

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

The Elkton City Council met in regular session at the Historic 1835 Courthouse, 1 Public Square, on Thursday, March 11, 2021 at 6:00 PM with Mayor Arthur Green presiding.

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

Others present: Jeff Traughber, legal counsel; Laura Brock, City Clerk/Treasurer; Robert Toombs, Chief of Police; Derrell Waggoner, Fire Chief; Chris Orr, Public Works Director; Mark Thomas, Superintendent of Todd County Schools; and, Yvonne Rundall.

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

After review, Powell motioned to approve the minutes of the February 11, 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 Gibson motioned to approve the bills payable and financial reports, seconded by Orr, and carried unanimously.

PUBLIC COMMENTS:

- Yvonne Rundall reported concern of continual flooding of her property on West Main Street. She stated even though she is not in a flood zone, she had flood damage in 2010, 2016, and just recently in 2021. Her home is in a low spot and water drains into her yard and house just after several inches of rainfall. There was considerable discussion regarding a sinkhole on another property in the area that backs up onto several adjacent properties. Mayor Green reported that this area and several other areas in town are on the state highway department list to investigate flooding and drainage issues. Mayor Green has spoken with Judge/Executive Todd Mansfield and they plan to get representatives from state and federal agencies to discuss the issues. Case stated the city has discussed the sinkhole problem many times and he feels its time to study the issue once and for all. Rundall asked if the city could hire local engineer Rick Harper to study the flooding in the area. After discussion, Case motioned to contact Rick Harper to see if he can study the issue or make a recommendation as to who to hire to study the issue. Motion seconded by Powell and carried unanimously. Ms. Rundall thanked everyone and left the meeting.
- Mayor Green welcomed Mr. Mark Thomas to go ahead and speak about a request for student activity waiver that appears later on the agenda. Mr. Thomas explained the Ag Science program at the high school would like to start a farmer's market on school property. The students will be able to sell what they grow and they may open the market up to other vendors. Mr. Thomas requested the city waive any permit or license required for this student activity. Mayor Green stated the city waives similar licenses and permits during HarvestFest. All proceeds from renting booth space will go back into program. Council member Orr motioned to grant the waiver of all fees for this project, seconded by Case, and carried unanimously.

Orr motioned to read the Summary of Ordinance 2020-01 in lieu of the full ordinance, seconded by Powell, and carried unanimously. Clerk Brock read second reading of 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.” There was discussion that the city can still send out cut off notices, but this ordinance does not require it. Clerk Brock stated she would need direction if notices should be mailed or not. Case questioned the purpose of not sending out notices and Mayor Green confirmed the billing statement already has the cutoff date posted on it and it will save postage. Orr motioned to adopt Ordinance 2021-01 after second reading, seconded by Gibson. Voting in favor of the motion by show of hands was Orr, Gibson, and Powell. Voting opposed was Case. Motion carried.

Mayor Green presented Municipal Order 2021-05, “MUNICIPAL ORDER RE-APPOINTING ARTHUR GREEN TO THE LOGAN/TODD REGIONAL WATER COMMISSION.” Case motioned to approve Municipal Order 2021-05, seconded by Orr, and carried unanimously.

DISCUSSION ITEMS

Mayor Green reported Jeff Traughber has researched the city’s adoption of the residential building code. Traughber stated KRS 198B.060 required county enforcement of the building code, not just the residential building code. Traughber stated he would like to table this discussion until he can discuss further with the county.

Mayor Green reminded the council any change to the Mayor or Council member salaries for the next term of office need to be made by May of next year.

Closing B White Road will be brought up at the next Todd County Fiscal Court meeting. Traughber stated there is conflicting information if B White Road is in the city limits or not so he suggests annexing the road to clear things up.

Mayor Green stated although it is not on the agenda, the cost of credit card processing fees needs to be decided at a future meeting.

ATTORNEY’S REPORT

Traughber stated he understands the property the city foreclosed on for code enforcement fines on North Main Street has been sold. Mayor Green reported he negotiated code enforcement fees so that the property could be sold and renovated. After the city’s expenses were paid on the property, the property and the adjacent property that recently burned were sold to a new owner. The burned house will be torn down and the dilapidated house will be renovated.

DEPARTMENT REPORTS

Police Chief Toombs reported 338 calls for service in February with 2 alcohol related incidents. The new ballistic vests have been ordered as approved at the last meeting.

Fire Chief Waggoner reported on fire runs from the previous year and that all firemen have their required training except for two. Engine 1 has a valve that needs repaired to pass inspection.

Public Works Director Chris Orr reported the department is focused on finding water loss in the city. They found a leak on an old service line on East Main Street that is leaking about 10 gallons per minute. Next week, a company with a listening device will be coming to demonstrate the equipment that helps find water leaks. Also, Kentucky Rural Water will be in town looking for leaks.

Mayor Green reported Phase II of the Sewer Rehabilitation Project was approved by the state today and bids will be accepted on April 1st. Phase III of the project is at the Division of Water awaiting approval and is expected to bid at the end of April.

Mayor Green reported that the water tank on Morningside Drive has been inspected and lead paint samples were taken. Bid specifications for tank painting and repairs will be developed from the inspection.

Mayor Green reported for code enforcement and zoning on various issues, including there has been no more action on the Planned Unit Development at Elk Fork Country Club. The final lot approved for development in Riverbend Subdivision has been approved for a zoning permit. No other lots in Riverbend can be developed until water and sewer plans have been approved by the state.

Mayor Green reported the city received approximately \$7,326 from the two surplus police vehicles, including the one that was used for code enforcement. Mayor requested approval to purchase a vehicle for code enforcement and backup for the police department at a cost not to exceed \$10,000. Orr motioned to approve the purchase and amend the budget as necessary, seconded by Gibson, and carried unanimously.

CITY COUNCIL CONCERNS

Case motioned that the city continues to communicate notice of cut off of utilities to citizens, seconded by Orr, and carried unanimously.

MAYOR'S REPORT

Mayor Green reported there were about five houses and four businesses that received damages from the recent flood waters. There have been volunteer groups already in town assisting with the damages. At some point, almost all main roads into town were covered in water. The city and county jointly declared a disaster in case assistance is available in the future. Green reported the approach to Elk Fork Bridge was washed out and had to be closed briefly until the bridge was inspected by the state. The bridge was inspected and declared safe, and repairs have been made to the approach. More work will need to be done to the bridge to prevent future damage.

Mayor Green reported receiving a quote from Cover All Coatings to seal the following city parking lots: Fire department, \$2,014.05; Old water plant near city hall, \$1,050.00; and, Sewer treatment plant, \$2,876.10. After discussion, Gibson motioned to accept the proposal, seconded by Orr, and carried unanimously.

Mayor Green reported he issued Executive Orders recently to repeal all COVID-19 related emergency orders, however the city will continue to follow all Centers for Disease Control recommendations.

The American Recovery Act recently signed by President Biden will send funding to local governments to assist in recovery from the COVID-19 pandemic. Estimates from different sources say the city will receive between \$391,402 and \$592,000. Green advised there has not been official guidance on how the money can be spent but may include infrastructure. Therefore, the money might be spent to offset overruns on Phase II and II of the Sewer Rehabilitation Project or painting and repairing the Morningside Water tank.

Mayor Green reported the permit to remove the dam at City Lake has been approved by the state. However, we now need a permit from the Corp of Engineers. Estimates of the cost to remove the dam are about \$500,000.

Mayor Green reported the following dates to remember: Bids for cemetery maintenance contract will be received on March 18th at 3:00 PM. The annual spring cleanup is scheduled for April 26-28. And the 400 Mile Sale will be held June 3-6. Mayor Green stated Elkton Bike Night will be promoted again starting this spring and announcements will be made soon.

Clerk Brock read a thank you note to the council for the city contribution to Project Graduation.

Mayor Green reported there is still money available through the PACS office for delinquent utility customers. The county will be able to apply for up to \$200,000 in additional funds to help with delinquent utility bills.

Fiscal Court will be applying will be applying for a grant to help with renovations of the Senior Citizens building.

There has been a grant submitted to TVA for funding to develop an industrial site in the Elkton area.

There was more discussion regarding flooding in Elkton in recent years. Several property owners in the recent flood event have contacted city hall that they are now interested in selling their properties. Green stated the city of Hopkinsville has been buying out flooded properties to lessen the damage during floods. There may be some FEMA assistance available in the future to purchase these properties. Case reiterated his frustration that nothing seems to have been done over the years to prevent flood damage in the city.

Case motioned to adjourn, seconded by Orr, and carried unanimously. Meeting adjourned at 7:46 pm.

Arthur Green, Mayor

Laura M. Brock, City Clerk/Treasurer