like to keep it at \$30,000.

**Ms. Enlow made a motion to go into Executive Session to discuss contract KRS 61.810(e)**

### **EXECUTIVE SESSION**

**Motion to go into Executive Session:** Bonnie Enlow    **Second:** Faith Portman

Ms. Enlow: **Yes**    Mr. Whittaker: **Yes**    Ms. Mendez: **Yes**

Ms. Portman: **Yes**    Mr. Hibbard: **Yes**    Ms. Mangus: **Yes**

**Carried: 6 Yes – 0 No**    Time: 6:55 PM

**Motion to return to Regular Session:** Faith Portman    **Second:** Jennifer Mendez

Ms. Enlow: **Yes**    Mr. Whittaker: **Yes**    Ms. Mendez: **Yes**

Ms. Portman: **Yes**    Mr. Hibbard: **Yes**    Ms. Mangus: **Yes**

**Carried: 6 Yes – 0 No**    Time: 7:20 PM

**No action taken.**

G. CITY ATTORNEY KATHERINE DOZIER PERFORMED THE **SECOND** READING OF SUMMARY ORDINANCE **023-042** AN ORDINANCE APPROVING THE TENTATIVE COLLECTIVE BARGAINING AGREEMENT FOR THE SHEPHERDSVILLE POLICE DEPARTMENT PERSONNEL WITHIN THE CITY LIMITS OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY.

(The effective date is July 1, 2023, to June 30, 2025)

Mayor Cubero thanked the Council for the time spent on this ordinance.

**Motion to Approve:** Faith Portman    **Second:** Jennifer Mendez

Ms. Enlow: **Yes**    Mr. Whittaker: **Yes**    Ms. Mendez: **Yes**

Ms. Portman: **Yes**    Mr. Hibbard: **Yes**    Ms. Mangus: **Yes**

**Carried: 6 Yes – 0 No**

H. CITY COUNCIL TOOK AN AFFIRMATIVE VOTE OVERRIDING THE PLANNING COMMISSION'S RECOMMENDATION, PURSUANT TO KRS 100.211(i), CHANGING THE ZONING OF 10.114 ACRES, MORE OR LESS, LOCATED AT N. BUCKMAN STREET AND BISHOP LANE IN THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, ALSO KNOWN AS PARCEL 036-SE0-06-004, FROM B-2 BUSINESS TO R-3 RESIDENTIAL BASED ON THE FOLOWING FINDINGS OF FACT:

Ms. Dozier explained that to avoid any confusion that she recommends the Council take a Motion to Deny vote on any rezonings that are rejected. She also recommended the Council to consider physical, social, and economic issues when they are presenting their findings of facts.

**Finding of facts:**

**Does not meet the Comprehensive Plan, traffic, flooding issues, there has not been any physical, social, or economic change to alter the future map plan.**

Mr. Hibbard brought up that many other rezonings did not meet the Comprehensive Plan and the way the property is zoned the owners could build a strip mall there that would also cause traffic and flooding issues.

Ms. Enlow stated that she did not think there would be as much traffic with a commercial business versus 80 condos being built there.

Mr. Hibbard commented on the concern of affordability, and he does not think the Council should regulate how citizens invest their money. He also addressed the floodplain issue.

Ms. Portman stated that she is concerned about the affordability for the citizens who are on a fixed income.

Mayor Cubero agreed with Mr. Hibbard and asked the Council to keep in mind that the city needs housing and retail.

**Motion to Override the Planning Commission's Recommendation:** Faith Portman

**Second:** Bonnie Enlow

Ms. Enlow: Yes      Mr. Whittaker: No      Ms. Mendez: Yes

Ms. Portman: Yes      Mr. Hibbard: No      Ms. Mangus: Yes

**Carried: 4 Yes – 2 No**

### **NEW BUSINESS:**

- I. CITY ATTORNEY KATHERINE DOZIER READ MUNICIPAL ORDER **23-003** A MUNICIPAL ORDER OF THE CITY OF SHEPHERDSVILLE, BULLITCOUNTY, KENTUCKY DISPOSING OF CITY PROPERTY PURSUANT TO KRS 82.083 AND KRS 65.041.

Mayor Cubero explained that this is allowing the Police Officers to purchase their weapons when they retire.

**Motion to Approve:** Faith Portman      **Second:** Paula Mangus

Ms. Enlow: Yes      Mr. Whittaker: Yes      Ms. Mendez: Yes

Ms. Portman: Yes      Mr. Hibbard: Yes      Ms. Mangus: Yes

**Carried: 6 Yes – 0 No**

**SIGN IN SPEAKERS:** None

**PLANNING AND ZONING UPDATE:** Duane Price- Gave an update on the new Marriott Hotel that will be built.

**BOARD OF ADJUSTMENTS:** None

### **DEPARTMENT HEAD REPORTS:**

Chief Schmidt: Thanked the Council for their vote on the Police Department Collective Bargaining and for the vote on the Municipal Order.

Kyle Burton: Also thanked the Council for their vote.

### **COUNCIL COMMENTS:**

Bonnie Enlow: Asked when the Council will receive the financials. Mayor Cubero explained that the city is waiting for the audits to be completed.

Brad Whittaker: Congratulated the Police Department.

Jennifer Mendez: Congratulated the Police Department.

Faith Portman: Congratulated the Police Department and praised the event at Colvin's Autos.

Paula Mangus: Thanked Tom Lafollette and Scott Fleming for helping the Beautification Committee water the flowers on Buckman Street. She also reminded the citizens about the upcoming meeting and that the Committee will be selling flowers again at the Farmer's Market.

**ADJOURN**

**Motion to Adjourn:** Paula Mangus **Second:** Mike Hibbard

Ms. Enlow: **Yes**

Mr. Whittaker: **Yes**

Ms. Mendez **Yes**

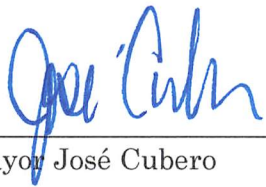
Ms. Portman **Yes**

Mr. Hibbard **Yes**

Ms. Mangus **Yes**

**Carried: 6 Yes – 0 No**

**Time: 7:43 PM**



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Mayor José Cubero



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City Clerk Brenda Weidekamp