

Minutes: City Council Meeting
February 11, 2021
6:00 PM

The Elkton City Council met in regular session at Elkton City Hall, 71 Public Square, on Thursday, February 11, 2021 at 6:00 PM with Mayor Arthur Green presiding.

City Council members present in City Hall: Michael Case; Doug Gibson; Frank McReynolds; George Orr; and, David Powell. Danny Laster attended the meeting on conference call.

Others present: Jeff Traughber, legal counsel; 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, Orr motioned to approve the minutes of the January 14, 2021 city council meeting, seconded by Gibson, and carried unanimously.

Mayor Green called for discussion of the bills payable and financial reports. Clerk Brock had nothing to note and after discussion Case motioned to approve the bills payable and financial reports, seconded by Orr, and carried unanimously.

Tommy Turner, CPA, Thurman Campbell Group thanked the council for their continued working relationship and presented the FYE June 30, 2020 audit report. Mr. Turner stated the financial statements were given an unmodified opinion, the best possible outcome of an audit. Turner reviewed a Summary of Financial Information showing a small positive change in net position in both Governmental Activities (\$8,073) and Businesses Activities (\$42,016). However, Turner explained that new rules relating to noncash items such as retirement liabilities and depreciation often make a fund with a larger positive cash flow, which both Government Activities (\$320,783) and Business Activities (\$193,193) had for the year, to look like a smaller gain or many times a loss on the books. After the presentation, Case motioned to accept the audit, seconded by Orr, and carried unanimously. Mr. Turner thanked everyone and stated they can contact him any time with questions and left the meeting.

There were no public comments.

Mayor Green stated Jeff Traughber has prepared a Summary of Ordinance 2021-01, "AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF ELKTON MODIFYING PROVISIONS BILLING DELINQUENCIES AND TERMINATION OF WATER AND SEWER SERVICES." Orr motioned to read the Summary in lieu of the full ordinance, seconded by Powell, and carried unanimously. Mayor Green explained this Ordinance changes the utility service cutoff date for non-payment from the 16th of the month to the 12th. It also removes the requirement to mail a disconnect notice to delinquent accounts. Mayor Green reported the utility bill mailed to every customer already states the delinquent and cutoff dates on the bill. Also, changing these dates will avoid the possibility of three bills being due by the time service is completely discontinued and the deposit is applied. Case questioned if the expected result of this change would be to save money on postage and how many cutoff notices are mailed. Clerk Brock stated about 200 notices are mailed each month and estimated 150 of those receive one every month. There was also discussion about changing the meter reading dates to avoid a third delinquent bill. Clerk Brock read first reading of Summary of Ordinance 2021-01.

Clerk Brock read second reading of Ordinance 2021-02, "AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR THE CITY OF ELKTON, KENTUCKY FOR THE FISCAL YEAR

JULY 1, 2020 THROUGH JUNE 30, 2021.” McReynolds motioned to adopt Ordinance 2021-02 after second reading, seconded by Orr, and carried unanimously by show of hands by those present and voice vote by Laster.

Mayor Green reported a draft Ordinance for adopting the Residential Building Code for single-family housing is not ready yet as more discussion is needed to include the fees and enforcement. Mayor read the fees suggested by Building Inspector Frank Wallace. Case stated he would like the requirement to obtain a permit for additions and accessory buildings struck from the ordinance and only require a permit for new construction. After discussion, Mayor stated more research would be done on that point and any other suggestions will be taken into consideration in preparing the draft ordinance.

Mayor Green reported he met with property owners concerned in the matter of closing B White Road near the Commerce Street intersection as discussed at the last meeting. Both property owners are in agreement to close the street. However, it was discovered that the county still owns B White Road, so the city cannot close it. Judge/Executive Todd Mansfield has agreed to present turning over B White Road and a portion of Beckham Road to the city. Traugher stated this can be done through annexation, which the county would have to consent.

Mayor Green presented Municipal Order 2021-03, “MUNICIPAL ORDER APPOINTING DOUG MEADOWS TO THE ELKTON PLANNING COMMISSION.” Mr. Meadows will fill a vacant position on the Commission with term expiring in December 2023. Gibson motioned to approve Municipal Order 2021-03, seconded by Case, and carried unanimously.

Mayor Green presented Municipal Order 2021-04, “MUNICIPAL ORDER APPOINTING JIMMY SHEMWELL TO THE ETHICS COMMITTEE.” Mr. Shemwell will fill a vacant position on the Committee with term expiring January 2023. Orr motion to approve Municipal Order 2021-04, seconded by Gibson, and carried unanimously.

Mayor Green reported final paperwork to begin design engineering on the Goebel Avenue Bike/Ped Project has been received from the state. Mayor Green recommended contracting with McGhee Engineering as the engineer on the project. Orr motioned to approve contracting with McGhee Engineering, seconded by Powell, and carried unanimously.

Money has been made available to counties and municipalities for delinquent utility bills due to the COVID-19 pandemic. Mayor Green reported it appears that Todd County Fiscal Court will apply for up to \$200,000 to include Elkton Utilities. Governor Beshear also announced more money is being made available for rent to landlords during the pandemic.

Mayor Green reported the city posted a public notice to receive comments on the proposed purchase of flooded properties in the 100-year floodplain from FEMA Mitigation funds the city applied for. Green reminded everyone this project proposes to use \$60,225 in federal funds for the city to purchase 651, 659 and 693 E Jeff Davis Highway and remove the structures and clear the lots.

Mayor Green reported he submitted a Discretionary Road Funds project in the amount of \$126,500 for resurfacing various city streets. Also, a Discretionary Road Funds project has been submitted to realign Elk Fork Road at the bridge at a cost of about \$200,000 to \$300,000.

The cemetery maintenance contract with Ricchuite Enterprises expires in April and must be bid out. Mayor Green distributed a copy of the cemetery maintenance bid specifications from the last time the city bid out the contract and called for any discussion or changes. There was some discussion about removing some items that are not being enforced or including language in the specifications about withholding payment from the contractor if items in the specifications are not completed. There was also considerable discussion about the city contracting with Jeff Johnson as the only grave

digger for the city. Brock confirmed the city has required their own grave digger in the past, however at some point the city started allowing the funeral homes to hire their own. There have been some problems in the past with damage done to the cemetery by grave diggers opening and closing a grave. This also causes problems with graves sinking in and not being leveled in a timely manner. Traughber will look at revisions needed to the current cemetery ordinance.

Mayor Green reported that any changes made to the salary for the Mayor and city council members for the next term of office must be made by May of next year. However, he would like to discuss this issue and set the salaries by the end of this year. The current salary for the Mayor, which is considered part-time, is \$18,432.06 and council member salary is \$6,206.52. The salary can only be raised using a cost-of-living increase during the term. Mayor stated he feels there are three options: 1) Establish a Mayor-City Manager form of government. 2) Hire a city administrator/manager. 3) Set a salary for a full-time Mayor. The maximum allowable annual salary the city could set for a Mayor or council member according to state law is \$78,681.98. Mayor stated he is bringing this up now for discussion purposes. There was some discussion about the Mayor's salary being too low even for part-time or full-time and thoughts on establishing a full-time Mayor or city administrator to manage the city. No action was taken.

DEPARTMENT REPORTS

Chief Toombs reported 378 calls for service in January with 2 alcohol related incidents. Chief Toombs reminded everyone he applied for a grant to purchase new ballistic vests when he was hired in 2019, however due to COVID-19 many of the grants have been postponed with no known date for award. The current vests are almost 2 years expired and he would like to go ahead and purchase new vests at a cost of about \$3,333. After discussion, Case motioned to approve the purchase of new ballistic vests, seconded by Orr, and carried unanimously.

Chief Toombs also reported Mayor Green asked him to get a quote for the purchase of a new police vehicle. The department only has one spare vehicle and will need another vehicle when an 8th police officer is hired by the department. Under state contract, the cost of a new Ford SUV is \$34,685 with lights and equipment expected to cost an additional \$12,562 for a total of about \$47,247. Toombs reported the 2012 Ford Explorer surplus by the council recently sold for about \$6,900 (including auction fee) online through Govdeals.com. The Chevrolet Blazer did not sell but was relisted with a lower reserve price. Clerk Brock confirmed the purchase of a new vehicle is not in the budget and recommended purchasing the new car instead of financing the purchase since the city has surplus funds due to the CARES funding received from the state. After discussion, Gibson motioned to amend the budget and approve the purchase of the new vehicle as presented, seconded by Laster, and carried unanimously.

Mayor Green distributed a zoning and code enforcement report prepared by Megan Willenborg. Mayor stated Willenborg will attend council meetings every once and a while to update the council on current permits and code enforcement cases. The report includes an update on a problem property on North Main Street which Traughber has filed court action against due to code enforcement files. Mayor reported since the action was filed, two people have begun negotiating to purchase the property and the property adjacent to it. Traughber stated he will not slow down with the procedure.

Mayor Green reported about 99% of all water meters have been replaced in the city. The new meters are registering leaks on the customer side that were not being registered by the old meters. The department continues to look for water leaks in city water lines and Kentucky Rural Water staff will be in town soon to help locate leaks. Regarding the Sewer Project, Phase II and III should be advertised for bid in the next month or two.

Clerk Brock presented information regarding credit card processing for utility bill payments. Credit card use both online and in office have slightly increased every year. In 2019, about 18% of all utility

payments were completed by credit card. In 2019, the city was paying the processing fee for in office credit card payments and online the customer was paying the processing fee and the total cost of processing credit cards to the city was \$4,158. Due to the COVID-19 pandemic in 2020, the city began paying all credit card processing fees and the total cost was about \$7,990. Clerk Brock estimated if the city continues to pay all credit card processing fees the cost in 2021 will be about \$10,700. Mayor Green stated he feels the city should decide to do one thing or the other, either the city pays the credit card processing fee or the customer pays the fee. No action was taken.

CITY COUNCIL CONCERNS

McReynolds asked about the announcement of the open position in Elkton City Hall. Mayor Green stated each council member was sent an email notifying them that Becky McGonigal has resigned effecting February 19, 2021. The vacancy has been posted on the city website and an advertisement placed in the newspaper.

Mayor Green then asked each council member to complete a City Council Method of Communication Authorization Form for the new council term. He reminded the council that they should not be using a personal email address to conduct city business, however the authorization forms allows it if they so choose.

MAYOR'S REPORT

TVA will host economic development training for elected officials on February 24th at the Todd County Courthouse. Any council member that would like to attend needs to RSVP.

Mayor Green distributed a "Community Livability" flyer about Todd County that was created by Southwest Kentucky Economic Development. He also stated that SWKED has a great video marketing the Marsh building in Elkton on their website and invited everyone to watch the video.

The Todd County Industrial Foundation is submitting a grant application to purchase and develop property in Elkton for industrial development.

Case motioned to adjourn, seconded by Laster, and carried unanimously. Meeting adjourned at 8:17 pm.

Arthur Green, Mayor

Laura M. Brock, City Clerk/Treasurer