CITY OF TAYLORSVILLE
CITY COMMISSION
REGULAR MEETING

November 1, 2011

The City of Taylorsville City Commission held its regular meeting on Tuesday, November 1, 2011 at 5:00 p.m., at the City Hall Annex.

Present were:
Don Pay, Mayor
Beverly Ingram, Commissioner
Kathy Spears, Commissioner
Larry Waldridge, Commissioner
Nathan Nation, Commissioner

Staff present:
Steve Biven, City Clerk
Harold Compton, Public Works Director
Toby Lewis, Police Chief
John D. Dale, Jr. City Attorney
Lisa Ware , Co-Treasurer

Item #1
Mayor Pay **called the meeting to order** at 5:00 p.m. He recited an opening prayer and also led in a reciting of the Pledge of Allegiance.

Item #2 ***Consent Calendar***
Motion was made by Commission Nation and seconded by Commissioner Waldridge to approve the Consent Calendar. Motion carried with a vote of 5-0.

Item #3 ***Committee Reports***

a) Engineering Reports (Sisler-Maggard Engineering, PLLC)

i) Kevin Sisler reported that all the sludge has been removed from lagoon #1. The new pump station is ready to go. The manhole will be set tomorrow, November 2, 2011. Since all the sludge is gone, the liner needs to be repaired. They are also working on cleaning up.

ii) Sanitary Sewer Evaluation Update- Sisler-Maggard will be delivering the SSES to Division of Water on Monday, November 7, 2011. Mr. Sisler gave the board the cost estimates totaling $1,167,000 and explained each item. A cost saving can be found by doing some of the work with city personnel. The agreed order allows a three year time frame to complete. Another meeting with the Commission will be scheduled to review the plan in further detail.

Mr. Sisler stated that the Highway 44 sewer line, which is going to pick up Settler's Trace Grocery, is out to bid. Those bids will be opened November 16, 2011. We already have 21 plan holders.

iii) Main Street- Mr. Sisler has been working with Jay Armstrong trying to get him on site to switch over electric service. Mr. Armstrong informed Mr. Sisler that he will not be able to get bonded, so Mr. Sisler has once again bid out the project and those bids will be opened on November 21, 2011. Plans are currently with the Historical Society, should hear from them this week. They are still waiting on AT&T to reroute their lines.

iv) Cemetery - Joe Sisler with Sisler-Maggard Engineering was present to give the Cemetery Update. The Cemetery survey is complete. The description should be to Mr. Dale in the next week or so. Mr. Sisler explained what they found out when they did the survey and that the boundary line was at the top of the ridge at the entrance. Mr. Dale will file a Deed of Correction and develop an easement.

Survey work with the city boundaries and annexation ordinances is almost complete. The survey of the Marathon property is also being developed.

Mr. Compton gave an update on the plans for resolving the issue with Mr. Howard Jewell's property at the cemetery. Mr. Sisler is going to get a cost estimate on a block wall. A determination still needs to be made concerning the distance that the City is going to fix. Mr. Jewell asks to be reimbursed approximately $3,000, for loss of rent on the property since he cannot rent it out until repairs are made. He was asked to make a claim with the insurance company.

b) Main Street (Gordon Deapen)

Mr. Sisler and Mr. Deapen have met to discuss the ditch across from City Hall. Mr. Deapen stated that they discussed the intent on keeping some of the trees at the site. He would like to take some pictures and bring those back to the commission to discuss.

Cara Lewis, President of the Chamber, was present to discuss the Christmas on Main Street and the Homes Tours. Mrs. Lewis asks that Mr. Deapen continue the discussion. The Main Street Committee has asks to close the streets from Jefferson to Washington. Those streets would be closed from 2:30 to 6:30 p.m. Chief Lewis is going to look into the encroachment permits needed to close the streets.

Motion was made by Commissioner Nation and seconded by Commissioner Waldridge to allow the Main Street Committee to close the roads for Christmas on Main Street. Motion carried with a vote of 5-0.

Mr. Deapen brought the commission up to date on the City's Re-Certification. He is not comfortable with where the City is on this issue. The committee has until the first of the year to get this issue resolved.

Mr. Deapen also handed out an unofficial financial report. The Committee has agreed to accept the Citizen Union Bank balance of the last three months as a starting point

Clerk Biven stated that the City was going to redo their contract with Main Street to include the name of the new Main Street Manager. He also stated that the Chamber required renters insurance. Mr. Deapen said that he did not expect the City to pay the insurance. Clerk Biven also ask the commission if they were ok with Main Street not doing an audit. Mr. Deapen said that the committee would be more than willing to have an audit done if the City Commission would like for them to. Commissioner Nation suggested that if the commission was wanting an audit, that the City should pay for it. Commissioner Ingram said she was satisfied with what Mr. Deapen had presented.

Item #4– ***Public Comments***

a) Kent Stevens – Mr. Stevens and his two brothers, are property owners on Main Street and they are concerned that some property owners were not notified about the Main Street project. He is concerned over the right-of-way of his property which is located at the corner of Main and Jefferson Streets. Mr. Sisler stated that he did not contact any of the property owners. Mr. Deapen stated that the Main Street Committee should have contacted the owners and not Mr. Sisler. Mr. Stevens and Mr. Sisler are to get together to discuss the issue. Mr. Stevens stated that he and his family would prefer that the right-of-ways be left as they are.

b) Lawrence Tragesar – Mr. Tragesar was not present.

Item #5)-O***ld Business***

a) Cemetery Update- Update was given early in the meeting.

b) Fairgrounds water line/fire hydrants – Commissioner Nation stated that he had spoken with Judge Karrer about this issue. It was on the agenda for Fiscal Court Meeting to be held on Monday, November 7, 2011. Judge Karrer stated that he thought the county would pay for the water line to be run and then there would be discussion on giving the City an easement.

c) Salt Building – Mr. Compton ask if the City wanted to buy the salt in bulk or in bags. If it is purchased in bulk, the city would need to build or purchase a building to store it in. Some of the equipment could be stored in the building with the salt. **Motion was made by Commissioner Waldridge and seconded by Mayor Pay to purchase one building to store salt in with a price limit of $10,000. Motion carried with a vote of 5-0**

d) Pot Holes Update – Mr. Compton brought the commission up to date on the pot hole issue. He met with Mac Construction and showed them where repairs needed to be made. Money will come from both the General Fund and Water/Sewer Fund.

e) Other – There was no other old business at this time.

Item #6 - ***Road Bonds - Julie Sweazy – Spencer County Planning and Zoning***

Mrs. Sweazy explained to the commission what the difference is between a Road Bond and a Letter of Credit. They have the same principals. It is money that has been set aside to guarantee those improvements to be completed. A Letter of Credit is generally issued by a banking firm and a Bond is issued by insurance agencies. Mrs.

Sweazy sends a thirty day notice to people stating that their bond or letter of credit is about to expire, and asks if they want to renew. Mrs. Sweazy is to let the commission know when there is a bond or a letter of credit coming due. Clerk Biven is to send a letter to the developers of Early Wyne about their Letter of Credit coming due in December 2011. There will be a meeting on November 10, 2011 at 5:00 p.m. with the developers of Early Wyne to review this issue further.

Commission recessed at this time.

Item #6) – ***New Business***

a) Department Reports

i) **Financial Report**- Randy McConnell

Mr. McConnell was not present to give the financial reports. Clerk Biven did state that the health insurance premiums for 2012 increased by less than 2% for next year.

ii) **Utility**- Harold Compton

a. Water

1) Truck Bids – Bids were opened for the trucks. **Motion was made by Commissioner Nation and seconded by Commissioner Waldridge to accept the highest bids on the trucks. Motion carried by a vote of 5-0.**

b. Sewer

1) Connection Fees for Non-Residential Users- Mr. Dale explained that the changes were on the back page of the Ordinance. Clerk Biven read section 10 of the Ordinance. The commissioner stated that they wanted to change the wording where it states that the Ordinance "shall" be adjusted annually to read the Ordinance "may" be adjusted annually. Mr. Dale stated that this would serve as the first reading of the Ordinance, no vote required. Mr. Compton stated that section 11 was already in policy.

Mr. Compton explained that Mike Kelien will be gone 66 days on Military Leave. Mr. Kelien's orders will not come all at one time they will be coming as an order by order basis. Clerk Biven and Mr. Compton to come back to the commission with a recommendation, job description and job duties for a part time as needed person.

iii) **Public Safety** – Chief Toby Lewis

a. Police

Chief Lewis stated that at the last 911 meeting there was discussion about the problems with the police radios. Commissioner Nation has had the radio people out to look at things and there is still a problem. They believe it is with an antenna. They feel that antenna will have to be replaced. The next 911 meeting will be November 9, 2011 at 10:00 in the Fiscal Court Room.

Spencer County has received a $36,000.00 MDT Grant. Hopefully this grant will be enough to finish out buying the rest of the MDTs needed for all the departments.

There are some issues with proper home addresses in the county. Commissioner Nation and Chief Lewis are looking in to this.

There will be a Nationwide Emergency alert test on November 9, 2011 at 2:00 p.m.

Chief Lewis stated that the department is still providing off-duty security for IMI. It is starting to get colder and he would like to know how much the City wants to charge IMI for the fuel used in the patrol cars while the officer is sitting. The officers have to start their cars up to stay warm. Chief Lewis stated it is starting to eat away at what the City budgeted for fuel. The commission wants Chief Lewis to bring back some off-duty policies pertaining to this issue.

Trick or Treat on Main Street went very well.

Block watch sign for Old South Plantation should be here within the next three weeks.

Chief Lewis asks if any of the commissioners had any questions about his stats sheet. Commissioner Spears wanted to see all the totals broke down on the stat sheet. Commissioner Nation suggested that the City Police needs to have an agreement with the Sheriff's department on when and what our officers will respond to. The county does not have 24/7 coverage and most of the calls after midnight are being made by the City Officers. Commissioner Spears is concerned about the safety of our officers and that they are leaving the City unprotected. Chief Lewis is going to look at the issue and develop a Mutual Aid Agreement.

b. Fire – Chief Nathan Nation

1) Unsafe Structure Update – A list of some of the unsafe structures was in the commissioner's packet. Chief Nation stated that there was a big problem with rental homes in the City.

iv) ***General Government***

a) Streets

1) Road Bonds – This subject was discussed earlier in the meeting.

2) Blue Bridge – The county passed a resolution to repair the old blue bridge. Mayor Pay explained what the resolution stated. **Motion was made by Mayor Pay and seconded by Commissioner Ingram to pass a Resolution to repair the Blue Bridge. Mayor Pay, Commissioner Spears, Commissioner Ingram and Commissioner Nation voted in favor. Commissioner Waldridge opposed. Motion carried by a vote of 4-1.**

b) Other New Business – Jan Kehne has sent a letter enforcing a city Ordinance, to the property owner and the tenant across from the church on Main Cross at Garrard

Street. There is an abandon vehicle that has been parked half way in the road way and half way on the property. The owner has to move the vehicle or it will be towed. Chief Lewis stated it could cost from $95.00 to $100.00 to have it towed. **Motion was made by Commissioner Nation and seconded by Mayor Pay to issue another letter to the vehicle owner that they have 7 days to remove the vehicle or the City will have it towed. Motion passed with a vote of 5-0.**

The annual Employee Appreciation Dinner at Cattlemen's in Shelbyville on December 12, 2011 at 6:30 p.m. was approved.

Item#7) - ***Legal – John Dale***

a) Meeting Conduct Procedures- Mr. Dale handed out copies of Louisville's Meeting Conduct procedures. The commission is going to look at Louisville's procedures.

Item #8) ***Elected Officials Comments*** – Mayor Pay mentioned Christmas on Main Street will be December 3, 2001.

Clerk Biven mentioned that there will be a KY Highway 44 corridor meeting on November 14, 2011 from 2:00 – 3:00 p.m. and from 5:00 – 7:00 p.m.

ADJOURN TO EXECUTIVE SESSION

Item #9) **Motion was made by Commissioner Waldridge and seconded by Commissioner Ingram to adjourn to Executive Session under provisions of KRS 61.810(1) (b) Deliberations on the future acquisition or sale of real estate property by a public agency (c) Discussion of proposed or pending litigation against or on behalf of the public agency (f) Discussion or hearings which might lead to the appointment, discipline, or dismissal of an individual employee. Motion carried with a vote of 5-0.**

RETURN TO OPEN SESSION

Item #10) **Motion was made by Commissioner Spears and seconded by Commissioner Nation to return to Open Session. Motion carried with a vote of 5-0.**

Item #11) **Motion made by Mayor Pay and seconded by Commissioner Nation to have the city attorney file a petition for rehearing on the Highview Lawsuit with his fee determined on a contingency basis. Motion carried with a vote of 5-0.**

Item # 12) **Motion made by Commissioner Spears and seconded by Commissioner Waldridge to advertise for a part time Customer Service Representative. Motion carried a vote of 5-0.**

ADJOURN MEETING

Item #13) – **Motion was made by Commissioner Nation and seconded by Commissioner Spears to adjourn the meeting. Motion carried with a vote of 5-0.**

Don Pay, Mayor

Stephen A. Biven, City Clerk