

Minutes: City Council Meeting
August 12, 2021
6:00 PM

The Elkton City Council met in regular session at Elkton City Hall, 71 Public Square, on Thursday, August 12, 2021 at 6:00 PM with Mayor Arthur Green presiding.

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

Others present: Jeff Traugher, legal counsel; Laura Brock, City Clerk/Treasurer; Robert Toombs, Chief of Police; Derrell Waggoner, Fire Chief; Daniel Smith, Assistant Fire Chief/Todd County EMS Director; Chris Orr, Public Works Director; Rick Harper, Bell Engineering; and, Kim Graham.

Mayor Green called the meeting to order at 6:00 pm. Council member Powell led the Pledge of Allegiance and Gibson led invocation.

After review, Laster motioned to approve the minutes of the July 8, 2021 city council meeting, seconded by Orr, and carried unanimously.

Mayor Green called for discussion of the bills payable and financial reports. Clerk Brock reported the city received the first payment of about \$275,000 for the American Rescue Plan funding in August. Clerk Brock also reviewed an unaudited summary of income and expenses for FYE June 30, 2021 for general, water and sewer funds. There were no questions and McReynolds motioned to approve the bills payable and financial reports, second by Gibson, and carried unanimously.

PUBLIC COMMENTS

Michael Case stated Yvonne Rundall wanted to be present tonight to discuss the West Main Street Flooding issue but was not feeling well.

Kim Graham, Superior Paint and Body business owner, stated she was once again present to request the city council not close B White Road.

REPORTS

Rick Harper, engineer with Bell Engineering, made his final presentation of the West Main Street Preliminary Flood Study. He reviewed several new options studied after the last meeting including a berm behind Mrs. Rundall's house, which would cause more flooding in other areas so could not be considered. Also, a new option to add to the existing culvert at a cost of about \$359,000 was found to decrease ponding in the area. After reviewing all options and cost, Harper stated that usually a cost analysis is considered comparing cost of making these repairs against the amount of the flood damage. There was no further discussion and Mr. Harper left the meeting.

Mayor Green stated he is planning on closing B White Road effective August 31, 2021 as legislated by the council. He has identified 12 agencies that need to be notified and he will notify all the residents on B White Road. The notice of closing will also be posted on the city's website and social media.

Council member Orr presented Ordinance 2021-09, "AN ORDINANCE REPEALING ORDINANCE NO. 2021-04, AN ORDINANCE CLOSING A PORTION OF B WHITE ROAD WEST OF ITS INTERSECTION WITH COMMERCE STREET PURSUANT TO KRS 82.405" and Clerk Brock read for first reading as requested. Orr motioned to approve the Ordinance after first reading, seconded by Gibson. There was discussion by Orr that there are other ways to make the area safer than closing the street and

several council members expressed concerns other citizens will want their roads closed. Powell and McReynolds stated they received many phone calls requesting the street not be closed. Case stated he felt voting for this ordinance is going back on their word to separate the apartments from B White Road residents. Voting in favor of the motion were McReynolds, Gibson, Powell, and Orr. Voting opposed were Case and Laster. Motion carried.

Mayor Green reported the Elkton Beautification Committee named Jimmy Shemwell as Yard of the Month for August.

Clerk Brock, who also serves on the Historic Todd County, Inc. Board, presented a request from HTC to bury a time capsule on the Historic 1835 Courthouse lawn, that will be opened during the 250th celebration for Todd County. Case motioned to approve the request, seconded by Orr, and carried unanimously.

ORDINANCES

Laster motioned to read the Summary of Ordinance 2021-07, "AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF ELKTON MODIFYING CITY WATER RATES AND FEE STRUCTURE," seconded by Orr, and carried unanimously. Clerk Brock read second reading of Ordinance 2021-07. Gibson motioned to adopt after second reading, seconded by Orr, and carried unanimously by show of hands.

Mayor Green presented a draft ordinance adjusting the compensation of the mayor and city council members. There was discussion these salaries would take effect with new terms of office on January 1, 2023 and considerable discussion about what the salaries should be. Mayor Green stated the council would need to come up with an amount and a sponsor for the ordinance if changes are to be made by May 2022. No decision was made at this time.

MUNICIPAL ORDERS

Municipal Order 2021-07, "MUNICIPAL ORDER ADOPTING THE CITY OF ELKTON INVESTMENT POLICY" was presented to the council. Mayor Green explained that updating the city's investment policy is the first step needed to allow the city to make new investments through the Kentucky League of Cities Investment Pool. The legislature updated the law several years ago widening the cities investment opportunities. The city currently receives about 0.3% interest rates on certificates of deposits and some of the rates of return with KLC range from 0.78-2.12%. After discussion, Case motioned to approve Municipal Order 2021-07, seconded by Laster, and carried unanimously.

Municipal Order 2021-08, "MUNICIPAL ORDER RE-APPOINTING JO GLOVER TO THE ELKTON CODE ENFORCEMENT BOARD" to serve another four-year term expiring July 2025 was presented to the council. Laster motioned to approve, seconded by Orr, and carried unanimously.

Municipal Order 2021-09, "MUNICIPAL ORDER RE-APPOINTING STEFANIE SHARP TO THE ELKTON CODE ENFORCEMENT BOARD" to serve another four-year term expiring July 2025 was presented to the council. Laster motioned to approve, seconded by Orr, and carried unanimously.

RESOLUTIONS

Resolution 2021-07, "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 \$43,050 FOR THE RESURFACE VARIOUS CITY STREETS PROJECT" was presented. Orr motioned to approve Resolution 2021-07, seconded by Laster, and carried unanimously.

Resolution 2021-08, "AUTHORIZING PARTICIPATION IN THE "KENTUCKY LEAGUE OF CITIES INVESTMENT POOL PLUS" was presented and Mayor Green explained this authorizes the city to invest funds through the KLC Investment Pool. Case asked about the investment opportunities and requested the city council be able to consider and approve the investments. Case motioned to approve Resolution 2021-08, seconded by Laster, and carried unanimously.

Resolution 2021-09, "RESOLUTION DECLARING SEPTEMBER 2021 AS CITY GOVERNMENT MONTH" was presented and Mayor Green stated he will be sending a letter to the schools with additional information about city government and offering to visit the schools to discuss city government. Laster motioned to approve Resolution 2021-09, seconded by Orr, and carried unanimously.

Mayor Green reminded the council the city accepted bids last year for the sale of the city's property on South Perry Street which included a restriction to remove the existing garage building and all bids were rejected. Mayor stated he is still receiving inquiries about purchasing the property and asked if the council would want to advertise the property for sale again with the only restriction being to follow the city's current zoning regulations. After discussion, Laster motioned to declare the property on South Perry Street surplus and advertise it for bid with the only restriction being to follow the current zoning regulations, seconded by Orr, and carried unanimously.

Mayor Green reported that Judge-Executive Todd Mansfield will be presenting a proposal to Fiscal Court to pay for half the cost of recycling through Hopkinsville Solid Waste, which estimates the cost to be about \$100 every two weeks.

Clerk Brock presented a proposal from Thurman Campbell Group to prepare the audit for FYE June 30, 2021 and Uniform Financial Information Report at a cost of \$18,000, the same cost as the last two years. McReynolds motioned to accept the proposal, seconded by Powell, and carried unanimously.

Mayor Green reviewed the 2021 property tax rate calculations and stated looking back on historic rates the city has only generated an additional \$35,000 in revenue over the last twelve years because it has not adopted the 4% rate and has been keeping the rate basically the same. According to the calculations, the 2021 compensating rate of \$.244 per \$100 assessment would generate about \$2,722 over last year and the 4% rate of \$.253 per \$100 would generate about \$9,669 in additional revenue. Also, adopting the same real property tax rate as last year, \$.249 per \$100 assessment will generate about \$6,588 over last year. After discussion, Case motioned to keep the same real property tax rate as last year, seconded by Powell, and carried unanimously. Brock stated that since the same rate as last year is more than the compensating rate, the city will have to advertise and hold a public hearing.

ATTORNEY REPORT

Traughber reported proceeding with filing foreclosure on property located at 310 North Main Street due to delinquent code enforcement liens. Also, he is beginning the process to file foreclosure on 720 West Main Street due to delinquent property taxes and code enforcement liens. Traughber called for any opposition to proceeding with both cases and there was none.

DEPARTMENT REPORTS

Derrell Waggoner reported Ensign Electric stated the new generator for the Fire Department will be shipping next week. Waggoner is working on quotes to build an additional bay on the Fire Department.

Mayor Green thanked the Fire Department and Police Department for their work on the two hydrant spray down and lunch with a cop events held at the park that were very successful.

Police Chief Robert Toombs reported 469 calls for service last month with 11 alcohol related incidents. Toombs reported he is working on getting quotes to install cameras on Public Square. Also, Chief Toombs

has requested the radar speed check trailer from the Highway Department to be used in Elkton for about two weeks. The city has been advertising to hire a new police officer and only three applications have been received so far, with all being non-certified. Chief Toombs stated the city will probably need to hire someone and send them to training to become certified.

Chris Orr reported water loss is down in the city from 46% earlier this year to 14% last month. Phase II of the Sewer System Improvements Project continues to be delayed due to hitting rock during road bore of Allensville Street. Phase III of the project was scheduled to bid in early August, however there were no interested bidders. Therefore, the bid date was extended to August 24, 2021 and several terms of the contract, including one allowing more time to receive supplies was made and now there are several companies interested in bidding the project. Orr reported Charlie Riley will be retiring from the city on August 31st. Dalton Taylor has been hired as a new Maintenance Worker and will begin August 16th.

Mayor Green reported the Elk Fork Bridge had its annual inspection by the state and passed. He reported he is still working on funding to get the bridge and street repaired.

Mayor Green distributed a code enforcement and zoning report prepared by Megan Willenborg.

CITY COUNCIL CONCERNS

Case asked if the council had any opposition to the cameras being proposed on the Square and there was none.

MAYOR'S REPORT

Crosswalks on Public Square will be scheduled to be repainted as the roads are resurfaced. Highway 68 East has been bid and approved for resurfacing by the state probably next year. Highway 68 West will probably be bid later this year or early next year and hopefully completed by the end of next year.

The Pennyrile Area Development District Annual Dinner Meeting will be held Monday, September 13th and Mayor reminded everyone to send in their RSVP by August 27th.

DATES TO REMEMBER

Dates of upcoming events including free summer concert, Cruise in and movie night were discussed. Mayor reminded everyone HarvestFest has been moved to Saturday, September 25th.

Case motioned to adjourn, seconded by Laster, and carried unanimously. Meeting adjourned at 7:36 pm.

Arthur Green, Mayor

Laura M. Brock, City Clerk/Treasurer