

Minutes: City Council Meeting
April 9, 2018
7:00 PM

The Elkton City Council met in regular session on Monday, April 9, 2018 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/Street Superintendent; Daniel Smith, Assistant Fire Chief; Gary Traughber, Elkton Bank and Trust Co.; John Walton, Todd County Industrial Foundation; Dwight Luton, D2 Energy; Amy Frogue, Pennyrile Area Development District, Glenn Slack; Gregory Copley, and, Ryan Craig, *Todd County Standard*.

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

After reviewing the March 12, 2018 council meeting minutes, Mr. Haley motioned to approve, seconded by Mr. Powell and carried unanimously.

Mayor Weathers called for approval of the bills payable and financial reports. After review, Mr. Gibson motioned to approve the bills payable and financial reports, seconded by Mr. McReynolds and carried unanimously.

Mayor Weathers welcomed all guests and called for public comments. Mayor Weathers introduced Glenn Slack, who informed the council he has been working with the Todd County Community Alliance, which is in the process of dissolving the organization and assisting in establishing a Todd County Chamber of Commerce. Slack requested permission from the city council to use the Historic 1835 Courthouse Welcome Center as office space for the Chamber. Slack reported that 12 initial Board of Directors have been appointed and named them to the council. After discussion, Haley motioned to allow the Chamber to use office space in the Welcome Center, seconded by Powell and carried unanimously. Mr. Slack thanked the council and also asked if the building could be used for the monthly board meeting. After discussion, Mayor Weathers suggested that the Welcome Center could be used for meetings after Center hours or City Hall could be used during business hours.

Mayor Weathers introduced Amy Frogue, who stated she was in attendance to answer questions about two grant projects on the agenda. Mr. Glenn Slack reported that Historic Todd County, Inc. has requested the Todd County Fiscal Court apply for a Community Development Block Grant to rehabilitate the second floor of the Historic 1835 Courthouse for a museum to compliment the Welcome Center on the first floor. Fiscal Court, as owner of the building, requested that the project be made a multijurisdictional application and that the city, the current lessee of the building, serve as co-applicant. Amy Frogue presented Resolution 2018-05, which approves the joint application for funding in the amount of \$500,000 and authorizes the Mayor to submit and sign all necessary documents for the CDBG project. Slack stated that the project requires a 10% local match of about \$50,000, which will be raised by Historic Todd County, Inc. Frogue explained that Phase I of the project is for accessibility and includes an elevator and bathroom renovations at a cost of about \$250,000, while Phase II addresses electrical and plumbing. Both of these phases will be completed with this CDBG project. Phase III of the project will be finishing of the walls and floors and establishing the museum and will need to be completed with local funding. Haley questioned the lease the city has with the county. Clerk Brock stated the lease is for 40 years and we are about 15 or 16 years into the lease period. After discussion, Mr. Case motioned to approve Resolution 2018-05, seconded by Haley and carried unanimously.

Mr. Laster motioned to go into closed session under KRS 61.810(g) for discussions concerning the siting, retention, expansion, or upgrading of a business. Motion seconded by Gibson and carried unanimously.

Invited guests remained for closed session. Haley motioned to return from closed session, seconded by Powell and carried unanimously. Upon return from closed session, doors were opened to the public and no action was taken.

Mayor Weathers introduced Greg Copley, University of Kentucky Center for Applied Energy Research, to discuss the Energy Savings Performance Contract proposal from Perfection Group. Mr. Copley explained the city advertised and reviewed proposals from two energy savings companies and negotiated a final proposal to present to the city. Mayor Weathers and Copley reviewed the proposed project, which includes upgrades to LED lighting in seven city buildings, retrofits to HVAC units in two buildings, and programmable thermostats. The total cost of the project is \$166,252. The company guarantees energy savings totaling \$110,828 over a 20 year period and additional operational savings of \$133,755 for total program savings of \$244,583 over 20 years. Mr. Haley stated the cost of the project for the Perry Street building is quoted at \$2,043 for 10 lights. He got a bid from someone else that would do the work for \$1,250. Copley reminded the council the energy savings under this contract are guaranteed and the first three years will be audited. If audits show the savings has not been met, then the company will pay the city cash for the guaranteed shortfall and are required to make repairs necessary to reach the guaranteed savings amount. It was suggested that the city use local contractors and do a few projects at a time. Mr. Case motioned to table this project until budget discussions for next year, seconded by Laster and carried unanimously.

Clerk Brock presented a proposal for a Recreational Trails grant project on behalf of the Elkton Pedestrian Plan Committee. The Committee has been meeting to discuss a dedicated walking and biking trail along Elk Fork Creek and they recommend a trail first be pursued on the city's Elkton Die Casting property. The committee feels that this should be the first phase of a recreational trail and when the public sees how well used it is it will encourage additional phases in the future. Brock presented a draft map of the trail and parking lot on the back portion of the Die Casting property and preliminary budget. The Recreation Trails program provides 80% grant money with 20% required local match. Amy Frogue answered questions about the application procedures. It was the consensus to cut the project back closer to the maximum funding project amount of \$125,000. Also, if the project is awarded, a deed restriction will have to be filed stating this property can only be used for recreational purposes in the future. Mr. Case motioned to approve Resolution 2018-04 authorizing and application for Recreational Trails Program and holding in reserves the required matching funds. Motion seconded by Haley and carried unanimously.

Frogue reported the utility crew inspected the Die Casting roof and reported many places where tar is dried and cracking, rotten wood and more. Haley suggested using a new product that is like liquid silicone that can be brushed on the roof to seal leaks. There was considerable discussion about safety concerns with city employees doing the roofing repairs. It was suggested that whoever leases the building could make the repairs. Mayor Weathers reported receiving a bid to run new plumbing to the office area restroom at a cost of \$2,700. Additional quotes are needed. The electrical inspector has looked at the building and all old and unused electrical wiring needs to be removed and the light bulbs need to be replaced with shatterproof bulbs. Mayor Weathers reported Jim Kirby with the Kentucky Department for Environmental Protection completed a Phase I study of the Die Casting building and reported the building and field outside the switchgrass area can be used for any purpose. Laster questioned when the city will stop spending money on the property. It was the consensus we need to keep the property until the walking trail and soccer field projects are complete. Frogue reported a quote to install an electric gate at the factory entrance would cost about \$8,000. It was decided to take no action on the gate. Frogue also reported several trees about to fall on the back fence, with a low bid of \$800 from Jordan's Tree Service to remove the trees. Also, the back fence already has damage due to fallen limbs with an estimated cost of \$1,625 to repair. Laster motioned to approve the bid of \$800 to remove the trees along the fence, seconded by Case and carried unanimously. Regarding the needed electrical and lighting work to pass inspection additional quotes will be solicited.

Clerk Brock reported bids were received last week for the resurfacing of South Streets Avenue and Airport Road. Two bids were received: Road Builders, LLC-\$71,440.00; and, Scotty's Contracting and Stone, LLC-\$61,425.00. Gibson motioned to approve the bid from Scotty's, seconded by Laster and carried unanimously. Gibson asked if Scotty's still plans to resurface Commerce Street. Frogue reported this project was bid out last year, however was delayed. Scotty's has indicated they need to inspect the road for additional damage before they can honor last year's bid.

Clerk Brock read first reading of Ordinance 2018-01, “AN ORDINANCE ENACTING AND ADOPTING THE THIRTIETH SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF ELKTON, KENTUCKY.” Powell motioned to approve, seconded by McReynolds and carried unanimously by show of hands.

Clerk Brock read first reading of Ordinance 2018-02, “AN ORDINANCE OF THE CITY OF ELKTON, KENTUCKY, PROVIDING FOR THE CREATION AND SALE OF A FRANCHISE FOR THE PRIVILEGE OF CONSTRUCTING, TRANSPORTING, OPERATING, MAINTAINING AND DISTRIBUTING NATURAL GAS ALONG AND UNDER PUBLIC RIGHT OF WAY WITHIN THE CITY OF ELKTON, KENTUCKY, FOR A TERM OF TWO (2) YEARS IN CONSIDERATION FOR WHICH, THE SUCCESSFUL FRANCHISEE SHALL PAY TO THE CITY AN ANNUAL SUM EQUAL TO 2% OF GROSS REVENUES; AND FURTHER ESTABLISHING A BID PROCEDURE FOR THE AWARD OF SAID FRANCHISE TO THE SUCCESSFUL BIDDER.” There was discussion regarding if 2% of gross revenues was sufficient. Mr. Luton suggested since this is a shorter two year term that is should be sufficient for now. Traugher stated he will make an adjustment in the ordinance so the city would not be required to publish the attached Franchise Agreement. Laster motioned to approve Ordinance 2018-02, seconded by McReynolds, and carried unanimously by show of hands.

Clerk Brock reported that she, Mayor Weathers, and Industrial Foundation President John Walton met to review the city’s Job Development Incentive Ordinance since a new industry is interested in applying. Clerk Brock presented and reviewed the proposed changes to the ordinance that will make the application process simpler. Case made a suggested change to the proposal to include “he and she” in the description of the committee members. There were no further recommendations and the amending ordinance will be prepared for the next meeting.

Mayor Weathers reported she contacted the cities of Guthrie and Trenton about partnering together on code enforcement and zoning and neither was interested. She also reported receiving a letter of resignation from Terry Frogue from the positions of Citation Officer and Zoning Administrator effective June 1, 2018. Frogue requested that Justin Moberly, who he has been training, be appointed to Citation Officer immediately so that he can begin issuing citations and performing inspections. As for Zoning Administrator, Frogue would like to assist Justin until June 1st. Haley motioned to appoint Justin Moberly as Citation Officer and Zoning Administrator, seconded by Gibson and carried unanimously.

Mayor Weathers reported that since the Todd County Community Alliance is dissolving there is no sponsor or entertainment for Bike Night this year. Brock reported the Alliance spent about \$3,000 on entertainment and advertising the event. Haley recommended contacting Harley Davidson of Bowling Green, who might be interested in setting up a few nights. All agreed Bike Night should continue even if we just play music over the speaker system, otherwise there will be no events in Elkton to bring people to town. And, everyone agreed the Welcome Center should be open each night. There was discussion of differing statements by restaurant owners stating Bike Night was the only time they made money and some saying Bike Night caused too much trouble. Case suggested the conversation was different at the tourism meeting when others stated nothing currently brings people to town and that Elkton is not a tourist destination and now we are arguing Bike Night brings in too many people to let it end. Mayor Weathers reiterated this was the purpose of trying to establish a tourism commission so that the necessary funds and staff are available to organize events for the citizens of Elkton, to bring more people to town and promote Elkton. She also stated the more we have going on in Elkton, the more likely people are to move here and more companies will want to locate here because we have good things going on. It was the consensus that the city continues Elkton Bike Night starting Thursday, May 3rd and ending Thursday, October 4th. Regarding HarvestFest, Brock reported the Alliance spent about \$7,000 to fund the event and brought in about \$3,500 in revenue. The Chamber is focused on getting organized right now and she is not sure they want to take on the event, nor will they have the funding. Brock will discuss with the Chamber to see if they would like to manage the event this year.

Case motioned to have council reports before going into closed session, seconded by Haley and carried unanimously.

COUNCIL REPORTS

Chief Atkinson reported that Keilo Jefferson graduated from police academy training in March and is doing a great job.

Frogue reported the city has \$75,000 in the budget for sewer extensions on B White Road and Pond River Road. As of today, \$24,000 has been spent on South Main Street extension to Blount Clinic, \$3,600 on Beckham Road with \$4,500 additional expense needed on South Main Street for a total of about \$32,000. The city has a request to extend the sewer about 750' on B White Road at an estimated cost of about \$54,000, which will put us over budget. Frogue stated the developer needs to know if he will be required to pay for his per foot cost of the extension as our ordinance now reads or will he just pay the current tap fee of about \$900 per tap as has been done for others in the past. Everyone agreed that the city can't continue to spend such money on sewer extensions, in this case \$54,000 with potential immediate tap fee revenue of only \$5,400 for three new duplexes. After discussion, Mr. Haley motioned to proceed with the B White Road sewer extension, seconded by Laster and carried unanimously. Furthermore, Laster motioned to charge the developers the current tap on fee for this project, seconded by Haley and carried unanimously.

Daniel Smith reported during recent testing of the emergency siren in Elkton, an issue with communications with dispatch has been resolved. Equipment approved for purchase with state aid money has been ordered. Construction of the new fire truck ordered last year is proceeding as planned.

Mr. Case reported the new concession manager John Chapman is operating at the park in a food trailer until the concession repairs can be made. Case also stated that on behalf of the Community House Board, he would like to thank the Utility Department employees for their assistance in moving an urn to the garden behind the Community House that was placed in memory of Marilyn Blount.

Gibson reported a problem with trash on the Square. Chief Atkinson reported they have discussed with those hanging out on the Square at night to not throw trash on the ground. They state they will take care of it and then there seems to be even more trash thrown on the ground. Ryan Craig suggested an ordinance not allowing loitering on the Square after a certain hour. Traughber suggested this might be the next step and to suggest this to those hanging out on the Square.

McReynolds reported and showed pictures of more damage from new graves being dug in the cemetery. Brock stated there has been communications with Todd County Funeral Home about the damage being done and suggested the next step was the city to take care of opening and closing graves. McReynolds also stated he spoke with Ashley at City Hall about Todd County Funeral Home not notifying the city about digging a grave. Brock stated they have received a Notice of Code Violation and the next step is a Citation.

MAYOR'S REPORT

Mayor Weathers reported the first pay request on the West Main Street Sidewalk Project with an invoice from McGhee Engineering in the amount of \$5,200. Haley motioned to approve payment of the bill, seconded by McReynolds and carried unanimously. Also included is a pay request from Knight Construction in the amount of \$43,132.28. Laster motioned to approve payment to Knight Construction, seconded by Powell and carried unanimously. Clerk Brock stated that after 18 days of the 90 day contract period about 47% of construction is already complete.

Laster motioned to go into closed session under KRS 61.810(b) for deliberations on the future acquisition or sale of real property, seconded by Powell and carried unanimously. Case motioned to go back into open session, seconded by Laster and carried unanimously. Upon return from closed session, doors were opened to the public and no action was taken.

Mr. Case motioned to adjourn, seconded by Mr. Laster and carried unanimously. Meeting adjourned at 10:00 pm.

Jackie Boyd Weathers, Mayor

Laura M. Brock, City Clerk/Treasurer