

Minutes: City Council Meeting  
December 10, 2020  
6:00 PM

The Elkton City Council met in regular session at Elkton City Hall, 71 Public Square, on Thursday, December 10, 2020 at 6:00 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: Laura Brock, City Clerk/Treasurer; and, Robert Toombs, Chief of Police.

Mayor Green called the meeting to order at 6:00 pm. Council member Case led the Pledge of Allegiance and McReynolds led invocation.

After review, Case motioned to approve the minutes of the November 12, 2020 city council meeting, seconded by Laster, and carried unanimously.

Mayor Green called for discussion of the bills payable and financial reports. Clerk Brock had nothing to note and there were no questions. McReynolds motioned to approve the bills payable and financial reports, seconded by Orr, and carried unanimously.

There were no public comments.

Clerk Brock read second reading of Ordinance 2020-11, "AN ORDINANCE AMENDING SECTIONS 52.04(A) OF THE CODE OF ORDINANCES OF THE CITY OF ELKTON ADJUSTING AND MODIFYING USER RATES FOR WASTEWATER SERVICES IN THE CITY OF ELKTON." Orr motioned to approve Ordinance 2020-11 on second reading, seconded by Powell. There was considerable discussion that the council would like to delay the rate increase to see if new meter installations increases revenue. However, the terms of the KIA loan agreement required an additional 10% sewer revenue increase by July 1, 2020, which was extended by KIA to January 1, 2021 per the city's request to not increase rates during the COVID-19 pandemic. There was concern Jeff Traughber, legal counsel, was also not present to answer questions regarding the terms of the loan agreement brought up at the last meeting. After much discussion, voting in favor of the motion were Gibson, Powell, Laster, and Orr. Voting opposed were Case and McReynolds. Motion carried.

Mayor Green presented Resolution 2020-12, "RESOLUTION REGARDING TRANSPORTATION FUNDING" and explained the resolution is encouraging the Kentucky General Assembly to pass legislation in 2021 that addresses the growing infrastructure needs of cities, including the fact that the road funding formulas allocating funds to cities have not been revised in 50 years. The city's funding has stayed about the same for many years, while expenses are increasing. Case motioned to approve Resolution 2020-12, seconded by Orr, and carried unanimously.

Clerk Brock updated the council on recent grant projects: 1) The city has received CARES COVID Relief funding through the Department for Local Government in the amount of \$152,298. The city was informed last week additional CARES funding was available and we have been approved for \$47,933 in additional funding. The city applied for reimbursement for police salaries from March through November 2020. 2) The city applied for FEMA COVID "Emergency Protective Measures" funds to reimburse the city for about \$6,498 in supplies like masks, gloves, hand sanitizer, plexiglass, and tablet computers. However, FEMA has since clarified that funding is only available for an immediate threat once a COVID case was discovered. Since the city itself did not have a COVID case, we were denied for funding.

Mayor Green reported PADD did not have enough information regarding potential expense if the dam fails in order to complete the FEMA Mitigation funding application for breaching the dam at city lake. Therefore, PADD is applying for funding to gather the needed information for the application.

Mayor Green reported the Elkton-Todd County Bicentennial Christmas Parade is going on as planned with the city encouraging social distancing and mask wearing due to the COVID-19 pandemic. The parade starts at 5 pm, so any council member wanting to be in the parade needs to arrive by 4:30 pm.

Mayor Green reported City Hall will have new office hours beginning in January. The staff will still arrive at 7:30 am and stay until 4:30 pm., however the doors will not open until 8:00 am. This gives enough time for the staff to get City Hall prepared to receive customers before the doors open.

Mayor Green reminded the council that when they voted several years ago to close Commerce Street at B White Road, that there was an actual legal process that had to be followed before this could be completed. Mayor Green reported state law requires all property owners adjoining or abutting the street to be notified of the closure and must consent to the closing. Attorney Jeff Traughber sent notices out to property owners and as of today there has been no consent. Since no consent has been received, the next step would be for the city council to pass an ordinance to close the street that is then sent to Circuit Court to hold hearings to allow property owners to object and continue through with eminent domain procedures. This process includes calculating damages the city would owe to the property owners for closing the street. There was also discussion if the street is closed the city would need to build a cul-du-sac. Case stated the city council voted to close the street as a compromise to allow the growth of 60 new apartment units near the single-family homes on B White Road, several of which were opposed to the apartments. Case reiterated he wants the street closed because that is what was promised when the council approved rezoning the area to allow for the apartments. Mayor Green stated that he does not agree to the closing and that even though the council voted to close the street it was not something they really could do without going through the proper process. Mayor Green stated his reasons for disagreeing with the closing but stated he has no vote in the process. After much discussion, Case motioned to proceed with asking the city's attorney to prepare an ordinance to close the street, seconded by Laster. Voting in favor of the motion were McReynolds, Case, Laster, and Powell. Voting opposed were Orr and Gibson. Motion carried.

## DEPARTMENT REPORTS

Chief Toombs reported 389 calls for service in November with no alcohol related calls. He reported the two vehicles declared surplus at the last meeting will be sold on govdeals.com auction site soon.

Mayor Green reported for the utility department that all cellular read meters except for a few larger ones have been installed. The department is installing new services to the apartments on Commerce Street. The department is still on track to install all new meters in the city by the end of the year. The new app to be used by the cellular read meter customers will probably not be ready until the end of January or February at which time they will be billed the one time \$30 fee and begin seeing the \$0.86 per month cellular charge. Leaf pickup ended this week.

Mayor Green reported he met with Joe Plunk, District Engineer for the Transportation Cabinet, to discuss applying for discretionary funds to align and repair the bridge on Elk Fork Road. Many of the industries and the school system are in support of this project.

## MAYOR'S REPORT

Mayor Green, Clerk Brock, and Michael Case met with representatives of the Todd County Public

Library and Judge Tyler Gill and Sylvia Gill to discuss the library taking over the Imagination Library program so that it can go county wide. It was determined donations to the library are tax deductible if its for a public purpose, so that will help them raise funds for a county program.

Mayor Green passed out information about to training opportunities for the council members to attend. The training is sponsored by Kentucky League of Cities and will be all virtual due to the COVID-19 pandemic.

Mayor Green reminded everyone that Knuckles Insurance is bringing lunch for all city employees tomorrow at noon and council members are invited to attend.

#### CITY COUNCIL CONCERNS

McReynolds stated he has heard rave reviews regarding the new elk statue placed on the Square. Mayor Green stated he has also received compliments, including that everyone appreciated the history lesson that was presented at the unveiling ceremony.

Clerk Brock distributed documents required to be completed by the council members for the City Code of Ethics Ordinance as well as Open Meetings and Open Records laws. Brock stated the forms were due back to her by January 15, 2021.

Mayor Green administered the Oath of Office to all the council members who were re-elected to serve another term on the council beginning January 1, 2021.

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

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Arthur Green, Mayor

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Laura M. Brock, City Clerk/Treasurer