

Minutes: City Council Special Meeting  
December 20, 2016  
5:30 PM

The Elkton City Council met in special session on Tuesday, December 20, 2016 with Mayor Jackie Boyd Weathers presiding.

City Council members present: Doug Gibson; David Haley; Eugene Jefferson; Danny Laster; Frank McReynolds; and, David Powell.

Others present: City Clerk/Treasurer Laura Brock; Terry Frogue, Utility/Streets Superintendent; Jeffrey Traughber, City Attorney; Michael Case; Bruce Laster and guest; and, Meredith Willse, *Kentucky New Era*.

Mayor Weathers called the meeting to order at 5:30 pm and reminded everyone that since it was a special meeting, only the items on the agenda could be discussed.

### AGENDA

1. Reduction of Territory (De-annexation)
2. Boards and Committee Appointments
3. Snow Removal
4. Swearing in Ceremony Thursday, December 29th at 5:00 PM

Mayor Weathers reminded everyone that the main purpose of this special meeting was to discuss, with the city attorney present, the request from Mr. Bruce Laster to de-annex his property on Highway 68 as proposed in the last meeting. Mr. Traughber stated he reviewed the procedures for de-annexation and it is more complicated than annexation and requires participation with the county. The city would need to pass an ordinance of intent to de-annex the property and then send the ordinance to the county for approval or rejection. If the county rejects the ordinance, then the property must stay in the city. If the county approves the intent to de-annex ordinance, then the city could then pass a second ordinance removing the property from the city. The ordinance, survey of the area removed from the city, and a plat must be recorded with the county and the state. Mr. Traughber stated that de-annexation is very rare and he could only find a handful of examples of it ever being done. He reiterated that this de-annexation is at the request of Mr. Laster and the city council is not required to act on it. He stated this is a “slippery slope” and may open the city up to more requests from property owners who feel they aren’t getting city services. Mr. Powell asked Mr. Laster if there was anything the city could do to keep him in the city limits. Mr. Laster stated he will no longer be getting water service from the city and there are no plans to provide sewer in the near future, so he stated he wants to be out of the city and will pay the costs associated with de-annexation. Mr. Gibson motioned to allow Mr. Laster to de-annex his property and to proceed with an ordinance of intent to de-annexation that will be sent to the county. Motion seconded by Mr. Jefferson. Mayor Weathers stated since this is a very unique situation the ordinance needs to state the very specific reasons for de-annexation. Mayor stated the ordinance should point out Mr. Laster’s property is not adjacent to any other properties in the city limits (other than the roadway) and that the surrounding properties do not seem developable. Also, the city has no future plans to expand services in that area. In the future, de-annexations should not be allowed if there are adjoining properties in the city limits or if the city has plans to expand services in this area. Mr. Traughber reminded everyone that once the property is de-annexed the city will have no authority over the property regarding zoning, code enforcement or what types of business occurs on the property. He stated the city might look into a restrictive covenant of some sort to not allow something like an adult bookstore on the property. Mr. Laster said he would not be opposed to a restriction like this. After discussion, the motion carried unanimously by show of hands.

Mayor Weathers reported Debbie Laster and Billy Jones have agreed to serve another term on the Board of Adjustment. Also, Jean Odum has agreed to serve another term on the Planning Commission. Mr. Powell motioned to approve the appointment of Debbie Laster to another four-year term on the Board of Adjustment. Motion seconded by Mr. Gibson and carried unanimously. Mr. Haley motioned to approve the reappointment of Billy Jones to another term on the Board of Adjustment, seconded by Mr. Laster and carried unanimously. Mr. Gibson motioned to approve the reappointment of Jean Odum to serve another term on the Planning Commission, seconded by Mr. Laster and carried unanimously.

Terry Frogue reported on a meeting with the state highway department to review snow removal routes in the city. The city's policy is not to remove snow from the roadway until it is in excess of 4" in height. In some instances, a lesser amount of snow may be removed if there is additional snow in the forecast. Howard Circle was added to the route of city streets for snow removal.

Mayor Weathers reported a swearing in ceremony for the city council members taking office effective January 1<sup>st</sup> will be held on Thursday, December 29<sup>th</sup> at 5 PM at Elkton City Hall.

Since there were no other items on the agenda, Laster motioned to adjourn, seconded by Gibson and carried unanimously. Meeting adjourned at approximately 6:00 PM.

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Jackie Boyd Weathers, Mayor

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Laura M. Brock, City Clerk/Treasurer