

Minutes: City Council Special Meeting
August 27, 2013
5:30 PM

The Elkton City Council met in special session on Tuesday, August 27, 2013 with Mayor Nancy T. Camp presiding.

City Council members present: Doug Gibson; David Haley; Eugene Jefferson; Danny Laster; and, Jimmy Scott.

City Council members absent: David Powell.

Others present: City Clerk/Treasurer Laura Brock; Jeff Traughber, City Attorney; Utility/Street Superintendent Terry Frogue; Donald Settle, Elkton Die Casting Technological and Community Center, Inc.; William Deatheridge, Attorney; Brian Gilliland, East End Village; Ben Rettig, Attorney, Lerner Sampson and Rothfuss; Ryan Craig, *Todd County Standard*.

Mayor Camp called the meeting to order at 5:30 PM and reminded everyone only items on the agenda may be discussed.

AGENDA

1. East End Village Development
 - Alley Closing
 - Street
 - Other
2. Todd County Water District Building
3. 507 S Main Street Property
4. Christian County Chamber of Commerce
5. Cemetery Maintenance
6. Elkton Die Casting Building
7. Property Tax Rates

Clerk Brock read first reading of Ordinance 2013-9, "AN ORDINANCE CLOSING 132 FOOT OF SECTION OF UNIMPROVED ALLEY RUNNING EAST FROM PERRY STREET." Mr. Jefferson motioned to approve after first reading, seconded by Mr. Gibson and carried unanimously.

Regarding the street in East End Village, Mayor Camp called for Brian Gilliland to make a presentation. Mr. Gilliland stated the adjacent property owners, Tom Shanklin and family, have suggested they would like the alley running north and south closed. Brian would like to close that alley, give the Shanklin's half, and make the street to the back of the six houses a private street maintained by the property owners. It was the consensus of the council no decision could be made until consent is received from all property owners to close the alley.

Mr. Gilliland also complained that the water pressure to the new houses is too low. The first house tested at about 52 lbs. and the other houses are running 46-48 lbs. The fixtures installed in the first house require at least 55lbs of pressure. He stated his plumber suggested possibly installing a pump to the six houses or individual pump on each house to increase the pressure. Terry Frogue stated he was asked to get a quote for a booster pump and McGhee Engineering suggested it's not feasible for just 5 or 6 houses. They have seen one installed for a 30 house development before for about \$50,000. Brian stated his plumber could install a booster to each house for \$1,200 each to increase pressure by 20-25 lbs. Terry Frogue stated the pressure to those houses is about the same as other houses in town

and there are some places in town with less pressure. He stated the state requirement is about 30 lbs. and it should never drop below 20 lbs. Several council members stated if we did it for one we would have to do this for everyone and maybe we need to look into increasing pressure to the entire city. Mr. Jefferson suggested these are modern houses and maybe we could install individual pumps and then work on pressure for the entire town. After discussion, Mr. Scott motioned not to install booster pumps for the 6 houses and seconded by Mr. Laster. Voting in favor of the motion were Scott, Haley and Laster. Gibson and Jefferson abstained. Motion carried. (Mr. Gilliland and Mr. Deatheridge left the meeting.)

Mayor Camp stated there was nothing to report on the Todd County Water District building.

Mayor Camp introduced Ben Rettig with Lerner Sampson and Rothfuss. Mr. Rettig stated he was present to ask the council to consider waiving or reducing the liens on the property located at 507 S Main Street, which is currently owned by Freddie Mac. There are currently over \$30,000 in liens filed against the property from the previous owner for code enforcement fines for weeds and grass, dilapidated structures, junk and more. There is a third party wanting to purchase the property. After discussion, Mr. Traughber suggested finding out from the third party what the plans are for the property. If they are going to get the property into compliance and make improvements, maybe we can consider reducing the fines since the purpose of code enforcement is to get properties in compliance. Mr. Frogue stated the property is still dilapidated and he would like the council to consider that the city has a lot of time, effort and money put into code enforcement when considering reducing the fines. Several stated if we reduce or waive the fines it is setting a precedent for future properties. Traughber stated we could enter into an enforceable agreement where the fines are reduced only if the property is improved. After discussion, Mr. Laster motioned to table the discussion while Mr. Traughber and Mr. Rettig find out the future plans for the property. Motion seconded by Mr. Jefferson and carried unanimously.

Mayor Camp stated there was nothing to report for the next two items.

Donald Settle was present and asked the council if they have considered the request to make improvements to the Elkton Die Casting building made at the last meeting. The total request was for \$4,190 and included \$2,600 for repairing the fence; \$990 to install a large sliding door in the foundry; and, no more than \$600 to open the safe. Mr. Haley stated the city already approved about \$15,000 to get the electric service installed to the building. Mr. Scott suggested the city may need to stop spending money on the building until we see something moving in or more progress. Mr. Settle stated he would pay for opening the safe because it was mostly to store their equipment. After discussion, Mr. Gibson motioned for the city to pay the expenses to repair the fence and install the door in the foundry. Motion seconded by Mr. Jefferson. Voting in favor of the motion were Haley, Laster, Gibson and Jefferson. Voting opposed was Scott. Motion carried. Mr. Settle thanked the council and left the meeting.

Clerk Brock presented the property tax rate calculations for 2013. The substitute rate (Rate I) for 2013 is \$.240 per \$100 assessment for real property and \$.206 per \$100 assessment for personal property and would generate approximately \$3,401 less than last year. The compensating rate (Rate II) for 2013 is \$.247 per \$100 assessment for real property and \$.206 per \$100 assessment for personal property. This rate would generate approximately \$707 more than last year. The 4% rate, which requires two public notices and a public hearing, is \$.256 per \$100 assessment for real property and \$.214 per \$100 assessment for personal property. The 4% rate would generate approximately \$6,924 over last year. Last year's rates were \$.247 per \$100 assessment for real property and \$.236 per \$100 assessment for personal property. Clerk Brock recommended setting the rate at the 4% rate due to increased expenses in the city and reduced revenue. Interest on investments will go down 75% this year with the general fund losing about \$20,000 in revenue. She also stated we have hired an additional street/utility department employee and one additional fulltime police officer. Mr. Scott stated the city was over spending. After discussion, Mr. Jefferson motioned to adopt the 4% rate and seconded by Gibson.

Voting in favor were Gibson and Jefferson and opposed were Haley, Laster and Scott. Motion failed. Mr. Haley motioned to stay at Rate I. Motion died for lack of second. Mr. Scott motioned to set the rate at Rate II and seconded by Mr. Laster. Voting in favor were Scott and Laster. Opposed were Gibson and Jefferson. Haley abstained. With the vote ending in a tie, Mayor Camp stated this discussion will be continued at the next meeting with all council members present.

There were no other items on the agenda, therefore Mr. Jefferson motioned to adjourn and seconded by Mr. Laster. Motion carried unanimously and meeting adjourned at approximately 6:40 PM.

Nancy T. Camp, Mayor

Laura M. Brock, City Clerk/Treasurer