

## **Regular Council Meeting September 16, 2010**

Mayor Thomas L. Hardesty called the regular council meeting to order at 6:30 p.m. with the following council members present: Alan Matthews, Mike Zoeller, Shane Suttor, Jon Swindler, and George Best. Absent: Donna Eaton

City Employees Present: Jennifer Herrell, Willard Tucker, Darrell Willard, Inez Harris, and Jeff Schank.

City Attorney: Frank Chuppe

Councilmember Matthews gave the invocation.

All present pledged allegiance to the flag.

### **Minutes/ September 2, 2010**

Councilmember Best moved to approve the regular minutes of September 2, 2010, as read by council members prior to the meeting. Seconded by Councilmember Matthews.

All voted "aye" and motion carried.

### **Discussion – Residents required to repair sidewalks – Rich Lane**

Rich Lane, resident of 834 Henry Clay Street, addressed council regarding sidewalk repair. Mr. Lane does not dispute owning the sidewalk; however, he cannot meet the guidelines for repair. He is asking for more time to put together funds for the project.

Richard Marlow, resident, wanted to know when the sidewalk became his responsibility. He is not able financially to fix his sidewalk.

Mike White, business owner, has had cracks in sidewalk for 19 years. His business is down and this is an added burden.

After discussion, the sidewalk project was delayed until April 1, 2011. Notification letters will be sent to inform owners of the new date.

### **Ordinance – Creating a Moratorium on Building Permits, Demolition Permits, Zoning Map Amendments and Development Plans for the 7<sup>th</sup> Street Corridor - 1<sup>st</sup> Reading – Frank Chuppe**

Frank Chuppe, City Attorney, read an ordinance of the City of Shelbyville imposing a moratorium on the 7<sup>th</sup> Street Corridor to include building permits, demolition permits, zoning map amendments, planned unit developments and development plans. This moratorium shall be in effect until April 7, 2010 or until lifted by the City Council.

It was introduced for first reading by Councilmember Suttor. Seconded by Councilmember Zoeller.

### **Ordinance 2010-09-16 - Amending the Shelby County Zoning Regulations Applicable in the City of Shelbyville – 2nd Reading, Frank Chuppe**

Frank Chuppe, City Attorney, read an ordinance amending the zoning regulations of the City of Shelbyville to include a new Subsection 5 to Article XIX, Subsection B to read:

Freedom Way/Eminence Pike

Corridor: Those properties located on or in the vicinity of Freedom Way and Eminence Pike in the unincorporated areas of Shelby County and in the city limits of the City of Shelbyville, Kentucky; said properties being more particularly show on the map attached hereto and by reference made a part hereof as Exhibit "D".

It was introduced for second reading by Councilmember Best. Seconded by Councilmember Swindler.

Upon roll call, the following council members voted "aye": Matthews, Zoeller, Suttor, Swindler, and Best. Absent: Councilmember Eaton.

**Ordinance 2010-09-16(A) - Amending the Position Description of Fire Chief – 2nd Reading – Frank Chuppe**

Frank Chuppe, City Attorney, read an ordinance of the City of Shelbyville amending the Position Description of Fire Chief. This ordinance is amended to include the IFSAC (International Fire Service Accreditation Congress) Fire Fighter I & II Certification. The Mayor shall be the appointing authority for the position of Fire Chief. After appointment, Fire Chief may be discharged or replaced by the Mayor without cause.

It was introduced for second reading by Councilmember Suttor. Seconded by Councilmember Zoeller.

Upon roll call, the following council members voted "aye": Matthews, Zoeller, Suttor, Swindler, and Best. Absent: Councilmember Eaton.

**Ordinance 2010-09-16(B) - Amending the Position Description of Assistant Fire Chief – 2<sup>nd</sup> Reading – Frank Chuppe**

Frank Chuppe, City Attorney, read an ordinance of the City of Shelbyville amending the Position Description of Assistant Fire Chief. The person occupying this position may be reassigned to a different rank or position without cause by the Mayor. Position holder must also have IFSAC (International Fire Service Accreditation Congress) Fire Fighter I and II Certification.

It was introduced for second reading by Councilmember Swindler. Seconded by Councilmember Zoeller.

Upon roll call, the following council members voted "aye": Best, Swindler, Suttor, Zoeller, and Matthews. Absent: Councilmember Eaton.

**Department Reports**

Jennifer Herrell, Public Works Director, reported she has talked with a lot of people regarding sidewalk repairs. She will work with the owners to make the process as smooth as possible.

Eilene Collins, Executive Director, Shelby Development Corporation, reported the concert for this weekend has been moved to accommodate visitors in town for the World Equestrian Games in Lexington. The concert will be held the weekend of October 1 and 2, 2010. Complaints have been made about lack of restrooms. Businesses will not be open. Mayor Hardesty will see about getting the restrooms opened at the Welcome Center.

Inez Harris, City Clerk/Treasurer, asked for approval of the July 2010 Financial Report.

Councilmember Zoeller moved to approve the July 2010 Financial Report. Seconded by Councilmember Suttor.

All voted “aye” and motion carried.

**Mayor’s Report**

Mayor Hardesty reported that Judge Rothenburger has issued a burn ban for Shelby County. There will be a public meeting on the 7<sup>th</sup> Street Corridor September 23<sup>rd</sup> at 5:30 p.m. at the Emergency Management Building. The Employee Banquet will be held on September 30 at 6:00 p.m. at the Stratton Center.

Councilmember Best moved to adjourn at 7:55 p.m. Seconded by Councilmember Swindler.

All voted “aye” and motion carried.

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MAYOR: Thomas L. Hardesty

ATTEST:

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City Clerk/Treasurer  
Inez Harris