

Minutes: City Council Special Meeting
October 8, 2020
6:00 PM

The Elkton City Council met in special session on Thursday, October 8, 2020 at 6:00 PM with Mayor Arthur Green presiding. 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 on the regular meeting date as a special meeting due to change in location to the Historic 1835 Courthouse Welcome Center, 1 Public Square, Elkton, Kentucky to maintain social distancing guidelines.

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

Others present: Laura Brock, City Clerk/Treasurer; Chris Orr, Public Works Director; and, one guest.

Mayor Green called the meeting to order at 6:00 pm. Powell led the Pledge of Allegiance and McReynolds led invocation. Mayor Green extended condolences to council member Doug Gibson on the recent loss of his wife, Sue Gibson.

After review, McReynolds motioned to approve the minutes of the September 10, 2020 special city council meeting, seconded by Orr, and carried unanimously.

After review, Laster motioned to approve the minutes of the September 22, 2020 special city council meeting, seconded by Orr, and carried unanimously.

Mayor Green called for discussion of the bills payable and financial reports. Clerk Brock reported the city has applied for FEMA funding for about \$7,000.00 in reimbursement of expenses related to the COVID-19 pandemic. Brock stated it is her understanding if this is approved, the city would receive double the amount, or \$14,000.00, assuming we will still be dealing with this pandemic through the first of next year. Mayor Green stated he understands we will have to show proof of the additional expenditures or send the funds back to FEMA. There were no further questions, therefore Powell motioned to approve the bills payable and financial reports, seconded by Gibson, and carried unanimously.

There were no public comments.

Mayor Green reported the results of the bid opening for the City Lake timber sales bids received on October 2, 2020 at 9:00 AM: Lakeside Log & Lumber, \$40,000.00; Happy Valley Lumber, \$36,499.00; Hardy Valley Lumber, \$35,800.00; and, J&B Equipment, \$34,100.00. Mayor recommended accepting the high bid from Lakeside Log & Lumber. Mayor reminded everyone that according to our contract with Land & Timber Realty, LLC, the city will receive \$40,000.00 from Lakeside for the timber and then will owe 10% of the sale, or \$4,000.00, to Land & Timber for their fee for administering this project once removal of the timber is complete. Powell motioned to approve the recommendation of the Mayor, seconded by McReynolds, and carried unanimously.

Mayor Green presented Municipal Order 2020-18, "MUNICIPAL ORDER ADOPTING THE CITY OF ELKTON EMPLOYEE HANDBOOK." Clerk Brock reminded the council the city contracted with Kentucky League of Cities last year to begin reviewing the city's personnel policies and procedures. The Employee Handbook presented tonight for adoption is the fifth and final draft. Clerk Brock reviewed some of the major changes including an increase in travel per diem, the creation of a sick leave donation program, allowing all employees to accrue compensation time, creation of an attendance incentive program, and allowing maternity and parental leave. After

discussion, Gibson motioned to adopt Municipal Order 2020-08, seconded by Orr. Voting in favor of the motion were Orr, Gibson, Powell, and McReynolds. Voting opposed were Laster and Case. Motion carried.

Laster motioned to read Summary of Ordinance 2020-08, "AN ORDINANCE TO REZONE APPROXIMATELY 0.638 ACRES LOCATED ON INDUSTRIAL DRIVE" in lieu of the full ordinance, seconded by Powell, and carried unanimously. Clerk Brock read second reading of Summary of Ordinance 2020-08. Orr motioned to adopt Ordinance 2020-08 after second reading, seconded by Powell, and carried unanimously by show of hands.

Mayor Green reported for the record that a public hearing was held to discuss the proposed property tax rates for the year 2020 and there were no public comments. Clerk Brock read first reading of Ordinance 2020-09, "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 2020." Powell confirmed with Clerk Brock the proposed real property tax rate is the same as last year but will generate an additional \$9,169.

Mayor Green recommended holding a special city council meeting on October 15, 2020 at 5:30 pm for second reading of the property tax ordinance and any other items that need to be discussed. Orr motioned to approve the special meeting as recommended, seconded by Gibson, and carried unanimously.

Mayor Green informed the council the Planning Commission held a public hearing on October 1, 2020 to hear public comments regarding proposed amendments to the zoning ordinance. He then presented four recommendations from the Planning Commission as a result of the public hearing and explained each item: removing acreage requirement from a Planned Unit Development; adds definitions for zero-lot-line house, garden home, and townhouse; allows zoning administrator to approve development plans under 10,000 square feet instead of being submitted to the Planning Commission; and, allows zoning administrator to approve applications for qualified manufactured home if it meets the compatibility standards instead of being submitted to the Planning Commission for approval. After discussion, Case motioned to approve the recommendations, seconded by Laster, and carried unanimously.

Powell motioned to read Summary of Ordinance 2020-10, "AN ORDINANCE AMENDING THE TEXT OF CHAPTER 151 (ZONING) OF THE CITY OF ELKTON CODE OF ORDINANCES" in lieu of the full ordinance, seconded by Orr, and carried unanimously. Clerk Brock read first reading of Summary of Ordinance 2020-10.

Mayor Green reported the city has approved \$5,473.90 as of today in COVID-19 Hardship Grants for Elkton Utilities customers that was approved by the council in September. The balance remaining in the approved funds is \$2,314.55 and he stated if there was no opposition the city would continue to offer the hardship grants until the funds were depleted. There was no opposition.

Mayor Green reported a request to close an alley adjacent to property at 208 North Main Street. A map showing the alley, which indicates adjacent property owners Peggy Moore Trust and Elkton Auto Parts would both need to consent to closing the alley. There was discussion Elkton Auto Parts would like to maintain access to the back of their building and Mike McGhee, Trustee, has indicated they would grant an easement if the alley is closed. There was some discussion if Carolyn Potter also needed an easement. After discussion, it was the consensus if both parties consented to closing the alley the council would consider it further.

Mayor Green presented a Proclamation declaring November as Lung Cancer Awareness Month. McReynolds motioned to approve the proclamation, seconded by Laster, and carried unanimously.

Mayor Green presented a final draft of Housing and Small Businesses Development Guidelines after discussion at the last meeting. Incentives would be offered to encourage voluntary annexation of vacant or partially developed property adjacent to the city limits and may include rebate of property taxes for up to 10 years to aid in covering development costs. All negotiated agreements would have to be approved by the city council. After discussion, Orr motioned to approve the guidelines as presented, seconded by Gibson, and carried unanimously.

DEPARTMENT REPORTS

Police Department

- Mayor Green passed out a report from Chief Toombs indicating 407 calls for service in September, including 6 alcohol related calls.

Public Works

- Director Chris Orr reported new cellular read meters have arrived and new radio read meters will not arrive until about 4-5 weeks. Larger cellular read meters will be installed beginning next week and the new cellular read meters will be installed as soon as training on the new meter reading software is scheduled since the software needs to be in place in order to read the new meters. Orr hopes all the new meters will be installed by the end of the year.
- Water loss is at about 40% and installation of the new meters should help lower water loss. Also, Orr reported they have installed a new bypass water meter on the west side of town to aid in finding water leaks and improving water loss.
- Phase I of the sewer rehabilitation project is complete. Phase II bidding has been pushed back to December due to environmental review requirements. Then, the third and final phase should bid in late January or February.
- Leaf pick up will begin probably next week.

CITY COUNCIL CONCERNS

McReynolds passed around pictures of tall grass in a field adjacent to Jefferson, Allen and Elk Street in town. He reported the grass is 72" tall and questioned why it has been allowed to grow so tall. McReynolds later reported a copperhead snake was seen on the property. He has reported the property to code enforcement and asked the Mayor if any action has been taken. Mayor Green stated he would follow up with code enforcement to see if any action has been taken. Powell offered to meet with the property owner to encourage him to mow the property and then he will let McReynolds know the outcome of the meeting.

Case clarified his no vote on the new employee handbook and stated he understands the Mayor oversees personnel, but there seemed to be a conflict between the maternity leave and sick leave donation program. It was stated the city is too small to give more time off for maternity leave but then the policy allows donation of sick time for longer sick leave in emergencies.

Laster reported requests for "Children at Play" signs, which Mayor Green stated he would discuss later. Also, Laster has met with Chris Orr regarding a drainage problem on Pond River Road that needs to be repaired. Laster has also received several more complaints regarding the dilapidated home on North Main Street. Finally, Laster reported Elkton resident Bill Addison will turn 100 years old the first part of November. Mayor Green will prepare a Proclamation for Mr. Addison.

MAYOR'S REPORT

Mayor Green reported "Children at Play" signs are not acceptable non-vehicular warning signs under the Manual on Uniform Traffic Control Devices (MUTCD) code. However, some cities are using a pedestrian walking sign, which is approved under the code. The city can put up either sign

but using a non-approved sign could increase the city's liability because it is thought putting up "Children at Play" signs encourages children to play in the street. Mayor Green suggested following in the MUTCD code and all agreed.

City lake dam has been inspected by the state and passed inspection. Mayor reported GRW Engineering should have a report on the estimated cost to breach the dam at city lake by the end of the month. Mayor Green is looking into possible FEMA grants to cover some of the cost to breach the dam. Scotty's Contracting submitted an estimate to breach the dam at \$261,000.00, which GRW thinks is a little high.

Mayor Green reported local businesses on the Square are considering organizing an event on October 31st.

Green reported he attended portions of the Kentucky League of Cities virtual conference. He applied for and received a scholarship to attend for free.

Final Census 2020 participation rate for Elkton was 58%. There are thoughts that online filing may be extended past the original October 5th deadline.

Mayor Green stated regarding Case's clarification of his no vote on the new Employee Handbook, he understands the Mayor needs some flexibility in enforcing personnel issues, however guidelines are also needed. He stated that all the changes were recommended by the Kentucky League of Cities. He stated employees had requested the sick leave donation program to help their fellow employees.

Mayor Green reported he has met with several potential buyers of remaining lots in Riverbend Subdivision. If the current potential buyer purchases the lots they would like water and sewer lines put in at cost by the city. There has been discussion with the potential buyer about rebating property taxes to help cover some of the cost to install the street to 17 lots to the right of the current development with various options explained by the Mayor. If purchased, the developer would build some houses on the 17 lots and sell some lots for others to build on and would like to get started by winter with all 17 new houses completed within a year. There are 10 lots available to the left of the current development. Mayor would also ask the county to help with cost of the new street.

Gibson asked the Mayor what the plans for the city lake property were once the dam is breached. Mayor Green stated the city might consider selling the property.

Laster motioned to adjourn, seconded by Orr, and carried unanimously. Meeting adjourned at 7:31 pm.

Arthur Green, Mayor

Laura M. Brock, City Clerk/Treasurer