

Minutes: City Council Meeting
November 14, 2016
7:00 PM

The Elkton City Council met in regular session on Monday, November 14, 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: Jeffrey Traughber, City Attorney; Laura Brock, City Clerk/Treasurer; Terry Frogue, Utility/Streets Superintendent; Will Meyers, Police Captain; Derrell Waggoner, Fire Chief; Daniels Smith, Assistant Fire Chief and Todd County Emergency Management Director; and, Michael and Paisley Case.

Mayor Weathers called the meeting to order at 7:00 PM and led the pledge of allegiance. Mr. Laster gave invocation.

After reviewing the October 17, 2016 council meeting minutes, Mr. Haley 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. Laster motioned to approve the bills payable and financial reports, seconded by Mr. Jefferson and carried unanimously.

Mayor Weathers welcomed guests and called for public comments. There were no comments.

Clerk Brock updated the council on FEMA Public Assistance and Mitigation grants submitted after the flooding this past July. The city submitted three projects for public assistance. Road damage on Elk Fork Road, Industrial Drive and erosion along the Elk Fork Road Bridge with estimated damages as calculated by FEMA costing \$4,461. FEMA will reimburse the city 75%, or \$3,346, and the state will reimburse us 12%, or \$535. The second project was debris removal for flood victims. The total cost to the city was \$16,218. Since the debris was removed within 30 days of the flood event, FEMA will reimburse the city 85%, or \$13,785, and the state will reimburse the city 12%, or \$1,946. Clerk Brock stated the city portion is mostly force account labor and equipment. The final project was rescue efforts, mostly performed by the fire department. However, the city only had about \$1,700 in expenses and did not meet the \$3,500 threshold to get any reimbursement. As a result of the flooding, the city was eligible to submit mitigation projects. The city submitted a project to purchase three flooded properties on East Main Street. The city also submitted a project to further stabilize the creek bank at the bridge on Elk Fork Road by using rip rap. The city was notified last week that neither project would be funded, however we may be able to resubmit the projects at a later date.

Clerk Brock reported Bluegrass Cellular sent the city a request to extend their antenna collocation lease agreement for the city's water tank located on Garth Lane. The current lease expires March 21, 2020 and they are proposing to extend the lease for an additional three terms of five years each, extending the lease to March 21, 2035. The first annual rent payment due on March 21, 2020 would be \$18,730.75 and would increase 16% each renewal term. We are currently receiving about \$16,700 per year. Terry Frogue reported he contacted Bluegrass Cellular and asked how the agreement would be effected if the city did away with this tank and built a new one. Bluegrass stated if the new tank was built close by, they would just consider moving the equipment to the new tank. However, if the tank was moved a further distance away, then a new agreement would have to be reconsidered. Traughber confirmed the lease agreement is not exclusive and other cell companies could locate on the tank as well. After discussion, Mr. Haley motioned to table discussion to the next meeting, seconded by McReynolds and carried unanimously.

Mayor Weathers presented a list of six street lights she would like to add in the city. She is presenting this list because she felt like last month it was presented as a one-time fee. The list indicates the new lights would cost anywhere from \$10 to \$18 per month per light. Mr. McReynolds asked what the city pays for street lights, with Mayor Weathers stating the total cost is about \$40,000 per year. Mr. Powell also asked about the light on the Dunheath Subdivision sign that is not working. Frogue explained that light was found to be connected with a hot wire and had to be disconnected. Powell requested Frogue get an estimate to install a new light safely and he agreed. Mr. Gibson motioned to proceed with installing the new street lights as presented. Motion was seconded by Mr. Jefferson and carried unanimously.

Terry Frogue reported Sustainable Streams has completed the first phase study of city lake dam to evaluate the flood control effects of the lake/dam. The dam is considered a high hazard dam by the state. The council received a full copy of the report from Sustainable Streams and he passed out an email from Mike McGhee, McGhee Engineering, summarizing the findings. McGhee reported the evaluation shows the “dam provides some amount of flood protection for the City.” Also, “protection that it provides sounds minimal, only 5% difference in the quantity of water between having the dam and not having it at all.” However, “the modeling did not include hydraulic modeling of the watercourses. This would provide information on how much the flood plain area would be expanded by lowering or removal of the dam.” So, McGhee stated the next question for the city is “whether it is willing to take any action that expands the flood plain, even minimally. If the answer is no, then you probably have to fix the dam as it is, which could be very costly. If the answer is yes, then you probably need to take the next step in the study process and see what the actual flood plain expansion is that is associated with the ‘lowered spillway’ and ‘no dam’ options, and the cost estimates for that work.” Terry also emailed the results to Kentucky League of Cities and Jeff Traugher, who have not had sufficient time to review. There was considerable discussion of future liability to the city. The next step in the proposed study from Sustainable Streams is a dam failure analysis at a cost of \$17,600. Frogue stated this seems to be a study of just the dam failure when it is full of water, but there may need to be another study to find where the 5% difference in quantity of water would go if the dam is taken out. We may also need to study lowering the spillway so it does not retain as much water in the lake and therefore lowering the hazard classification and possibly cheaper to fix. The estimate to study and design a repair of the spillway is proposed to cost \$51,200 in engineering fees alone. Haley asked if we could sell the property as is. Traugher stated he would not feel comfortable doing that until the dam failure analysis is completed. Mayor Weathers stated that when she and Terry met with Gary Wells of Division of Water that he stated they should consult with him before much more was done with the dam because they have some studies completed. Therefore, Mayor Weathers suggested the city will consult with Mr. Wells before moving forward and all agreed.

COUNCIL REPORTS

Mr. Haley reported there is a lot of cleaning and winterizing at the park to be done. Haley stated the park concession will be open throughout the winter. Mayor Weathers requested Haley meet with her to come up with a \$10,000 project for the park to submit to PADD.

Mr. Laster called for a report from Frogue. Terry reported the sand drying beds at the sewer plant are being reconstructed. They are also considering hiring someone to bring in a belt press to use with the drying beds to see how that system works. Mr. Frogue stated he has the street signs for the new park street named after Wilmon Moore, however he asked if we want to hold a ceremony and maybe invite the family. All agreed this might be a good idea.

Mr. Haley asked what our goal is to replace water and sewer lines in the city and if we plan to apply for loans. Frogue stated the water system is in better shape than sewer and federal grants have all but disappeared. He stated when we do annual flushing you can tell by the pressure if conditions have worsened. Through flushing they have identified two water lines in town, near Weathers Drugs and on Poplar Drive, that need to be replaced. These lines have been added to the future project list for funding. As for the sewer department, we are currently under a five year deadline to take out some constructive overflows in the sewer pump stations built many years ago that have since become illegal. However, there needs to be more work done to prevent water infiltration into our sewer lines before those changes are made. Therefore, the department is focusing on sewer lines that need repair. And, sewer lines are more expensive to repair because some may be

8' to 10' feet deep in order to gravity flow. The department is smoke testing and finding our clay pipes need repair and some customer cleanout caps and lines that need to be replaced. The department is putting together a report of findings and we may need to update our sewer use ordinance that addresses customer's lines that need to be repaired. The Mayor has been working on getting surveys completed in order to submit a CDBG project in the spring. Haley stated he has been warning the citizens and he just does not want it to be dropped because the citizens will eventually have to pay for it. Mayor Weathers stated she could use some help with the 400 surveys that need to be completed by the citizens and asked the council members to come see her if they are willing to help go door to door to get them done. The survey and smoke testing results will be used to prepare a project to submit in the spring. Traughber stated in his experience with other cities, we need to make sure the surveys don't have to be completed within a specific time frame. Mr. McReynolds asked about Frogue's letter to the editor that mentioned the water crisis in Flint, Michigan. Terry stated he mentioned it because that situation just made EPA regulations tighter.

Mr. Powell called for a report from the fire department. Chief Waggoner reported they received and installed the new pump ordered through the grant awarded by the Forestry Department. The next project will be to have the pumper truck repaired.

Daniel Smith reported he has completed the city and regional FEMA Firefighter grants the city council approved at the last meeting. He also reported as of noon today there is a countywide burn ban.

Mr. Jefferson stated the council received a copy of the police department's activity report for the year. Captain Meyers reported all is well in the department.

Mr. Gibson had nothing to report other than the hole on Commerce Street is getting worse. Frogue reported he found a place in Tennessee to purchase cold patch. Gibson stated he is going to work with some magistrates to get some cold patch to make some repairs. Mayor Weathers did report there was an accident with a citizen due to construction on North Main Street. The construction company is responsible and both the company and Joe Plunk with the state responded to the citizen complaint in a timely manner. The state has also been notified of the large crack in the city's sidewalk on the Square caused by the construction and it will be repaired.

Mr. McReynolds asked about repairs needed to the iron fence in the cemetery. Clerk Brock reported she contacted ToolTec of Elkton and they are preparing an estimate to replace the section that was damaged. Brock also stated her records show Yoder Welding made some repairs to the fence a few years ago and she will try to contact them for another quote.

Mr. Laster asked about the City's Christmas Parade. Mayor Weathers reported it will be held Saturday, December 10th at 6 PM. Clerk Brock stated we will have cars available for the city council to ride in if they want to participate. All parade participants must be at the high school by 5:30 pm.

Mr. Laster motioned to adjourn, seconded by Mr. Powell and carried unanimously. Meeting adjourned at approximately 8:10 pm.

Jackie Boyd Weathers, Mayor

Laura M. Brock, City Clerk/Treasurer