

Minutes: City Council Meeting
August 12, 2019
7:00 PM

The Elkton City Council met in regular session on Monday, August 12, 2019 at 7:00 PM with Mayor Arthur Green presiding.

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

Others present: Jeffrey Traughber, Attorney; Laura Brock, City Clerk/Treasurer; Jason Clardy, Police Captain; Derrell Waggoner, Fire Chief; Daniel Smith, Assistant Fire Chief; and, other guests.

Mayor Green called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Guest Mr. Vice Killibrew gave invocation.

After reviewing the July 8, 2019 council meeting minutes, Gibson motioned to approve, seconded by Orr, and carried unanimously.

Mayor Green called for approval of the bills payable and financial reports and any comments from Clerk Brock. There were no questions, therefore Laster motioned to approve the bills payable and financial reports, seconded by McReynolds, and carried unanimously.

Mayor Green called for public comments.

- Mr. Vice Killibrew reported he has lived at 512 W Main Street in Elkton for about 10 years and he has been mowing the state right-of-way in front of his house, which is a very steep slope. It is getting more dangerous to mow this area because he has to stand in the street to mow the embankment. He contacted the state and they do not mow right-of-way in the city limits. He requested help from the city before someone gets hurt. Gibson stated this is a state issue and suggested they install a wall. Mayor Green stated he believes the city is mowing too many right-of-ways and would like to evaluate the mowing being done by the city. No action was taken.
- Property owners at 103 Church Hill Ln requested speed limit signs installed on this street. Cars are speeding in this area and there are children playing and a day care center located here. Case motioned to put up speed limits signs on Church Hill Ln, seconded by McReynolds, and carried unanimously.

Clerk Brock read second reading of Ordinance 2019-13, "ORDINANCE CONFIRMING THE SALE AND AWARDED A NON-EXCLUSIVE FRANCHISE TO ATMOS ENERGY CORPORATION, FOR A TERM OF TEN (10) YEARS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A NATURAL GAS DISTRIBUTION SYSTEM ALONG AND UNDER PUBLIC RIGHT-OF-WAY WITHIN THE CITY OF ELKTON, KENTUCKY, IN RETURN FOR WHICH FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO TWO PERCENT (2%) OF THE REVENUES DERIVED FROM THE FRANCHISE AWARDED HEREIN." McReynolds motioned to adopt Ordinance 2019-13, seconded by Orr, and carried unanimously by show of hands.

Mayor Green reported the city received bids for the purchase of a leaf vacuum on August 9, 2019: Stanley and Son, Inc., Nebo, KY, \$11,718.00; and Johnson Sales and Service, Mortons Gap, KY, \$11,705.16. Employee Josh Reynolds worked hard researching the equipment and the Mayor recommended going with the lowest bidder. Laster motioned to purchase the leaf vacuum from Johnson Sales and Service, seconded by Orr. Voting yes were McReynolds, Case, Laster, and Orr. Voting no was Gibson. Abstaining was Powell. Motion carried.

Mayor Green reported bids were received for the KIA loan project for the Water System Rehabilitation and Upgrade Project: Abbico Contracting, \$124,237.00; Ernie Davis & Sons, \$183,496.00; Infinity Pipeline, \$185,220.50; and United Pipeline, \$212,787.00. The low bid is about \$2,187.00 higher than estimated construction cost including contingency. Therefore, Mayor recommended accepting the low bid from Abbico Contracting and requesting an additional \$10,000 from KIA for contingency. Mayor stated there may be a few items the city could remove from the contract and perform on our own in order to save money if necessary. After discussion, Powell motioned to accept the bid from Abbico Contracting in the amount of \$124,237.00 and to request additional \$10,000 from KIA, seconded by Laster, and carried unanimously.

Mayor Green reported reviewing city ordinances and personnel policy and could not find a smoking and vaping policy. Therefore, he recommended the city adopt an ordinance banning smoking and vaping in city buildings and vehicles. Clerk Brock read first reading of Ordinance 2019-14, "AN ORDINANCE REGULATING SMOKING WITHIN THE CITY LIMITS OF ELKTON, KENTUCKY."

Mayor Green reported he has had discussions on several traffic issues in Elkton and offered several solutions.

- Last year the city requested a stop light at the intersection of Streets Avenue and West Main Street. The state did a traffic count and determined there is not enough traffic for a stop light. Mayor Green inquired about a four-way stop at this intersection. The state also found there is not enough traffic for a four-way stop, however they would entertain installing a stop if the city council requested. There was considerable discussion that this intersection is congested at times because it is also very close to entrances of Five Star, Max Fuel and Community House. Case stated foot traffic is also an issue at this intersection with people trying to cross W Main Street with no crosswalk. No action was taken.
- Parking on W Main Street in front of the Post Office is dangerous and it was suggested to allow parking on the city alley immediately beside the Post Office instead of on W Main St. It was suggested that cones be put out to test the new parking before any permanent action is taken. No action was taken.

Mayor Green reported the city was notified our application for TAP (Transportation Alternatives Program) funding for the Goebel Avenue Sidewalk and Bicycle Lane project was awarded. Mayor reported both pro and con comments from the public regarding this project. Mayor sent a letter to all property owners and residents of Goebel Avenue letting them know the process will take several months to get the project started and it may be a year before we even start designing the project.

Mayor Green updated the council on the Land and Water Conservation Project in the park and that all new poles and lights are installed on the softball field. A special needs swing has been ordered. New skate park ramps were received today and will be installed in the next few days. This project is expected to be completed in a few weeks. The park did have to remove, with the help of Pennyryle Electric, the tops of two wooden poles for safety concerns.

Mayor Green reported the state performed the inspection of Melvin Stinson Lake Dam. The dam passed inspection and the city will continue to maintain as usual with another inspection due in a year.

The city was informed last week that there is additional Municipal Road Aid funding being made available for cities to resurface city streets. Council members and city staff were asked to submit names of streets that need resurfacing and a list was compiled in order to get cost estimates for the project. The list of possible streets was presented to the council. The funding application will be completed and submitted to the state.

Mayor Green reported a request to reduce the city's code enforcement liens on a property in town that has a potential buyer. The city has two liens on the property totaling \$11,987.72. The owner may still have loans on the property and would like the city's liens reduced for someone to purchase the property. After much discussion, it was Attorney Jeff Traughber's opinion the request needs to go before the Code Enforcement Board. Mayor Green suggested the city needs to look into a process to get the properties in the city that have

\$10,000 plus in liens sold. Traugher stated he has been doing some preliminary work on these properties that also have delinquent property taxes due in order to file a mass foreclosure. The city ordinance does have a clause regarding attorney fees being added to the delinquent property tax bill to cover the cost of legal fees. It was decided at the next meeting the council should go into closed session to discuss proposed or potential litigation on this matter to discuss further.

Clerk Brock, who has also been appointed by the Mayor as ABC Administrator, reported she has approved four local ABC Licenses that have then been submitted to the state for approval. One application for the Green River Academy Preservation Society has since been approved and issued by the state and the city. The other three applications have not been approved by the state yet. Once licenses are approved by the state, the city can issue the local license.

Clerk Brock reported dates for city sponsored events: HarvestFest, Saturday, October 5th; Trick-or-Treat, October 31st from 5:30 pm to 7:30 pm; and Christmas Parade, Saturday, December 14th at 6 pm.

Clerk Brock presented the 2019 property tax rate calculations. After reviewing the rates, Powell motioned to keep the real property tax rate the same as last year at \$.249 per \$100 of assessment, seconded by Case, and carried unanimously. Brock stated that since this rate is slightly higher than the compensating rate, a notice and public hearing will need to be held. Mayor Green suggested scheduling the hearing for just prior to the next city council meeting.

DEPARTMENT REPORTS

Police Captain Clardy presented a police department activity report for the previous month. Attorney Traugher asked if there was a process in place for dispatch to start keeping track of alcohol related incidents. Clardy stated this is being coordinated with dispatch.

Fire Chief Derrell Waggoner reported all the city fire trucks have been serviced and pumps will be certified soon. The department went to Guthrie recently for training on the new county ladder truck. Waggoner reported a couple volunteers have quit or stopped attending training and are no longer on the department. Waggoner has one applicant he would like to hire. It was the consensus it was up to the Chief to hire volunteers and no city council approval is needed. Hiring will be contingent upon background and drug testing. Assistant Chief Smith reported the county is still working out details and training on the county ladder truck. Mayor Green reported at a previous meeting the fire department requested sealing their parking lot. The city will budget for sealing several city parking lots at the same time in next year's budget.

CITY COUNCIL CONCERNS

McReynolds asked if the city had requested mosquito spraying. Mayor Green reported the county requested it last time with some spraying in the city, but the city has not requested it and has not received very many complaints.

Case requested more discussion on the traffic issues and stated W Main Street is busy and he would like to see crosswalks at the Streets Avenue intersection with flashing yellow lights. After discussion, Case motioned to request the state install crosswalks from North to South Streets Avenue on West Main Street and put up flashing yellow lights. Motion seconded by Laster and carried unanimously.

MAYOR'S REPORT

The Bicentennial Committee has met and is coming up with ideas to celebrate the city's bicentennial next year. The county bicentennial committee has also met.

Mayor reported the city received 45 employment applications for the Police Records Clerk position, 22 applications for Utility/Street Maintenance, 5 applicants have cleared background checks for police officer,

and we had 7 applications for Police Chief.

Mayor Green reported he is working with the Department of Environmental Protection to see if testing is needed on the Die Casting property the city may give to the park for soccer fields. The property has been assigned to someone who will contact the Mayor soon.

Mayor Green requested the council go into closed session for deliberations on the future acquisition or sale of real property (KRS 61.810(1)(b)). Laster motioned to go into closed session for the reasons stated, seconded by Powell and carried unanimously. Doors were closed to the public and only the Mayor, council, attorney, and clerk remained in closed session.

Orr motioned to go out of closed session, seconded by Laster, and carried unanimously. Doors were opened to the public.

As a result of the closed session, Powell motioned to authorize the Mayor to negotiate the purchase of a certain parcel of property discussed in closed session, seconded by Orr, and carried unanimously.

Laster motioned to adjourn, seconded by Case, and carried unanimously. Meeting adjourned at 9:05 pm.

Arthur Green, Mayor

Laura M. Brock, City Clerk/Treasurer