

Minutes: City Council Special Meeting  
May 14, 2020  
6:00 PM

The Elkton City Council met in special session on Thursday, May 14, 2020 at 6:00 PM with Mayor Arthur Green presiding by video conference. Due to the current state of emergency regarding threats to public health presented by the novel coronavirus, this meeting of the Elkton City Council was conducted by video conference with the video of the meeting made available to the public by visiting the city's online YouTube Video Channel.

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

Other staff present by video conference: Jeffrey Traughber, legal counsel; Laura Brock, City Clerk/Treasurer; Chris Orr, Public Works Director; and, Robert Toombs, Police Chief.

### **AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of Minutes
  - a. April 30, 2020 Special City Council Meeting
6. Approval of Bills Payable and Financial Reports
7. Second Reading Ordinance 2020-03, "AN ORDINANCE ENACTING AND ADOPTING THE THIRTY-SECOND SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF ELKTON, KENTUCKY"
8. Closure of Commerce Street to Through Traffic
9. Noise Ordinance
10. Police Department Report
11. Automated Water Meter Equipment Bids
12. Water Tank inspection Report
13. Sewer Improvements Project Update
14. City Lake Plan Approval
15. Light Poles on West Main Street
16. Candidate Filing Deadline June 2, 2020
17. Special Meeting Approval for Thursday, May 28, 2020
18. Mayor's Reports
  - a. Class of 2020 Banner
  - b. Historic Courthouse Work
  - c. Appreciation to the Bingham Family
  - d. DDS Glass Door Update
  - e. Park Update
19. Adjournment

Mayor Green called the meeting to order at 6:00 pm and reminded everyone this is a special meeting being held on the regular meeting date due to the state of emergency and videoconference meeting.

Danny Laster led the pledge of allegiance and Frank McReynolds gave invocation.

Clerk Brock called roll for city council members present. Mayor Green introduced staff also present by video conference.

Mayor Green called for approval of the minutes of the April 30, 2020 special city council meeting. Case motioned to approve the minutes, seconded by Laster, and carried unanimously by roll call vote.

Mayor Green called for discussion and approval of the bills payable, financial reports and additional bills payable. There was no discussion and McReynolds motioned to approve, seconded by Gibson, and carried unanimously by roll call vote.

Mayor Green stated Attorney Jeff Traughber prepared a Summary of Ordinance 2020-03. Laster motioned to read Summary of Ordinance 2020-03 in lieu of the full ordinance, seconded by Case, and carried unanimously by roll call vote. Clerk Brock read Summary of Ordinance 2020-03, "AN ORDINANCE ENACTING AND ADOPTING THE THIRTY-SECOND SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF ELKTON, KENTUCKY." Laster motioned to adopt Ordinance 2020-03, seconded by Gibson, and carried unanimously by roll call vote.

Case reminded the council when they approved rezoning of Commerce Street several months ago the council also voted that a row of trees be planted at the end of Commerce Street and that Commerce Street should be closed to through traffic. Case stated he believes it is time to follow through on closing the street. Attorney Jeff Traughber explained the process of closing a street and stated it would first require signed written consent from all adjoining property owners that abut the street. Absent consent, the city could take action in Circuit Court. Case motioned to proceed with the process of closing Commerce Street, seconded by McReynolds. Traughber clarified the first step of the process would be to obtain written consent from abutting property owners and then report back to the city before proceeding further, which Case agreed. Motion carried unanimously by roll call vote.

Case reported he reviewed the city's noise ordinance since there have been multiple complaints in his neighborhood regarding loud recreational vehicles. He stated the ordinance seems to be okay except for a revision needed to include "recreational vehicles" in the definition of "motor vehicles." Traughber stated he will review other potential revisions and work with the Police Department on investigations and getting witness statements needed to prosecute these noise complaints since noise is such a subjective issue. Mayor Green stated the Police Department has been working on resolving these complaints.

Police Chief Toombs reported the two new police vehicles approved for purchase at the last meeting have been purchased with the 2014 Charger already on the streets patrolling. The old Explorer using oil has been given to the Code Enforcement Officer to use since the Blazer needs repair and may need to be surplused. Chief Toombs also reported an increase in patrol and call volume in the last month with a total of 979 calls in April, including seven alcohol related calls. Chief Toombs and Sheriff will be leading the parade tomorrow of seniors graduating from the high school this year, with the parade expected to arrive in Elkton about 1:45 pm.

Mayor Green presented a proposal for the purchase of Automated Water Meter Equipment after reviewing the bids received and reported at the last meeting. The recommendation is to purchase radio drive by read meters and equipment (Badger brand) from Core & Main with the Mayor explaining even though their bid was \$3,654.24 more than the lowest bidder, the meter accuracy is warranted for 20 years from Core & Main with 100% replacement. Whereas the warranty from the lowest bidder Allied Community Solutions (Kamstrup brand) is 100% replacement for only 10 years and prorated replacement value from years 11 to 20. The recommendation is to also give an option to property owners to purchase a cloud based cellular read meter at an initial one-time cost of \$30.00 to cover the cost of the cellular endpoint and a plastic meter lid. The customer would also then be required to pay the additional cost of \$0.83 per month in order to access their meter reading and usage data online using a computer or on their phone using an app. The property owner would have to approve the purchase of the cellular endpoint within 30 days of notification for the city

to purchase the correct equipment. Additional fees would apply if the cellular read equipment is requested after the deadline. Public Works Director Chris Orr stated he has researched all the meters and considering our current meters are failing after 10 years, the additional warranty from Core & Main is highly beneficial. Mayor Green explained if we had the additional money the cellular read meters would help customers detect leaks sooner, however the cost to the city would be an additional \$8,000 per year to support the cellular network. The recommendation puts the cost of cellular read at the property owner's expense if they feel it is beneficial to them. Orr explained with cellular read meters the customer and City Hall would get an email or text if their meter is running for 24 hours straight indicating a possible leak. Mayor and Orr both reiterated part of our water loss in the city is due to current meters failing and not registering water usage. McReynolds asked about completion of install of the meters if they are purchased, with the Mayor indicating it might take 4-5 months to install the new meters, equipment, and implement the software after purchase. Case stated he felt that if cellular read technology is better, then it should be implemented now up front rather than buying older technology to last 20 more years. Mayor reported if all cellular read meters are purchased the city would have to also purchase plastic meter lids that cost \$20 to \$25 each. Orr stated the city could decide to change out to cellular read end points 10 years down the road if they see it is beneficial for the extra cost. After further discussion, Laster motioned to approve the recommendation for purchase of Automated Water Meter Equipment as presented, seconded by Gibson. Voting in favor of the motion by roll call vote were Gibson, Laster and Orr. Voting opposed by roll call vote were Case and McReynolds. Motion carried.

Mayor Green reported inspection reports for both water tanks located on Morningside Drive and Garth Lane were recently prepared for the city. It has been discussed for several years the tank on Morningside Drive needs repairs and painting, therefore the Mayor requested approval to bid out painting inside and outside the tank and making needed repairs. The report indicates the emergency repairs and painting would cost about \$106,000. Other repairs recommended in the report will be planned to be done by the department over the next several months. After discussion, Gibson motioned to authorize taking bids, seconded by Orr, and carried unanimously by roll call vote.

Mayor Green reported Phase I construction of the Sewer Improvements Project continues while plans for Phase II of the project also progress with hopes of bidding Phase II in a few weeks. Chris Orr continued updating the council regarding the project. Mayor Green thanked Chris and the utility department for all their hard work with multiple issues over the last several months.

Mayor Green reported after several years of studying options to remove the dam at City Lake, the next step seems to be to move forward with hiring an engineer to prepare plans for the city to remove the dam. Mary Beth Robison of GRW Engineers studied the dam for the city several years ago and recommends hiring a firm to drill and sample the dam for use in preparing plans to remove the dam at a total cost not to exceed \$30,000. These plans would have to be approved by the state before any work on the dam could begin. Mayor Green asked for authorization to proceed with this work. Laster asked if the money was in the budget and Clerk Brock confirmed it was not. Case asked if this would be bid out and the Mayor further explained the breakdown of engineering fees from GRW, who has already been working on the dam and as a professional service would not have to be bid out. Case stated if it not necessary to complete immediately it could be included in next year's budget beginning July 1. Green confirmed it could be completed then but we are under an order from the state to proceed with planning. After discussion, Orr motioned to include this project in next year's budget, seconded by Gibson, and carried unanimously by roll all vote.

Mayor Green reported there has been recent discussion with property owners for the city to complete removing all the poles and bury utility lines on the Square on West Main Street near the Post Office and Mexican restaurant. Mayor reported the city applied for a grant project to complete this back in 2016 and the estimated cost was \$185,000. Mayor stated to the property owner unless the city received a grant this project it is unlikely to be completed. No action was taken, but Case reported a streetlight out between 512 and 514 West Main Street.

Mayor Green reminded the council the filing deadline for running for city council member in the general election in November is June 2<sup>nd</sup>.

Mayor Green requested a special council meeting be held Thursday, May 28<sup>th</sup> to present the proposed budget for next year and a few other items. After discussion of what time to hold the meeting, Case motioned to hold the special meeting on Thursday, May 28, 2020 at 7 pm, seconded by Laster, and carried unanimously by roll call vote. Green reported that since some socially distancing guidelines due to the novel coronavirus have been changed, the special meeting on May 28<sup>th</sup> may be held in person if the council would like to do so and will be announced at a later date.

#### Mayor's Report

- A congratulations TCCHS Class of 2020 for the city banner has been ordered to put up for graduation on May 22, 2020 to honor this class not able to hold a formal graduation ceremony during this unusual year.
- The city received a quote for cleaning and painting work at the Historic Courthouse. Since this will need to be coordinated with Fiscal Court, the Mayor will discuss with the County Judge and he just wanted to let the council know the project is being discussed.
- Mayor expressed thanks to the family of Bill and Hilda Bingham for having the Welcome to Elkton signs on Highway 68 they donated to the city several years ago painted recently and for their continually maintaining the signs in the past.
- DDS Glass Door is in the process of moving into their new building on Industrial Drive. They have requested some assistance from the city and county to expand the loading docks. DDS is planning to hire additional employees and are working with the state to get additional assistance for expansion.
- Park update: The new score board on the field by the senior citizen center has been installed by the county. Park activities will be restarted in the middle of June. The county is applying for a grant for funding the soccer fields on the Die Casting property. The city will need to discuss the park expansion and details of the new soccer fields soon. The city submitted a letter of support for the grant project.

McReynolds asked if the city will have help this summer mowing rights-of-way. Mayor stated he was unsure when the inmate crews would be allowed out of the jail to continue helping the city with mowing. Also, the Mayor has reduced the number of rights-of-way we are mowing because there were questions about why we were mowing some and not others and the list we were mowing was getting too long. The need for part-time help can be discussed at the special meeting to discuss the budget. McReynolds stated the property across the street from him is mowing his property but leaving the right-of-way three feet tall. Mayor Green stated there is a misunderstanding the city owns the right-of-way and really the property owner owns the property and the right-of-way grants the city access for utilities and other work.

Laster motioned to adjourn, seconded by Case, and carried unanimously. Meeting was adjourned at 7:20 pm.

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Arthur Green, Mayor

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Laura M. Brock, City Clerk/Treasurer