

Minutes: City Council Meeting
September 9, 2019
7:00 PM

The Elkton City Council met in regular session on Monday, September 9, 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; Derrell Waggoner, Fire Chief; Daniel Smith, Assistant Fire Chief; and, Doug Meadows.

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

After reviewing the August 12, 2019 council meeting minutes, Laster 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. Brock reported new ABC license fees collected and Case questioned the annual assessment bill from the PVA Office. After discussion, Case motioned to approve the bills payable and financial reports, seconded by Gibson, and carried unanimously.

Mayor Green called for public comments. There were none.

Clerk Brock read second reading of Ordinance 2019-14, "AN ORDINANCE REGULATING SMOKING WITHIN THE CITY LIMITS OF ELKTON, KENTUCKY." Case asked about the personnel policy and how employees violating the policy would be handled. Mayor Green stated the disciplinary procedure typically would give a warning, then suspension, as so forth. Case motioned to adopt after second reading, seconded by Orr, and carried unanimously by show of hands.

Clerk Brock read first reading of Ordinance 2019-15, "AN ORDINANCE FIXING THE AD VALOREM TAX RATE UPON THE ASSESSED VALUATION OF REAL ESTATE, PERSONAL PROPERTY, MOTOR VEHICLES AND WATERCRAFT WITHIN THE CITY LIMITS OF ELKTON, KENTUCKY, FOR THE YEAR 2019."

Municipal Order 2019-05, "MUNICIPAL ORDER RE-APPOINTING/APPOINTING MEMBER(S) TO THE ELKTON-TODD COUNTY RECREATION COMMISSION" re-appointing Phillip Johnson to another four-year term was presented. Laster motioned to approve, seconded by Powell, and carried unanimously.

Mayor Green reported it is public record now that the city has filed for a Judgement against Refine Tile for unpaid occupational license taxes and property taxes. September 28, 2019 has been set as the tentative date ordered by the Judge for all real and tangible property to be sold. Traughber stated it may be moved to October. Refine is estimated to owe the city about \$114,000.00 through 2018. Brock stated there should be more due for 2019.

Mayor Green reported he attended the Code Enforcement Board meeting last week to discuss liens the city has on properties for code enforcement fines including the property discussed at the last meeting. Nicholas Hurt also attended the meeting to request leniency on fines totaling about \$12,000 on his property on North Main Street. The main discussion was who can address these fines once liens have been filed. It was the consensus maybe the city needs a policy to set out the process once liens are filed. There was discussion that the city should foreclose once the liens reach \$5,000 or a percentage of the value of the property. Mayor stated the city has negotiated liens on two occasions in the past. Traughber stated he likes the idea of a third

party agreement between the city, property owner, and potential buyer giving 90 days to clean up the property and the fines may be reduced. Clerk Brock presented a list of all unpaid code enforcement fines, including all liens that have been filed by the city. Traugher will draft a policy for action on properties once liens have been filed and accrued to a certain amount.

Mayor Green reported a special city council meeting will be held Thursday, September 12, 2019 at 5:30 pm and a copy of the agenda and notice was passed out.

DEPARTMENT REPORTS

Fire Chief Derrell Waggoner reported it has been a very busy month due to the dry weather. All trucks have received their annual maintenance service. Mayor Green commended the fire department on their hard work over the last month.

Mayor Green reported the monthly activity report from the police department was distributed to each council member. Also, the city has been notified one officer will be off for several weeks due to health issues.

Mayor Green reported the utility/street department is completing sidewalk repairs on East Main Street. The Health Department will begin their assessment of city sidewalks in the next month. The KIA Water Improvement Project paperwork has been completed and has been given approval to proceed by the Division of Water. The KIA Sewer Rehabilitation Project is awaiting approval to bid by the Division of Water with anticipated bid date in October.

CITY COUNCIL CONCERNS

McReynolds asked about the status of the leaf vacuum and leaf pickup. Mayor Green reported the tow behind leaf vacuum has been received by the utility/street department and dates will be set soon.

McReynolds asked if speed limit signs have been placed on Church Hill Lane. Mayor Green reported the maintenance crew was on site to install the signs but there may have been some issues. He will check on the signs as soon as possible.

Case stated according to the police activity report there were 18 lockouts in the city last month. Mayor Green reported the department is now unlocking vehicles.

Case also asked about a fall trash cleanup. Mayor Green stated he has talked with the maintenance crew and we may need to look at starting trash pickup next year.

Case asked if the new setup in the utility department with each department having their own employee contact was working. Mayor Green stated he thinks it is going well, but encouraged the council to discuss with the employees.

Gibson reported complaints from citizens in his neighborhood because they were not notified of a search in the area for a missing child recently. Searchers were going around on their properties at night before they were even notified of what was going on. Daniel Smith stated the official search crew had just gotten organized when the child was found and they would have gone door to door before the search. However, the child was found 37 minutes after the county was notified. Those searching on the property were family members of the missing child. There was discussion of using the county notification system in such instances.

Orr reported a tall shrub at the intersection of S Streets Avenue and College Street that may need to be trimmed or removed to help visibility.

MAYOR'S REPORT

The city streets that need to be resurfaced that was discussed at the last meeting has been submitted to the state for funding.

Mayor Green reported the county may partner with the city to surface the parking lot and city street in the park. The city's part for paving the street would be about \$38,000.

The crumb rubber and rubber curbing for the park the city was awarded through a grant has been ordered and should be installed in the next few months.

The special needs swing has been installed in the park. The maintenance crew will work on building a ramp to the swing in the next few weeks.

The Bicentennial Committee has been meeting and should be ready to announce at the end of October the dates of several activities for celebration next year. The first "kick off" event and fundraiser will be a New Year's Eve celebration.

Mayor Green reported four candidates were interviewed for Police Officer Recruit on August 27th and he has narrowed it down to two. An offer of employment contingent upon background checks and drug test may be made soon.

Mayor Green reported four candidates for Utility/Streets Maintenance were interviewed on September 3rd and Christopher Brady has passed all requirements and has accepted the position.

Mayor Green stated four candidates for Police Records Clerk were interviewed on September 5th and an offer has been made to a candidate pending background check and drug testing.

Mayor Green will be interviewing four candidates for Chief of Police on September 10th.

Regarding the two seasonal employees hired earlier in the year, one employee has returned to college and the other employee's position will end the first week in October.

Mayor Green stated that he will notify the council by email when all open positions are filled.

Mayor Green reported he received correspondence from Jeff Grow with the Kentucky Division of Environmental Protection implying the impacted area of the Die Casting property can serve a recreational use. If picnic tables were to be placed, then he advised we should install a concrete pad under them. If we want the property to be separated for soccer fields, then our attorney just needs to coordinate with their attorney to get this done.

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)) and to discuss proposed or pending litigation (KRS 61.810(1)(c)). Orr 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.

Case 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 as discussed in closed session, seconded by Laster, and carried unanimously.

Gibson motioned to adjourn, seconded by Laster, and carried unanimously. Meeting adjourned at 8:41 pm.

Arthur Green, Mayor

Laura M. Brock, City Clerk/Treasurer