

Minutes: City Council Meeting  
October 14, 2013  
7:00 PM

The Elkton City Council met in regular session on Monday, October 14, 2013 with Mayor Nancy T. Camp presiding.

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

Others present: City Clerk/Treasurer Laura Brock; Police Chief Jerry Pepper; Utility/Street Superintendent Terry Frogue; City Attorney Jeff Traughber; Jen Harris, Todd County Health Department; Vonda Gates, South Western Kentucky Economic Development Council; Carla Jimenez, *Kentucky New Era*; and, Jenni Craig, *Todd County Standard*.

Mayor Camp called the meeting to order at 7:00 PM and led the pledge of allegiance. Mr. Jimmy Scott gave invocation. Mayor Camp welcomed all the guests.

After reviewing the September 9, 2013 council meeting minutes, Mr. Jefferson motioned to approve, seconded by Mr. Scott and carried unanimously.

After reviewing the September 17, 2013 special council meeting minutes, Mr. Jefferson motioned to approve, seconded by Mr. Laster and carried unanimously.

Mayor Camp called for approval of the bills payable and financial reports. Mr. Jefferson motioned to approve, seconded by Mr. Powell and carried unanimously.

Mayor Camp called for public comments or presentations.

Jen Harris with the Todd County Health Department passed out the 2012/2013 Annual Report for the Department and reviewed some of the information. She pointed out the Department has won the most improved health department in the state two years in a row. Mayor Camp thanked Jen for the hard work the Department has put in and Jen left the meeting.

Vonda Gates presented a draft resolution for the council to consider, which urges the Kentucky General Assembly to pass legislation in 2014 to redirect a portion of the TVA in-lieu-of-tax payments to the TVA counties to be used for economic development purposes. Ms. Gates stated the money would be split among the 36 counties evenly.

Mayor Camp reported the property at 507 S Main Street has been sold. Mr. Traughber reported he has been negotiating the lien the city has on the property. The other party is agreeable to paying the city \$10,000 on the lien and he stated the sale of the property is probably contingent upon the city approving this reduction in the lien. After discussion, Mr. Powell motioned to reduce the lien on the property at 507 S. Main Street to \$10,000 and authorize Jeff Traughber to finalize the deal. Motion seconded by Mr. Haley and carried unanimously.

Terry Frogue reported the Water Line Separation and Replacement Project is still underway and the preconstruction meeting should be held in the next few weeks. He also reported the Todd County Water District will not negotiate giving us any county customers unless those customers agree to be annexed into the city. At a previous meeting, the council discussed possibly offering to resurface streets in addition to other benefits for being annexed into the city. Terry briefly discussed annexation with two county customers on Moe Lane and one was interested in learning more but one was not interested at all. Terry said he received an estimate to widen and resurface Moe Lane at a cost

of about \$26,500. Johnson Lane has three existing customers and potential for several in the future. The cost to resurface Johnson Lane is about \$8,300. The last time we got an estimate to extend sewer service to this area the total cost was \$800,000. After discussion, Mr. Haley motioned to send a feeler letter to all potential customers on Johnson Lane and Moe Lane on the benefits of being in the city limits to see if they are interested in annexing. Motion seconded by Mr. Jefferson and carried unanimously.

Mr. Frogue also stated the Todd County Health Department is requiring a waiver from the city stating it is unfeasible to run sewer service to any customer requesting a septic permit within a mile of the city limits. He stated the city is looking into requiring the customer to sign an agreement to annex in the future if sewer service becomes available before the waiver is granted. If we grant waivers to everyone now with no commitment, the city will not be able to grow in the future.

Mr. Traughber also reported he sent the Water District the new lease terms the city council proposed at the last meeting, but he has not received a response. He stated November 8<sup>th</sup> is the date the lease will automatically renew for another year at the same terms. Mr. Traughber proposed giving the Water District more time to respond and calling a special meeting before November 1<sup>st</sup> to discuss.

Terry Frogue reported that during a recent zoning review committee meeting, the private street at East End Village was discussed. Craig Morris, Regional Planner with Pennyrile Area Development District stated that private streets are not a good idea in cities because ownership and maintenance of the street will fall through the cracks. Terry Frogue got an estimate to add 2" of surface asphalt to the existing pavement and to extend the gravel base and pavement to Washington Street, which would cost about \$7,500. Jeff Traughber reported receiving a proposed memorandum of agreement from Brian Gilliland's attorney stating G and H Properties would deed 13.5' of additional right-of-way to the city and it would be the city's responsibility to develop the street. Traughber stated this is not typically how the city accepts a street for maintenance as usually the developer builds the street to city specifications and then turns it over to the city. It was discussed if the street would be built according to city specifications and Clerk Brock stated it was unknown what type of gravel base was underneath the existing pavement. Mayor Camp reported Scotty's Contracting stated the road would be solid by adding 2" surface to the existing pavement. Mr. Gibson motioned the city blacktop the street at a cost of \$7,500 and authorize the execution of the memorandum of agreement with G and H Properties. Mr. Laster seconded the motion. Voting in favor were Laster, Gibson and Jefferson. Voting opposed were Powell, Haley and Scott. Mayor Camp voted yes to break the tie. Motion carried.

Mr. Powell motioned to go into closed session under KRS 61.810(1)(c) regarding proposed or pending litigation. Motion seconded by Mr. Laster and carried unanimously. Upon returning from closed session, no action was taken.

## COUNCIL REPORTS

Mr. Haley reported the tennis courts are in pretty bad condition. The void that opened up several months ago seems stable, however there are existing cracks in the surface seem to be getting bigger.

Mr. Laster called for a report from Utility Superintendent Terry Frogue. Frogue reported Roger Mayes is retiring at the end of December. Also, Nicholas Thomas has resigned. Mr. Thomas wanted to thank the Mayor and council for the opportunity to work for the city, however he has decided he wants to farm fulltime. Frogue also reported several potholes in the city that need repairing, but the county does not want us using their cold patch anymore. Jefferson Street was heavily damaged due to the new Justice Center construction, however the county has stated they will not repair the street. The cost to resurface the street is approximately \$5,578. Gibson stated he would talk to the county about using their cold patch.

Powell called for a report from Fire Chief Cole. Cole reported three fire runs since the last meeting. One of the fire runs occurred in Daysville, where the Libby's building was lost completely to the fire. Mr. Cole reported the Libby's fire is under investigation. Cole also reported the department gave out helmets, stickers and fire safety bookmarks to children at HarvestFest. The department also hosted the first annual "water battle" between local fire departments. The department got local sponsors to donate cash and prizes to the winning fire departments.

#### MAYOR'S REPORT

Mayor Camp reported the proposed bypass south of Elkton is still being worked on but ultimately that is a state project.

Mayor Camp reminded the council the county received a grant to clean out Elk Fork Creek.

Camp reported Arthur Green is the chairman of the area Red Cross chapter and he hopes to have more activities in Todd County.

Mr. Scott reported that Dunheath Drive needs to be resurfaced. He said the street has cracks in it with grass growing up in them. All of the city streets will be looked at for future projects.

There was no further discussion, therefore Mr. Laster motioned to adjourn and seconded by Mr. Haley. Motion carried unanimously and meeting adjourned at approximately 8:00 PM.

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Nancy T. Camp, Mayor

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Laura M. Brock, City Clerk/Treasurer