

Minutes: City Council Meeting
July 10, 2017
7:00 PM

The Elkton City Council met in regular session on Monday, July 10, 2017 at 7:00 PM with Mayor Jackie Boyd Weathers presiding.

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

Others present: Jeffrey Traughber, City Attorney; Laura Brock, City Clerk/Treasurer; Terry Frogue, Utility/Streets Superintendent; Derrell Waggoner, Fire Chief; Daniel Smith, Assistant Fire Chief and Todd County EMS Director; Brian Atkinson, Police Chief; and, Donald Settle, Elkton Die Casting Technology and Community Center.

Mayor Weathers called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Mr. Haley gave invocation.

After reviewing the June 13, 2017 special council meeting minutes, Mr. Case motioned to approve, seconded by Mr. Gibson and carried unanimously.

Mayor Weathers called for review and approval of the bills payable and financial reports. Mr. Case questioned a Brenntag invoice with Mr. Frogue explaining the invoice was for chemical supplies for the sewer department. Mr. Haley motioned to approve the bills payable and financial reports, seconded by Mr. Powell and carried unanimously.

Mayor Weathers called for public comments. Donald Settle stated he received a request from Todd Mansfield to use the Die Casting property for the traveling youth soccer league practice. He stated that according to the lease agreement, the city has to approve all subleases. The league will provide the city with a certificate of liability insurance and will want to mow the soccer practice field lower than the other grass on the property. There will be no money or rent involved. Donald stated the Die Casting Board has approved the use and they request the city approve as well. Mr. Powell motioned to allow the traveling soccer team to use the Die Casting property for practice, seconded by Mr. Gibson and carried unanimously.

Mayor Weathers presented a request from the Todd County Industrial Foundation for our annual contribution of \$25,000 for FY2018. After discussion, Mr. Gibson motioned to table the request and put on the agenda for the next special meeting. Motion seconded by Mr. Laster and carried unanimously.

Clerk Brock read first reading of Ordinance 2017-08, "AN ORDINANCE AMENDING SECTION 50.25 OF THE CODE OF ORDINANCES OF THE CITY OF ELKTON ADJUSTING WATER RATES CHARGED BY THE WATERWORKS SYSTEM OF THE CITY OF ELKTON." (Sponsor: Laster)

Clerk Brock read second reading of Ordinance 2017-09, "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." (Sponsor: Laster) Mr. Laster motioned to adopt after second reading, seconded by Mr. Case and carried unanimously by show of hands.

Clerk Brock stated Mr. Traughber prepared a Summary of Ordinance 2017-10, "AN ORDINANCE ANNEXING TO THE CITY OF ELKTON, KENTUCKY A 1.00 ACRE TRACT LYING ADJACENT TO AND CONTIGUOUS TO THE PRESENT CITY BOUNDARIES ON KENTUCKY HIGHWAY 181." (Sponsor: Powell) Mr. Case motioned to read the summary ordinance in

lieu of the full ordinance, seconded by Mr. Laster and carried unanimously. Clerk Brock read second reading of Summary Ordinance 2017-10. Mr. Gibson motioned to adopt Ordinance 2017-10 after second reading, seconded by Mr. Powell and carried unanimously by show of hands.

Clerk Brock stated Mr. Traughber prepared a Summary of Ordinance 2017-11, “AN ORDINANCE AMENDING THE TEXT OF CHAPTER 151 (ZONING) OF THE CITY OF ELKTON CODE OF ORDINANCES.” (Sponsor: Case) Mr. Haley motioned to read the summary ordinance in lieu of the full ordinance, seconded by Mr. Laster and carried unanimously. Clerk Brock read first reading of Summary Ordinance 2017-11.

Mayor Weathers reported the city has received Energy Performance Contract proposals and asked for two volunteers to serve on a committee to review them. Mr. Powell and Mr. Haley volunteered to serve on the committee. Clerk Brock stated two proposals were received on June 30th, one from The Perfection Group and one from Johnson Controls. The committee will briefly review the proposals with Greg Copley, University of Kentucky Center for Applied Energy Research, on Thursday at 9 am. Additional meetings will be scheduled at a later date with each company to present their proposals. Mr. Haley and Mr. Powell stated they would like to hold future committee meetings about 4 pm if possible.

Terry Frogue reported to the city council the “Summary Memo” from GRW Engineering, Inc. with preliminary findings and four options for compliance for the Notice of Violation the city received from Division of Water (DOW) regarding Melvin Stinson (City) Lake. (City Attorney Jeff Traughber entered the meeting at this time.) These findings were presented to DOW before the June 30, 2017 deadline. The deadline has now been extended to the end of September. Mayor Weathers, GRW Engineers and Terry Frogue will meet with DOW officials to discuss all options to proceed on August 1st. Mayor and Mr. Frogue met with PADD officials to begin looking into grant and loan options to get assistance for whichever option the city council ultimately chooses.

Resolution 2017-03, “RESOLUTION THANKING SENATOR WHITNEY WESTERFIELD FOR HIS COMMITMENT TO SB 226 AND THE SEPARATION OF COUNTY EMPLOYEES RETIREMENT SYSTEM FROM THE KENTUCKY RETIREMENT SYSTEM” was presented to the council. Clerk Brock explained that the Kentucky League of Cities has been advocating on behalf of cities for many years to get the CERS system that cities and counties participate in separated from the KRS system. Senator Westerfield cosponsored a bill and supports this action. After discussion, Mr. Haley motioned to adopt Resolution 2017-03, seconded by Mr. McReynolds and carried unanimously.

Mayor Weathers presented Municipal Order 2017-01, “MUNICIPAL ORDER AMENDING THE PERSONNEL POLICIES AND PROCEDURES.” Clerk Brock stated this order: creates a new section 5.12 Recording Time on Time Sheet in order to confirm how time is rounded on time sheets; creates Section 5.13 Longevity Awards, which was already approved by the council in this year’s budget and compensation plan, but gets a written policy in place; amends section 6.2 Vacation Leave to amend the section awarding 160 hours of vacation time after 10 years of service instead of 15 years as passed by the city council at a previous meeting. Mr. Gibson motioned to adopt Municipal Order 2017-01, seconded by Mr. Haley and carried unanimously.

COUNCIL REPORTS

Mr. Haley called for a report from Police Chief Atkinson. Chief Atkinson presented the monthly activity report for the year. Atkinson stated Chris Coffman needs to speak with Clerk Brock regarding insurance before the Department can be approved to use his firing range for training. Laura will contact Mr. Coffman.

Mr. Haley stated he would like the city council to consider allowing department heads to receive overtime pay. He stated one place he worked allowed overtime pay for salaried employees after 45 hours of work in a week. Mr. Haley understands the budget concerns and that there have been discussions of a salary study.

Clerk Brock is working with two companies who submitted wide ranging proposals to see which one might be better for our needs. After discussion, Mr. Haley motioned to look into the possibility of allowing overtime for department heads. Motion seconded by Mr. Gibson and carried unanimously.

Mr. Haley recommended the city council consider doing away with the Conservation District zone on the city's zoning map. Also, if the city does away with the Conservation District the public needs to be better informed of the consequences of living in the floodplain. Brock reported she has received two applications for request for zoning change from Conservation District to Medium Density Residential for the Gill and Bowles properties. A public hearing has been scheduled by the Planning Commission from July 25, 2017. Traugher suggested allowing the Planning Commission to hold the hearing and see if enough supporting evidence is provided to justify changing the zoning of those properties. Traugher stated the burden is on the property owners to provide supporting evidence for the zone change, such as the property being zoned wrong in the first place. After discussion, Haley also commented that there is confusion about what permits are required from the city and there needs to be ongoing education about zoning permits.

Mr. Atkinson had no further police report, however Mr. Case commented the mobile radar speeding sign has been placed on Goeble Avenue in town and he has received some positive comments. Chief Atkinson reported the city can move the sign in different locations and can keep the sign until someone else requests it from the state. Case reported requests to put the sign on Morningside Drive, Elaine Ct, Allensville Street, Streets Avenue, and Pond River Road.

Discussion moved back to the Conservation District zoning map amendment. There was discussion about the city council recommending to the Planning Commission rezoning all the residential properties on East Main Street that are in the Conservation District. Brock stated if the city initiates the zoning map amendment then another public hearing would need to be scheduled by the Planning Commission and the property owners would need to be notified. So, there was more discussion about which properties would be recommended to be rezoned and what they would be rezoned to. After much discussion, Haley motioned to recommend a zoning map amendment to the Planning Commission for all similarly situated properties on East Main Street from the state highway garage to the city limits from Conservation District to R-2 Medium Density Residential District. Mr. Gibson seconded the motion and carried unanimously.

Mr. Laster reported the water loss has been way down the last four months. In February water loss was 16% and the last several months it is near 7%. Laster thanked the utility department and all their hard work.

Mr. Powell called for a report from the fire department. Fire Chief Waggoner reported receiving all items purchased through state fire aid funding.

Daniel Smith reported Todd County Emergency Management will be participating in a meeting organized by FEMA about the Total Solar Eclipse happening August 21, 2017. FEMA is projecting much higher attendance projections in the area than previously estimated and therefore has called a special meeting to discuss.

Mr. Powell reported he has received several requests from parents to use the park grant the city received for batting cages. Clerk Brock reported the Park has already discussed using the funds for replacing lighting and fencing on ball fields. Traugher stated the park has considered installing batting cages before and has thought about asking for sponsors to do this.

Mr. Case reported Park Director Elizabeth Fitch is getting to a lot of maintenance items at the park over the summer break. He also reported youth baseball participated in a local tournament and one group won the championship. After discussion, Case motioned to invite coaches Brad Rager and Kelly Penick and their 7-8 year old machine pitch championship baseball team to the next council meeting and issuing a proclamation celebrating their victory. Motion seconded by Mr. Laster and carried unanimously.

Mr. Gibson asked Terry Frogue if the city has received the release from the Dollar Store property for the paving and ditch work needed on Commerce Street. Frogue reported the property owner has agreed with the work to be performed, but he has not signed the easement yet. All other paving projects recently approved by the city have been completed.

Mr. McReynolds reported the fence rows in the cemetery need to be cleaned out and passed around pictures. Cleaning out the fence rows is a part of the cemetery maintenance contract. Clerk Brock stated she would put in a work order for the work to be done as soon as possible.

Mr. McReynolds reported the council approved funding in the budget for the Todd County Aging Council, which operates the Todd County Senior Citizens Center. McReynolds motioned to contribute \$800 to the Todd County Aging Council, second by Mr. Powell and carried unanimously. The committee is meeting this Wednesday and Mr. McReynolds will present the check on behalf of the city.

MAYOR'S REPORT

Mayor Weathers reported meeting with District 3 Highway Transportation officials today regarding the West Main Street Sidewalks project. The state is negotiating on behalf of the city the purchase of additional right-of-way from several property owners and some of them are not responding quickly to their offers. So, construction is on hold until the right-of-way purchases are complete.

Clerk Brock reported the city received Transportation Cabinet funds in the amount of \$97,750 to resurface South Streets Avenue. After discussion, Mr. Gibson motioned to approve Resolution 2017-04, "RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF ELKTON AND THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS FOR THE AMOUNT OF \$97,750." Motion seconded by Mr. Powell and carried unanimously. Clerk Brock thanked State Representative Jason Petrie, who assisted the city with the application and gave his support to the project.

Mr. Haley motioned to adjourn, seconded by Mr. Gibson and carried unanimously. Meeting adjourned at approximately 8:35 pm.

Jackie Boyd Weathers, Mayor

Laura M. Brock, City Clerk/Treasurer