

CITY OF SHEPHERDSVILLE
REGULAR COUNCIL MEETING MINUTES
MONDAY OCTOBER 23rd, 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 6:30 PM

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

APPROVAL OF MINUTES

Minutes for the October 9th, 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

PRESENTATIONS:

Mayor Cubero and Amber Odle- Presented The Upper Room with the check from the proceeds of the Color Walk.

Amber Odle- Gave an update on previous city events. She also told of future events such as the next Spooktacular on October 19, 2024, the next Color Walk in May 2024, Shop Small in November 2023, and Light Up on December 6, 2023. She also thanked the volunteers for the youth basketball clinics.

Mayor Cubero- thanked Vicki and her team for purchasing the fall banners and for their help with the Spooktacular. He also thanked Amber for doing a great job.

Ms. Portman- Asked if Laura Thurman could put out signs during city events remembering young adults who have passed away from overdoses. Mayor Cubero agreed to allow the signs to be posted during certain events.

OLD BUSINESS:

A. AWARD CONTRACT FOR STOUTS BUILDING DEMOLITION.

Arthur Jones spoke about the two bids that he recommended which were Yocum's Cistern & Septic and HCL.

Ms. Enlow stated that she had already spoken with Mr. Yocum from Yocum's Cistern and was satisfied with what he had to say.

Ms. Portman said she had spoken with Mr. Yocum's wife and was happy to hear that he was using his own people for the job and not others from different areas. She likes that the money is staying local.

Jason Yocum stated that he is not cheaper, he is just more competitive. He said his company does everything in-house, has plenty of equipment, and can do all aspects of the job.

Motion to Approve: Faith Portman **Second:** Bonnie Enlow

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

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

Carried: 6 Yes - 0 No

Company Chosen: Yocum's Cistern & Septic **Amount:** \$159,000.00

B. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-053** AN ORDINANCE AMENDING SECTION 30.01 OF THE SHEPHERDSVILLE CODE OF ORDINANCES OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, RELATING TO THE REGULAR MEETING TIME AND PLACE OF CITY COUNCIL MEETINGS.

The new start time for Council Meetings will be 6:00 pm. This change will begin on November 13, 2023, at the Regular City Council Meeting.

Motion to Approve: Paula Mangus Second: Brad Whittaker

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

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

Carried: 4 Yes – 2 No

C. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-054** AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND THE BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 3.58 ACRES, MORE OR LESS, LOCATED AT 150 CHAPEZE LANE IN THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, ALSO KNOWN AS PARCEL 037-000-00-016B, FROM R-1 RESIDENTIAL TO IL LIGHT INDUSTRIAL.

Mr. Whittaker asked the attorney, Jon Baker, if he had any updates on the negotiations with the adjacent property owner and if the turn lane would be widened.

Jon Baker replied that they are still in communication with them, however there will be visibility and noise reduction built into the plan. He reported that if KYTC recommends widening the turn lane, then they will comply. He also stated the height of the building will be between 35 and 40 feet.

Ms. Mendez said that at the July 10th meeting, it was stated that the height of the buildings would be between 20-28 feet.

Jon Baker said he did not recall committing to that height.

Doug Lance said he did not recall saying that either. He said they typically build anywhere from 28 to 36-foot height range. He said the buildings to the north are 40 feet tall and he speculates that these buildings would be anywhere from the 32 to 40-foot height range.

Mr. Hibbard asked what the county's height restrictions are.

Jon Baker told him the height limitation is 40 feet.

Ms. Enlow asked what the height of the other buildings in the industrial park are. She said she thought these buildings were going to be smaller than the others in the area so the impact would be less for the neighboring people.

Doug Lance said the buildings in the industrial park are anywhere from 32 to 40 feet tall.

Mayor Cubero asked the council to keep in mind that the other buildings are currently 40 feet tall.

Ms. Portman commented that they were told the buildings would be smaller than others in the area.

Ms. Enlow replied that the buildings would be smaller in square footage, just not in height.

The council was told that these buildings will be smaller in square footage (probably in the 280,000-300,000 square feet range) while others in the area are 1.5 million square feet. They were also told that they have tighter restrictions involving the landscaping.

Mr. Hibbard made the statement that residential homes (in certain zoning areas) can be built up to 35 feet tall.

Ms. Enlow said the difference between the height of a home and a warehouse is one looks like a house and the other looks like concrete. She said she agreed to annex it in because they were told the buildings were supposed to be shorter.

Mayor Cubero stated that the area was annexed for industrial purposes and there are already warehouses there that are 40 feet tall. He said that a 20-foot-tall building is very low, and you never have a building that low.

Ms. Mendez stated that is what they were told at the July 10th meeting.

Doug Lance said he would have meant 28 ft because they do not build anything below that.

Mayor Cubero told Ms. Enlow and Ms. Mendez that he understands their concerns, and he suggested putting a height requirement in place.

Ms. Mangus asked if the vote could be postponed.

Doug Lance said it is a matter of 8 feet and he doesn't see that being a drastic change.

Mr. Hibbard asked how far off Hwy 61 the buildings would be. He said from the plans, the buildings looked like they sit farther back from the road. He was told they would be approximately 130ft from the road.

Mr. Hibbard asked about the effect of the text amendment.

Mayor Cubero told him that applies to landscaping and this property is being held to a higher standard. He told everyone that the city is going to be more involved in the development process and will have higher expectations.

Ms. Enlow said she is concerned about the citizens who live in the area, and she is trying to look out for them because she cares about them.

A 36ft height restriction to the joists was placed on ALL the buildings in this development.

The council went back and made a new motion to approve the zoning and restrictions that were added.

Motion to Approve: Mike Hibbard **Second:** Faith Portman

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

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

Carried: 5 Yes – 1 No

D. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-055** AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND THE BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 0.5 ACRES, MORE OR LESS, LOCATED AT CHAPEZE LANE IN THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, ALSO KNOWN AS PARCEL 037-000-00-016A, FROM AG AGRICULTURAL TO I-L LIGHT INDUSTRIAL.

(Same restrictions)

Motion to Approve: Faith Portman **Second:** Mike Hibbard

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

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

Carried: 5 Yes – 1 No

E. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-056** AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND THE BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 0.8 ACRES, MORE OR LESS, LOCATED AT 3606 SOUTH PRESTON HIGHWAY IN THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, ALSO KNOWN AS PARCEL 037-000-00-015, FROM AG AGRICULTURAL TO I-L LIGHT INDUSTRIAL.

(Same restrictions)

Motion to Approve: Mike Hibbard **Second:** Faith Portman

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

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

Carried: 5 Yes – 1 No

F. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-057** AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND THE BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE

ZONING OF 3.051 ACRES, MORE OR LESS, LOCATED AT 3614 SOUTH PRESTON HIGHWAY IN THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, ALSO KNOWN AS PARCEL 037-000-00-016, FROM AG AGRICULTURAL TO I-L LIGHT INDUSTRIAL.
(Same restrictions)

Motion to Approve: Mike Hibbard Second: Faith Portman
Ms. Enlow: Yes Mr. Whittaker: Yes Ms. Mendez: Yes
Ms. Portman: Yes Mr. Hibbard: Yes Ms. Mangus: No
Carried: 5 Yes – 1 No

G. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-058** AN ORDINANCE AMENDING THE BULLITT COUNTY/CITY ZONING ORDER AND THE BULLITT COUNTY/CITY ZONING MAP AS AMENDED, CHANGING THE ZONING OF 25.387 ACRES, MORE OR LESS, LOCATED AT CHAPEZE LANE IN THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY, ALSO KNOWN AS PARCEL 037-000-00-016C, FROM AG AGRICULTURAL TO I-L LIGHT INDUSTRIAL.
(Same restrictions)

Motion to Approve: Faith Portman Second: Mike Hibbard
Ms. Enlow: Yes Mr. Whittaker: Yes Ms. Mendez: No
Ms. Portman: Yes Mr. Hibbard: Yes Ms. Mangus: No
Carried: 4 Yes – 2 No

H. ATTORNEY KATHERINE DOZIER READ THE **SECOND** READING OF SUMMARY ORDINANCE **023-059** AN ORDINANCE ADOPTING TEXT AMENDMENT 2023T-02 ADDING SECTION 5.803 INDUSTRIAL ZONING LANDSCAPE REGULATIONS TO THE ZONING REGULATIONS FOR BULLITT COUNTY AND THE CITIES OF HILLVIEW, LEBANON JUNCTION, MT. WASHINGTON, AND SHEPHERDSVILLE.

Mayor Cubero wanted to talk about the other part of this with the council at another time.

Mr. Hibbard asked if he wanted to postpone this vote.

Mayor Cubero told him no because this is separate.

Mr. Hibbard asked if this applies to all industrial and he was told yes.

Ms. Mendez asked if the current warehouses are being grandfathered in or is this going forward.

Mr. Hibbard asked if this includes all industrial moving forward that is in the city limits.

Ms. Dozier informed them that this is going forward with new buildings unless a previous warehouse tries to redo their landscaping.

Motion to Approve: Jennifer Mendez Second: Brad Whittaker
Ms. Enlow: Yes Mr. Whittaker: Yes Ms. Mendez: Yes
Ms. Portman: Yes Mr. Hibbard: No Ms. Mangus: Yes
Carried: 5 Yes – 1 No

NEW BUSINESS:

A. ATTORNEY KATHERINE DOZIER READ THE **FIRST** READING OF SUMMARY ORDINANCE 023-060 AN ORDINANCE AMENDING ORDINANCE **023-013** OF THE CITY OF SHEPHERDSVILLE, BULLITT COUNTY, KENTUCKY RELATING TO THE PROPERTY MAINTENANCE CODE.

Mayor Cubero told the council that this is to protect the city when it comes to Code Enforcement.

Ms. Dozier explained that this follows the ordinance that Jefferson County uses. She said it could be changed if needed and if the council had any questions to contact her.

PLANNING AND ZONING UPDATE: None

BOARD OF ADJUSTMENTS:

Duane Price- gave an update on the properties on Nancy Drive that were denied. He informed everyone about the eleven new apartment buildings (78 rooms), that will be built on Saltwell Drive. He told the council that he would provide them with a copy of the docket from the Board of Adjustment Meetings.

DEPARTMENT HEAD REPORTS:

Chief Troutman- reminded everyone about the Trunk or Treat on October 31st.

Chief Schmidt- thanked Ms. Portman for explaining about the purple lights on the exit ramp to concerned citizens.

COUNCIL COMMENTS:

Bonnie Enlow: Thinks the city should put up signs around Racetrac and the Buffalo Run Shopping Center to alleviate the confusion on how to get to I-65. She was happy about the area on Stevens Drive that is being cleaned up and she thanked Tom for putting up No Parking signs on Riverview Lane.

Brad Whittaker: No Comment

Jennifer Mendez: Still waiting for the lines to be painted on Joe B. Hall.

Faith Portman: No Comment

Mike Hibbard: Asked about the road in the industrial park that Browning Construction said they would give money to fix. Mayor Cubero said he and Arthur would discuss the issue with him at another time.

Paula Mangus: Thanked everyone who helped to get the aluminum cans removed from CVS parking lot.

Mayor Cubero told about the concrete median that is being put in by Wendy's. He also asked the Public Works Department to work with Arthur to fix the area at Adam Shepherd and 44.

Katherine Dozier- is concerned about the semi's turning out of Racetrac and said signs would be helpful.

ADJOURN

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

Ms. Enlow: **Yes**

Mr. Whittaker: **Yes**

Ms. Mendez: **Yes**

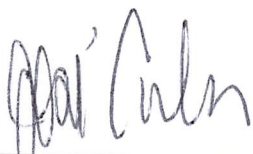
Ms. Portman: **Yes**

Mr. Hibbard: **Yes**

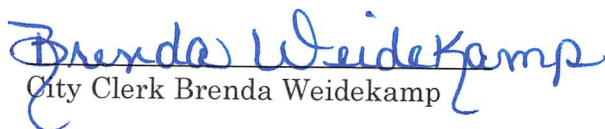
Ms. Mangus: **Yes**

Carried: 6 Yes – 0 No

Time: 7:44PM



Mayor José Cubero



City Clerk Brenda Weidekamp