

Minutes: City Council Meeting  
March 12, 2020  
6:00 PM

The Elkton City Council met in regular session on Thursday, March 12, 2020 at 6:00 PM with Mayor Arthur Green presiding.

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

Others present: Jeff Traugher, Attorney; Laura Brock, City Clerk/Treasurer; Robert Toombs, Police Chief; Daniel Smith, Assistant Fire Chief; Robert Dickerson and David Leavell representing various members in attendance from First Baptist Church and residents on Church Hill Lane.

Mayor Green called the meeting to order at 6:01 pm and led the Pledge of Allegiance. Mr. Danny Laster gave invocation.

Mayor Green called for a report from Daniel Smith, who needed to leave to attend fire training.

- Smith requested permission to apply for a Division of Forestry grant to purchase wildland fire pants and jackets at a total cost of \$6,800 with a local match of \$3,200 required. If awarded, it would come out of next year's budget. Mr. Powell motioned to approve the application, seconded by Orr, and carried unanimously.
- Smith reported he is finalizing two FEMA grant applications, one for a new fire truck at a total cost of \$375,000 and a \$36,000 project to purchase new air packs. FEMA grants are 95% grant and 5% local match. Smith thanked everyone and left the meeting.

After reviewing the February 13, 2020 regular council meeting minutes, Laster motioned to approve, seconded by Orr, and carried unanimously.

After reviewing the February 25, 2020 special council meeting minutes, Case motioned to approve, seconded by McReynolds, and carried unanimously.

Mayor Green called for approval of the bills payable and financial reports and any comments from Clerk Brock. Brock reported issuing one new ABC license to El Torito Mexican Restaurant. Brock also reported several items that were recently surplus by the council were sold on Govdeals.com. Two 2019 Ford Crown Vics, one 2007 Ford Crown Vic, one 2004 Ford Crown Vic, and the fire department's old scba compressor sold for a total of \$11,601.31 in income to the general fund. The sewer department sold the old Generac generator and the O'Brien Hydrojetter for a total income for sewer of \$7,122.15. Two old sewer plant rotors did not meet the minimum bid on Govdeals.com of \$400, but a local recycling company gave us \$500 for both for scrap metal. Case asked about the Comcate bill presented and Clerk Brock confirmed this is the new annual license fee due for the code enforcement software purchased last year. Laster motioned to approve the bills payable and financial reports, seconded by Orr, and carried unanimously.

Mayor Green welcomed all the guests and called for public comments.

- Mr. Robert Dickerson spoke on behalf of members of First Baptist Church in Elkton and presented a request for two speed bumps to be installed on E. McReynolds Drive that turns into Church Hill Lane. Dickerson presented a map showing the proposed location of the two speed bumps and the signatures of church members and neighbors who approve of the speed bumps, noting that the only neighbor not signing the request was Rodney Gaines, who would like to see where the speed bumps would be installed first. Mayor Green stated he will look into the kind of speed bumps that need to be installed and will get back to Mr. Dickerson or Mr. Leavell. Potentially closing the street to through traffic was also discussed.

- Mr. David Leavell also reported an incident with who is believed to be the city's contractor repairing sewer lines in the city. On March 3<sup>rd</sup>, the work crew dumped water in the church parking lot and it caused ruts to form. Mr. Dickerson had a video of the work truck and showed the council, but the company name was hard to read. The incident has been reported to Public Works Director Chris Orr, who will be in contact with the contractor. Mayor Green stated that no matter what company caused the damage, it will be investigated and taken care of as soon as possible and repairs to the parking lot will be made. Mayor and council thanked everyone for attending and the members thanked the Mayor and council and left the meeting.

Mayor Green reported he contacted the Kentucky League of Cities about possibly refinancing outstanding USDA Rural Development bonds in the sewer department totaling about \$330,000 with interest rate of 4.125%. KLC stated current bond rates are low and conservatively estimated a new bond sale would save the city about \$16,550. Additionally, about \$21,000 in USDA required reserve funds would be freed up for use in the sewer department. The city would just need to pass a couple resolutions at a future meeting and only cost would be an advertisement for the bond sale. It was the consensus of the council to move forward with refinancing.

Mayor Green presented Municipal Order 2020-06, "MUNICIPAL ORDER APPOINTING ANITA MCCLAIN TO THE BOARD OF ADJUSTMENT FULFILLING AN UNEXPIRED TERM THROUGH DECEMBER 2022." Orr motioned to approve Municipal Order 2020-06, seconded by Powell, and carried unanimously. McClain will no longer be serving on the Ethics Committee.

#### Bid Openings:

- Mayor Green reported bids were received for the sale of the city's property located at 204 S Perry Street: Brad Fowler, \$10,185.50; Michael Westerman, \$33,000.00; and, First Missionary Baptist Church, \$50,000.00. Mayor reported after bids were received, Westerman presented a conditional letter to the city to go along with the bid and has since then submitted in writing his withdrawal of the bid. Also, First Baptist Church has submitted a letter withdrawing their bid, which was conditional upon keeping the existing building located on the property. Therefore, only one valid bid remains. Mayor Green recommended rejecting all bids. Laster motioned to reject all bids received, seconded by Orr and carried unanimously.

Resolution 2020-04, "A RESOLUTION OF THE CITY OF ELKTON, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON ARRIVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT" was presented. Mayor Green explained this is to authorize the grant application for new protective vests for the police department. Orr motioned to approve Resolution 2020-04, seconded by McReynolds, and carried unanimously.

Mayor Green reported the Todd County Rescue Squad is asking for donations in order to buy supplies for the recent tornado victims in Tennessee. Mayor Green reported the fire departments are donating about \$350 to \$400 and could be taken out of the fire department special fund. It was the consensus the fire department could make this donation.

Mayor Green reported the Todd County Chamber of Commerce is not ready to present the new membership levels at this time.

Mayor Green presented a "Third Amended Water Purchase Contract" between the city and Logan/Todd Regional Water Commission, which basically extends our agreement to purchase water from them through December 31, 2070 to correspond with a Rural Development loan taken to extend water service to Springfield, Tennessee. Mayor also stated the city may see a decrease in the wholesale rate to purchase water due to this service extension. Orr motioned to approve the agreement, seconded by Powell, and carried

unanimously.

Spring Cleanup has been scheduled for April 27-29, 2020. Mayor reported he had considered doing this project through the utility department, however with so much work to be done Ricchuite Enterprises has agreed to do the pickup at the same cost as last year, \$2,200.

Mayor Green reported last month he had a contact with a customer asking why the city makes the customer pay the credit card fee for online utility payments. Mayor Green stated customers can use their credit card in City Hall and the city pays the fee. He feels it should be one way or the other for all credit card payments. Clerk Brock reported the cost of the city paying the credit card fees for in City Hall payments was \$3,740 last fiscal year. This year the cost has been about \$2,969 through the end of February. The fees paid by customers for online payments was about \$2,060 last fiscal year and for this fiscal year through February the fees paid were about \$1,774. About 11% of all utility customers pay by credit card in City Hall and about 7% of customers pay online. Both methods of payment are slightly increasing every year. The city does charge a \$2.50 fee to pay by credit card over the phone since there are higher processing fees when a card is not present. (Jeff Traughber entered the meeting at this time.) After discussion, the item was tabled until the next meeting.

Mayor Green reported he met with the property owner adjacent to the city lake property as requested by the council and offered the owner \$100,000 for the purchase of their property. The owner is asking \$300,000 and stated he would consider a counteroffer. The property is needed if the city chooses to proceed with the Kentucky Fish and Wildlife project to take out the dam and reconstruct the stream. Even if the city purchases the property, the Fish and Wildlife Project may never be approved. Mayor Green recommends not making a counteroffer to the property owners. Mayor Green met with Fish and Wildlife and Division of Water in Frankfort a few weeks ago and now believes the best way to proceed is to reduce the spillway and lower the dam a few feet every year until it is no longer considered hazardous. In order to do this, the city would need plans prepared by an engineer to reduce the height of the dam over time and the estimated cost. After much discussion, there was no action taken.

A calendar of events for the city and county bicentennial this year was distributed. The first two events for the city are “Zip Code Day” on 4-22-20 and “Elkton Bicentennial Celebration” on May 8<sup>th</sup> and 9<sup>th</sup>. Mayor Green explained each event and that more details will be released soon. He also announced a new Elk statue will be placed on the courthouse lawn facing the eastern part of town where the original “Elk Town” settlement was located and named for the heard of elk that was located there. We will also use the elk to re-brand Elkton.

Case reported that the Welcome to Elkton signs are in bad condition and need to be repainted. It might be a good time to also include the bicentennial logo on the signs.

Mayor Green reported he has researched the city taking over weekly garbage pickup and right now it is feasible for the city to do, however we need to bid out contracting this service to compare prices and see if we can save customers money for it to truly be worth it.

## DEPARTMENT REPORTS

Mayor Green reported water loss remains high for the water department, however they have repaired three small service line leaks, three fire hydrant leaks, and will be going out late at night with listening devices to find more leaks. Public Works Director Chris Orr is still working on new water meter specifications to be bid out soon.

Each council member was given a report of code enforcement activity since the last meeting from Citation Officer Megan Willenborg for their review.

Police Chief Robert Toombs reported 292 calls last month with three being alcohol related. The COPS grant for a new school resource officer has been submitted. The Department is dealing with multiple complaints regarding loud four-wheelers around Marion Street. The city’s noise ordinance may need to be reviewed

because it seems nothing can be done.

#### CITY COUNCIL CONCERNS

Laster thanked Police Officer Jakop Smith for responding so quickly to a call for service to his brother's house.

#### MAYOR'S REPORT

Mayor reported Jeff Traughber will now be reporting monthly on action he has taken to collect delinquent property taxes and code enforcement fines owed to the city. Traughber reported cases have been filed on two properties owing both property taxes and code enforcement lien and he is close to filing on another property. He is working with several property owners on payment plans for both city and county taxes and he has submitted several payments to Clerk Brock. Traughber also reported he is pursuing criminal action on the principals of Refine Tile for withholding city payroll taxes from employees in 2019 but never remitting payment to the city.

Mayor reported Keith Settle is privately trying to purchase property owned by Nathanel Kramer, which was one of the recent cases filed by Traughber. There are delinquent city taxes owed as well as about \$8,000 in code enforcement liens and interest due. Settle will be paying any fines due to the city as part of the purchase agreement and he has requested leniency. Mayor Green negotiated and offered to reduce the fines to \$1,825, about 25% of what is due and what has been done for other properties. Settle was given another reduced offer of \$1,000 and requested the Mayor ask the council for less on his behalf. Settle has been basically maintaining the property for many years because his property is adjacent to it and was not being mowed. Traughber stated the sell of the property through the court could be allowed to go through. After discussion, Laster motioned to approve the Mayor's offer to reduce the fines to \$1,000, seconded by Powell and carried unanimously.

Mayor reported he has given the Planning Commission several proposed amendments to the zoning ordinance and passed out a copy of that proposal to the council. The Planning Commission will review the proposal and hold a public hearing to discuss the amendments soon.

Mayor Green passed out information regarding the new Coronavirus, COVID-19. As of today, there are 8 confirmed cases of the virus in Kentucky. Todd County Schools have dismissed through the end of next week to help prevent community spread of the virus.

Case questioned the closing of Commerce Street as the council requested due to the construction of the new apartment buildings. Green reported barrels were placed at the end of the street today and it was reported they were soon moved by someone so traffic could go through. "No Through Traffic" signs have also been installed. Green also spoke with the property owner and requested they place trees at the end of the street now in order to provide cover for the adjoining residential area. Green also reported the contractor plans to start the next building as soon as the first one is completed.

Orr motioned to adjourn, seconded by Laster, and carried unanimously. Meeting adjourned at 8:30 pm.

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Arthur Green, Mayor

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Laura M. Brock, City Clerk/Treasurer