CITY OF TAYLORSVILLE
CITY COMMISSION MEETING

April 2, 2013

The City of Taylorsville City Commission held a Regular meeting on Tuesday, April 2, 2013 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor
Beverly Ingram, Commissioner
Kathy Spears, Commissioner
Ellen Redmon, Commissioner
Jack Proctor, Commissioner

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

Item #1
Mayor Pay called the meeting to order at 5 p.m. and asked the group to join him in a brief moment of meditation followed by a recital of the Pledge of Allegiance.

Item #2 – ***Consent Calendar***
Motion made by Commissioner Proctor and seconded by Commissioner Spears to approve the Consent Calendar. Motion carried 5 – 0.

Item #3- ***Comments by the Mayor***
Mayor Pay reported that Main Street was going to have a meeting on April 3, 2013 at 6:30 for a presentation on the mechanics of what it takes for a successful Main Street. Everyone is invited to attend.

Mayor Pay stated he has spoken with the Mayor of the City of Midway He reported that he had spoken with Mayor Bozarth asking him about some of the obstacles, hoops and stumbling blocks that the City may face going from a 5th Class to a 4th Class City.
Mayor Bozarth also mentioned that in August, KLC and KCO would be having a joint ABC training session in Louisville. More information should be on the Kentucky League of Cities website.

Item #4 – ***Taylorsville Drainage Project*** (Mike Draper, DLZ)
Mr. Draper explained the contract modification to the Taylorsville Drainage Project, changing the original proposal from the certification of the floodwall, to now being defined as a drainage

project for the Houston Ct. area. DLZ has been trying to get a conditional concurrence with the Army Corps of Engineers. The Corps requires a physical survey of the stream to determine whether they or the Division of Water has jurisdiction for the project. The contract modification is for an increase of $11,630 to perform the field survey of the stream and to hopefully obtain a permit application. This new work would increase the preauthorized amount to $44, 793, which would be eligible under the reimbursement process described by FEMA. The total contract amount now is $147, 721. **Motion was made by Commissioner Procter and seconded by Commissioner Redmon to approve the additional $11,000 and to approve the new overall contract modification. Motion carried 5-0.**

Item #5 - ***Committee Reports***

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

Kevin Sisler was not present. Clerk Biven stated that there was an advertisement in the commissioner's packet for the bid on the Highview Project - paving, curb and drainage structure improvements. The ad will be in the Spencer Magnet starting April 3, 2013. The bids will be opened on Friday, April 12, 2013 at 11:00. The City has spoken with James Allen Tipton about placing gravel in the undeveloped portion. Mr. Dale will need to draw up a Memorandum of Understanding for Mr. Tipton to sign.

b) Main Street (Gordon Deapen)

Phyllis Williams stated that Gordon Deapen had turned in his letter of resignation as Main Street Manager as of April 30, 2013 and that action was required to be approved by the commission. **Motion was made by Commissioner Proctor and seconded by Mayor Pay to acknowledge that the commission has received Mr. Deapen's resignation and motioned that it be rejected and sent back to him**. After trying to persuade Mr. Deapen to stay as Main Street Manager**, Commissioner Proctor withdrew his motion and Mayor Pay withdrew his second. Motion was made by Commissioner Redmon and seconded by Commissioner Proctor to accept Mr. Deapen's resignation. Motion carried 5-0.**

The committee recommended Jan Deigl for the position of Main Street Manager. Clerk Biven recommended that the committee advertise for the Main Street Manager position. The deadline for accepting resumes would be April 30, 2013. **Motion made by Commissioner Ingram and seconded by Commissioner Spears for the City to advertise for the Main Street Manager's position using the job description that was given to Commissioner Ingram by the State Main Street Committee. Commissioner Spears, Commissioner Redmon, Commissioner Ingram and Commissioner Proctor voted in favor. Mayor Pay opposed. Motion carried with a vote of 4-1.**

The Main Street committee added two members at its meeting held on March 14, 2013. **Motion was made by Commissioner Spears and seconded by Commissioner Ingram to accept Lois Platt as voting member and Jan Deigl as a voting member and the secretary of the Main Street Committee. Motion carried 5-0.**

Commissioner Ingram stated that she has spoken with the Department of Transportation and there would have to be an amendment to Phase 2 to include these projects before there could be

anything else done. Mrs. Williams asks what had been submitted because on their original plan they had some of these items that had been eliminated. Commissioner Ingram read a letter from the State saying: "The Main Street group has a list of things they would like to use the remaining funds for, including banners and brackets." Their response is "these were on the original list of items approved by the award but were listed as items to be donated by Eagle Signs." They also stated that "there is no fencing on final design plan, although there is some fencing referenced on an early list of items". Commissioner Ingram also asked about the clock. Their response to this was "it does not appear anywhere that there was a clock on the list." Therefore the clock would not be eligible for reimbursement. Commissioner Ingram feels that if the committee and the commission can get everything together, with the prices, submits the information and asks for an amendment to Phase 2, then they could possibly be reimbursed.

Motion was made by Commissioner Spears and seconded by Commissioner Ingram to have the City pay the additional $300 to complete the Phase I banners once the design have been approved provided that the banners can be purchased for both Phase I & Phase II. Motion carried 5-0.

Motion was made by Commissioner Spears and seconded by Commissioner Ingram to amend Phase II design to include the items discussed: fencing, banners, landscaping, etc. Motion carried 5-0.

Motion was made by Commissioner Ingram and seconded by Commissioner Redmon to approve Mr. Deapen's hours. Motion carried 5-0.

Commissioner Ingram stated that she would like to go over the Main Street minutes and revise them; since they are sent to the State. She stated that they need to be worded more professionally and positively.

Motion was made by Commissioner Ingram and seconded by Commissioner Spears to receive copies of all the Main Street bank statements from year 2009 until current. Commissioner Ingram and Commissioner Spears voted in favor. Mayor Pay, Commissioner Proctor and Commissioner Redmon opposed. Motion failed 3-2

Item #6 - ***Public Comment***

a) Judy Shircliffe was present to discuss the removal of the entrance at 95 East Main Street. Ms. Shircliffe stated that she would continue her effort to have the entrance reopened.

b) John Shircliffe was not present.

c) Donna Jewell was not present. Mr. Compton explained this issue to the commission. Ms. Jewell had a leak and her bill was approximately $511 and she stated that it was not correct. Mr. Compton offered Ms. Jewell a discount on her bill of $330.19 for the time the City knew there was something wrong. Mr. Compton recommended that Ms. Jewell pay for the $330 that was prior to the problem. **Motion was made by Commissioner Proctor and seconded by Commissioner Ingram to accept Mr. Compton's recommendation to have Ms. Jewell pay the $330.19. Motion carried 5-0.**

Item #7 - ***Old Business***

a) 4th Class City Issues

Clerk Biven asks the commission if there was any preparation that the staff needed to do prior to the City becoming a 4th Class City.

Item #8 – ***New Business***

a) Department Reports

Financial Report –Mr. McConnell, City Comptroller provided commission with a Cash Analysis Report and Overtime Report. The City is fully collateralized at all three banks. The General Fund Balance Sheet and Income Statement were also provided.

Revenues: Year to date Property Taxes is $144,517 net of discounts. Year to date Insurance Premium Revenue is $128,388. Year to date Occupational License receipts are $190,498. Year to date Business License Receipts are $20,313. Year to date Unloading License receipts are $7,750.

Expenses: Year to date Street Repair and Maintenance Expenses is $27,831. Total budget for FY2013 is $37,851. Year to date expenses related to the Main Street Phase II Project are $249,264. Year to date Unsafe Structure Expenses is $1,800. Police overtime is $4,768 over budget and is offset by a reimbursement of $4,283.

Water and Sewer Balance Sheet and Income Statements were provided for commission. The year to date water revenue is $2,573,970 which is $66,030 under budget. Year to date meter set revenue of $55,500 is $21,000 under budget. Year to date Sewer Revenue of $248,664 is $15,336 under budget. Year to date Sewer Impact Fees of $15,000 are $12,000 under budget.

Expenses: Year to date Maintenance and Repairs Water is $18,537 over Budget for Plumbing charges to relocate meters and various street cuts. Year to Date Louisville Water Expense of $747,859 is $107,141 under budget. The Road Aid Fund balance is currently $106,365.

Mr. McConnell scheduled a budget meeting for April 18, 2013 at 5:00 P.M.

Audit Bids have been received. The city received three bids. Comptroller McConnell has contacted references from each firm. Peercy and Gray, PSC bid was in the amount of $12,000 per year for the next three years. Mountjoy Chilton Medley LLP bid was in the amount of $15,000 per year for the next three years and Henderman, Jessee & Company, PLLC bid was in the amount of $14,500 per year for the next three years. **Motion was made by Commissioner Proctor and seconded by Commissioner Redmon to authorize Clerk Biven and Comptroller McConnell to interview the auditors and bring a recommendation back to the commission. Mayor Pay, Commissioner Proctor, Commissioner Redmon and Commissioner Ingram voted in favor. Commissioner Spears opposed. Motion carried 4-1.**

Commission recessed at this time.

Mayor Pay introduced Stacy Rockaway with Congressman Thomas Massie's office. Ms. Rockaway addressed the commission. She told the commission that on April 5, there would be a town meeting in Crestwood. April 27th in Northern Kentucky they are hosting Academy Day for high seniors interested in joining the military and on May 31st there will be Veterans town hall meeting in Northern Kentucky.
Ms. Rockaway stated that Congressman Massie would be more than helpful in signing a letter of support of any grants that the City may be seeking.

Public Safety
Police – Chief Toby Lewis reported that the schedules are in the commissioner's folder. The radio repeaters are in place. The mobile radios have been programmed. There was an issue with one of them but Chief Lewis stated that Motorola is going to take care of the problem. Chief Lewis demonstrated the difference the analog radios and the digital radios. Chief Lewis radioed Officer Wills, located in Shelbyville and Lt. Jewell, who was located in Taylorsville at the time. You could clearly hear the difference between the two.

Chief Lewis stated that the contract for the School Resource Officer has been sent back from the school with a few changes. Chief Lewis said the training classes are full at this time, but Kentucky State Police have stated they may have to add a class for this training.
Commissioner Proctor is still concerned that the City's insurance policy is deemed primary coverage if the officer is working for the schools. Chief Lewis stated that the officer is acting in a law enforcement capacity. More discussion followed.

Fire – Chief Nation stated that fire hydrant testing would start soon.
In giving an update on unsafe structures, Chief Nation stated there does not appear to have been any progress made on 57 Jefferson Street. Chief Nation stated he tried to reach Ms. McKinley but was unsuccessful. More discussion followed.

Claude Owen contacted Chief Nation about the old water plant. Mr. Owen feels that he had done what the commission had asked him to do. There are still things that need to be addressed. Discussion followed. Clerk Biven is to contact the Corp of Engineers, EPA, Division of Water and the Floodwall Commission about this issue.

There is an old shed at 113 Maple Avenue that needs to be removed. Chief Lewis was told that the property belongs to Robert Yates. Christina Hughes, the person living at the residence, told Chief Lewis that Mr. Yates was going to tear down the old shed. Mr. Yates plans on having the shed down by the middle or end of the week. Chief Lewis stated he has not seen any progress on that being done. The City is to proceed with a letter to Mr. Yates if the shed is not down by noon on Friday.

Chief Nation stated that he and Davis Lee Downs had met with Mr. Dale pertaining to the Mock House at 102 Garrard Street. Mr. Downs has tried to contact Susan Johnson about the property but has not received a response. The building is not secure. Mr. Dale stated the City could acquire by Eminent Domain or the Unsafe Structure Act. Discussion followed. Mr. Dale is to gather information on the Eminent Domain and bring it back to the commission. **Motion was**

made Commissioner Ingram and seconded by Commissioner Spears to acquire the property at 102 Garrard Street through Eminent Domain. Motion carried 5-0.

Utility

Water – Harold Compton, Public Works Director, stated that the large quantity of pipe previously discussed with the commission had been delivered.

Sewer – The sewer jetter should be delivered next week.

The Dump Truck will be advertised in next week's Spencer Magnet.

There was discussion about the color of the new dump truck. The price of the original cost verbally was $2,200, but when he received the written quote it was $3,700. Mr. Compton has checked with Jim Williams of Williams Body Shop and the cost to have it painted the same color as the rest of the fleet would be $2,200. The commission asks Mr. Compton to see if he could get some more quotes.

Streets – Mr. Compton stated that the sidewalks covered under the grant are almost complete. There is approximately 153 feet of sidewalk still requiring work; from the vacant lot on Main St. to Water Street, and from Garrard Street to the bridge. Further repairs would not be covered under the grant. **Motion was made by Commissioner Ingram and seconded by Commissioner Spears to finish the sidewalks up to Water Street at an approximate cost of $1,200 to $1,500. Motion carried 5-0.**

Clerk Biven stated that the boundaries on Maple Street needed to be located. Mr. Compton needs to get an understanding of the drainage situation on Maple. The commission discussed possibly having a public meeting with the homeowners

General Government

There was no new business for general government.

Other New Business

There was no new business at this time.

Item #9 – ***Legal (City Attorney)***

Mr. Dale stated that Pin Oak has been foreclosed on and they have sold 130 acres.

Item #10 – ***Elected Official Comments (Mayor & City Commissioners)***

Commissioner Ingram would like for Planning and Zoning to give the commission copies of permits that they issue and the minutes from their meetings.

Commissioner Proctor stated he had spoken with Dennis Fredrick about the bowling alley.

Item #11 – ***Adjourn to Executive Session***

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

Item #12 – ***Return to Open Session***

Motion was made by Commissioner Ingram and seconded by Commissioner Spears to return to open session. Motion carried 5-0.

Motion made by Commissioner Redmon and seconded by Commissioner Spears to approve leave without pay for Roxann Thompson from Thursday March 28th thru Wednesday April 3rd with the understanding that only 4 hours of leave were required for Good Friday on the 29th. Motion carried 5-0.

Item #13 – ***Adjourn Meeting***

Motion was made by Commissioner Spears and seconded by Commissioner Redmon to adjourn. Motion carried 5-0.

Don Pay, Mayor

Stephen A. Biven, City Clerk