

Minutes: City Council Meeting
October 15, 2018
7:00 PM

The Elkton City Council met in regular session on Monday, October 15, 2018 at 7:00 PM with Mayor Jackie Boyd Weathers presiding.

City Council members present: Michael Case; Doug Gibson; David Haley; Danny Laster; Frank McReynolds; and, David Powell.

Others present: Jeffrey Traughber, City Attorney; Laura Brock, City Clerk/Treasurer; Terry Frogue, Utility/Street Superintendent; Daniel Smith, Assistant Fire Chief; Tara Mahone, Emily Meacham, and Ashley McKee, Sanctuary, Inc.; Justin Crocker, Commonwealth Attorney; Arthur Green; Terry and Donna Rigsby; and, Debbie Hein.

Mayor Weathers called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Haley gave invocation.

After reviewing the September 10, 2018 council meeting minutes, Haley motioned to approve, seconded by Gibson and carried unanimously.

After reviewing the September 13, 2018 special council meeting minutes, McReynolds motioned to approve, seconded by Powell and carried unanimously.

Mayor Weathers called for approval of the bills payable and financial reports. After review, Laster motioned to approve the bills payable and financial reports, seconded by Case and carried unanimously.

Mayor Weathers welcomed all guests and called on Terry and Donna Rigsby and Debbie Hein, all residents of Morningside Drive, for comments. Mr. Terry Rigsby stated he received the city's letter asking about placing a speed bump on Morningside Drive and stated he feels there needs to be 3 speed bumps. Debbie stated it is not even safe to walk near or on the street due to the speed of the drivers. She stated even though there are 10 mph speed limit signs and "children playing" signs, drivers easily go 40 to 50 mph. Case stated he has not heard any objections from residents of Morningside Drive and Clerk Brock confirmed all responses received requested the speed bumps be installed. McReynolds presented a letter from a resident of College Street who has a son with autism and requested speed bumps be installed on College, Duke, Olive, and Marion Streets. The council requested Clerk Brock poll the residents of these streets to see if they oppose the installation of speed bumps. After discussion, Haley motioned to purchase 9 pieces to install 3 speed bumps across Morningside Drive and install two speed bump warning sides alerting drivers from both directions. Case seconded the motion and carried unanimously. Frogue stated the speed bumps might affect snow removal on these streets.

Mayor Weathers introduced Justin Crocker and called for comments. Mr. Crocker is currently serving as acting Commonwealth Attorney for Todd and Logan Counties and is also a candidate for this office in the upcoming election. Mr. Crocker stated he would like to place an office in Todd County if elected.

Mayor Weathers welcomed Tara Mahone, Emily Meacham, and Ashley McKee from Sanctuary, Inc. Ms. Meacham, Community Educator, presented a Proclamation for Mayor Weathers to sign proclaiming October 2018 as Domestic Violence Awareness Month. Meacham reported Ms. Mahone is in the Elkton Office located at 60 Public Square, Monday through Friday. She reported Ms. McKee gives financial advice and assistance through AmeriCorp. Mayor Weathers read and signed the Proclamation and thanked everyone for attending the meeting.

Daniel Smith, on behalf of the Todd County Dispatch Service, requested the use of the Die Casting property for the annual "Trunk-or-Treat" held on Halloween that is usually held at the dispatch center. All local

agencies participate and it is getting too big for the dispatch property. The county will need to provide the city a certificate of liability insurance. Case motioned to approve the use of the Die Casting property for Trunk-or-Treat on October 31, 2018. Motion seconded by Powell and carried unanimously.

Clerk Brock presented Findings of Fact and Recommendation from the Elkton Planning Commission, who held a public hearing on October 11, 2018 to hear a request from Cindy Sidebotton to rezone property located at 413 S Main Street from R-1 Single-Family Residential to R-3 Multi-Family Residential. The recommendation from the Planning Commission is that the application for rezoning be denied. Brock presented the Recommendation and two letters from neighbors in the area who opposed the rezoning and requested their letters presented to the Planning Commission also be given to the council. Mr. Case also stated three other neighboring families were present at the meeting in opposition of the rezoning. Haley motioned to approve the recommendation, seconded by McReynolds, and carried unanimously.

Clerk Brock presented Findings of Fact and Recommendation from the Elkton Planning Commission, who held a public hearing on September 13, 2018 to hear public comments regarding proposed changes to the text of the zoning ordinance. Brock stated the recommended changes came from the city council at a previous meeting and includes changing the regulations for temporary signs and allowing free standing signs to be placed 10 feet from the right-of-way instead of 25 feet. The Planning Commission recommended approving the proposed changes to the zoning ordinance. Haley motioned to approve the recommendation, seconded by Gibson, and carried unanimously.

Clerk Brock stated a Summary of Ordinance 2018-16, "AN ORDINANCE AMENDING THE TEXT OF CHAPTER 151 (ZONING) OF THE CITY OF ELKTON CODE OF ORDINANCES" was prepared by City Attorney Jeff Traughber. Case motioned to read the Summary in lieu of the full ordinance, seconded by Haley, and carried unanimously by show of hands. Clerk Brock read first reading of Summary of Ordinance 2018-16. Powell motioned to approve after first reading, seconded by Haley, and carried unanimously by show of hands.

Laster motioned to go into closed session under KRS 61.810(1)(b) for deliberations on the future acquisition or sale of real property by the city. Motion seconded by Gibson and carried unanimously. Mayor, council and Clerk Brock remained for the closed session and doors were closed to the public. Upon returning to open session, Frogue, Smith and Green returned to the meeting as doors were opened to the public. As a result of closed session, Case motioned to approve up to \$12,000 from the Building Maintenance Fund for repairs of the roof on the Die Casting building and amend the budget as necessary. Motion seconded by McReynolds and carried unanimously.

Frogué reported receiving two bid for repairing the roof of the Die Casting buildings, one from Kirkman Roofing and one from Bouldin Roofing, which included a good description of work that needs to be done. The Bouldin Roofing description will be used to seek out at least two additional bids for the same service.

Council member Haley requested conversation regarding Code Enforcement and if the ordinance states action should only be taken if a complaint is received. Clerk Brock explained the process the city follows in writing courtesy letters, notice of violations, and citations and stated it seems we are only responding to complaints. Haley stated the citizens need to know the actions the code enforcement officer is taking. Traughber suggested a Code Enforcement report be presented to the council at each meeting just like other departments.

Mayor Weathers reported she, Frogue, and Brock met to discuss future projects including the Elk Fork Creek and Road FEMA flood repair projects and other sidewalk repairs needed in the city. It is their recommendation that the FEMA projects be completed first because there is a deadline and hold off on sidewalk repairs until the FEMA projects are complete. Frogue also reported that the FEMA projects could also be scaled back to only complete work FEMA recommended. For example, the city's engineer recommended installing geotextile fabric before putting the soil back in the eroded area near Elk Fork Bridge, and then install riprap. FEMA only reimbursed the city for installing soil and re-seed. After

discussion, Gibson motioned to complete Elk Fork Bridge and Road repairs to FEMA recommendations, seconded by Powell, and carried unanimously. Mayor Weathers suggested that a new bridge on Elk Fork Road should be recommended in the 6 year road plan.

Gibson reported that there are potholes on Elk Fork Road near West Main Street that need to be repaired.

Frogué reported that several years ago the city received a quote from a company that grinds down lips in the sidewalks in order to meet ADA requirements. Making these repairs will at least get rid of tripping hazards on city sidewalks. Clerk Brock stated Kentucky League of Cities has a safety grant available that might pay for half the cost up to \$3,000. Gibson asked about the contractor that damaged the city sidewalks while tearing down several houses and agreed to pay half the cost of the repairs. Frogué reminded the council that the contractor wanted to use his contractor to make the repairs and that estimate was much higher than the others. City Attorney Traughber stated that the statute of limitations for such damages is five years. After discussion, Case motioned to apply for the KLC Safety grant for grinding down the trip hazards on the sidewalks, seconded by Laster, and carried unanimously.

Clerk Brock stated a Summary of Ordinance 2018-17, “AN ORDINANCE AMENDING SECTION 32.21 OF THE CITY OF ELKTON CODE OF ORDINANCES” was prepared by City Attorney Jeff Traughber. Laster motioned to read the Summary in lieu of the full ordinance, seconded by McReynolds, and carried unanimously by show of hands. Clerk Brock read first reading of Summary of Ordinance 2018-17. Haley motioned to approve after first reading, seconded by Laster, and carried unanimously by show of hands.

Continuing discussion about sidewalk repairs, it was the consensus to get bids on the three areas that were damaged by the contractor.

COUNCIL REPORTS

Laster reported the Blount Clinic sewer line extension has been completed. Frogué reported the contractor extending the sewer line on B White Road was half way done and hit solid rock. The project should be complete in a couple weeks. Frogué requested the old truck bed taken off the 2015 Ford be declared surplus and sold in the upcoming surplus items sale. There was no opposition to the request, therefore the truck bed will be sold as surplus.

Frogué also reported a new meter reading software upgrade will be required of Badger Meter that will cost about \$1,875.00. The meters will now require a two-way radio and the software upgrade is necessary to continue reading the meters by radio. The cost will be split between water and sewer departments.

Frogué reported that his crew intended to complete smoke testing of the sewer lines during the current sewer planning project. However, with so many other projects going on, they are unable to complete the testing in time. Therefore, GRW Engineers proposed removing flow monitoring from the current planning project and replacing it with smoke testing, which costs about the same at \$30,000. Therefore, the company already in town videoing the sewer lines will now also complete the smoke testing.

Powell called for a report from the Fire Department. Daniel Smith requested approval of a FEMA grant application to purchase eight new air packs at a cost of about \$50,000. The grant would pay for 95% of the cost. Powell motioned to approve the grant application, seconded by Laster and carried unanimously.

Case reported he saw that the fire pumper truck the city recently sold is now for sale again and still has the Elkton Volunteer Fire Department logo on the vehicle. Regarding the Park, Traughber reported Park Director Elizabeth Fitch is currently not able to do physical labor and has someone filling in for her on these matters. Fall baseball and soccer are underway and will end in November. Payment of concession stand lease is still an issue that needs to be addressed.

Case passed out pictures of the Elkton Cemetery sign that needs cleaning and painting. Mayor Weathers will work with Raymond Williams and the inmates to get this completed.

Clerk Brock updated everyone on the Park's Land and Water Conservation Grant for park improvements. We are currently working with Thomas Waldron to design a project to install new lighting on at least one ball field. A new small pavilion and small toddler playground area will be built near field one. As a requirement of the grant, overhead utility lines in the parking lot will need to be buried.

McReynolds asked for an update on the Glenwood Cemetery fence repairs. Brock has received one quote from Brad Sharp and will be working with ToolTec of Elkton and Ricchuite Enterprises on additional quotes.

MAYOR'S REPORT

Mayor Weathers asked the council to consider an ordinance that bans people from burying houses on their lot. Brock stated a draft ordinance was presented a while back and can be reintroduced at the next meeting.

Mayor Weathers also requested consideration of a Historical District Ordinance to protect the buildings on Public Square or a block or two off the Square from demolition. Kentucky Revised Statutes allow these type regulations and it seems the Kentucky Heritage Council should be contacted for advice.

Case motioned to adjourn, seconded by Gibson and carried unanimously. Meeting adjourned at approximately 9:01 pm.

Jackie Boyd Weathers, Mayor

Laura M. Brock, City Clerk/Treasurer