

**CITY OF TAYLORSVILLE  
CITY COMMISSION  
REGULAR MEETING**

**February 7, 2012**

The City of Taylorsville City Commission held a Regular meeting on Tuesday, February 7, 2012 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor  
Beverly Ingram, Commissioner  
Nathan Nation, Commissioner  
Kathy Spears, Commissioner  
Larry Waldrige, Commissioner

Staff present:

John Dale, Jr. City Attorney  
Steve Biven, City Clerk  
Harold Compton, Public Works Director

Randy McConnell, Comptroller  
Toby Lewis, Police Chief  
Roxann Thompson, 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 Spears and seconded by Commissioner Waldrige to approve the Consent Calendar for November, 2011 with a correction to a suggestion given by Commissioner Ingram at January 3<sup>rd</sup> meeting. The January 3<sup>rd</sup> minutes reads, “that everything be resolved 30 days prior to the due date”. It should read, “everything be resolved 90 days prior to the due date”. Motion carried 5-0.**

Item #3 – *Committee Reports*

**a) Engineering Projects (Sisler – Maggard Engineering PLLC)**

Kevin Sisler reported that the Wastewater Treatment Plant is up and running. A meeting has been scheduled for February 16, 2011 with Rural Development to close on this project. A punch list has been made for the contractor which consists mainly of dress up work.

Mr. Sisler stated that the bids taken on the Highway 44 Sewer Line Extension Project were all over budget which resulted in changing the design and bringing the depth of the lines up to avoid the rock. After the project was rebid the lowest bid received was from Salmon Construction at \$208,730.12. Sisler-Maggard Engineering firm evaluated all bids and prepared a “Bid Tabulation”. The firms’ recommendation is to award low bidder, Salmon Construction, Inc.

**Motion was made by Commissioner Nation and seconded by Commissioner Spears to approve the recommendation given by Sisler-Maggard Engineering and award the low**

**bidder Salmon Construction**. **Motion carried 5-0**. A public meeting was scheduled February 23, 2012 at 5:00pm at the City Hall Annex to address questions and concerns of area residents. Letters will be mailed out to the residents and a notice published in the Spencer Magnet of the meeting.

In giving a SSES update Mr. Sisler informed the commission that he and Harold Compton, Public Works Director met with the Division of Water and the Department of Plumbing Enforcement concerning sewer issues on Mill Hill. Mr. Sisler said that the Division of Water will send a letter addressing these issues.

Joe Sisler, Sisler-Maggard Engineering, met with the Secretary of State and compiled a map of city boundaries. City Attorney Dale returned with the annexation documentation but was told that they needed each piece of property to stand on its own. A copy of the Ordinance, Resolution, plat and certification for each property was also needed. **Motion was made by Commissioner Nation and seconded by Mayor Pay to adopt a Resolution in regards to Ordinance #83**. **Motion carried 5-0**. **Motion was made by Commissioner Nation and seconded by Mayor Pay to adopt a Resolution in regards to Ordinance #89**. **Motion carried 5-0**.

Power-Tel is changing out the electrical services on Main Street and should have everyone changed over by next Tuesday. Harold Compton, Public Works Director is preparing to relocate the water meters on Main Street to the back side of the businesses. Mr. Sisler added that once they begin tearing out the sidewalks the electrical poles will come down and there will be no street lights for a period of time. Property owners will be invited to attend the March Main Street meeting to be made aware what will take place during construction of Phase II of the Main Street Project.

**b) Main Street (Gordon Deapen)**

Phyllis Williams, President, stated that she and Gordon Deapen, Main Street Manager had attended a very informative 3 day conference in Frankfort. Mr. Deapen provided information on the certification of Kentucky communities. Taylorsville is listed as a 2012 Affiliated Community which means the task at this point is to show significant compliance and be accepted into the Kentucky Designated Communities. It is unlikely that they will be able to obtain this status by July 1<sup>st</sup>, when the application process starts, but they are hopeful with meeting this goal by December 1<sup>st</sup>. Phyllis Williams asked that the request made last month to advertise the Main Street Manager position at 20 hours a week with a salary set at 10,000.00 annually, to be withdrawn.

Item #4 – ***Public Comment***

**a) Claude Owen (Condemned property)**

Mr. Owen said that he had received a letter from the City of Taylorsville stating that his property (the old water plant) was to be condemned. He informed the commission that he had someone to board the place up and was asking what his next step should be. Chief Lewis is to take pictures for commission to review.

**b) Charlie Tichenor (B-2 Zoning)**

Mr. Tichenor spoke on behalf of his clients, Steve Goodlett and David Jewell stating that in the latter part of 2010 there had been inconsistencies found in commercial zoning creating unintended consequences. Those were discussed recently at a Planning and Zoning commission

meeting and the zoning commission passed a resolution to revert some of that if not all of that back to the way it was prior to the last adoption. Mr. Tichenor asked for city commission's support resolving these issues. Attorney Dale informed commission of a hearing to be held in regards to setting the standards for commercial and business classifications.

c) **Lawrence Trageser, (Ethics)** Mr. Trageser was not in attendance.

Item #5 – **Old Business**

a) **Floodwall Pump MOU**

Commissioner Ingram suggested that letters be sent to the Attorney General and the Floodwall commissioners, stating that what was done was in violation of the MOU. It is to ask the Attorney General for an understanding of what the city commission should do. Commissioner Ingram stated that the pump had been altered without consulting the city. Mayor Pay suggested amending the MOU. Commissioner Spears stated that MOU's are written to be followed and if we do not follow them then we are not sitting here doing what we are suppose to be doing. Commissioner Nation suggested sending a letter to the Floodwall commission pointing out what is contradictory to what was agreed on. **Motion was made by Commissioner Ingram and seconded by Commissioner Spears to send a letter to the Attorney General and ask for his recommendation regarding the floodwall pump and MOU. Commissioner Ingram, Commissioner Spears and Commissioner Waldrige voted in favor. Commissioner Nation and Mayor Pay opposed. Motion carried 3-2.**

b) **Fireworks Ordinance**

Commissioner Nation asked that the Fireworks Ordinance remain on the agenda for the city commission's regular March meeting.

c) **Cemetery Update**

Harold Compton, Public Works Director informed commission that the majority of the rock in the area of the house had been hauled off and with weather permitting construction of the wall will begin, matting will be laid and grass sown. Mr. Compton said that if the work is to be done behind the mobile home it would be too dangerous to use the backhoe. His suggestion is to rent a piece of equipment better suited for doing the job.

d) **Ethics Board Member**

Clerk Biven stated that there is a position still open on the Ethics Board. Commissioner Spears asked if it had been determined if the position required the applicant to reside within the city. City Attorney Dale replied that city residency was not a requirement. Mayor Pay asked that commission revisit this at the next meeting

Item #6 – **New Business**

a) **Department Reports**

**Financial Report**

Mr. McConnell stated that there are 3 contracts coming up for renewal. The audit currently prepared by Bob Ryan, health insurance contracted through the Commonwealth of Kentucky and workers compensation, property and liability currently with Kentucky League of Cities.

Staff has been very pleased with Mr. Ryan for the past 5 years. We feel that he does an outstanding job. Staff's recommendation is to continue with Bob Ryan. **Motion was made by Commissioner Nation and seconded by Mayor Pay to renew contract with Bob Ryan for one year. Motion carried 5-0.**

Staff recommends keeping health insurance with the Commonwealth of Kentucky. The much larger pool has already proven to keep rate increases lower. Commissioner Nation asked Clerk Biven to prepare something showing how many employees their rates and totals and present to the commission at the next meeting. **Motion was made by Mayor Pay and seconded by Commissioner Waldrige to renew the contract for health insurance with the Commonwealth of Kentucky. Motion carried 5-0.**

In fiscal year 2009 coverage for the city's workers comp, property and liability total costs were \$105,000. After putting them out for bid and getting a quote of \$65,500 from another company, KLC renegotiated their prices and matched the \$65,500 with a three year contract. KLC is offering another three year rate guarantee with small inflationary increases. **Motion was made by Commissioner Nation and seconded by Mayor Pay to allow Clerk Biven and Comptroller, Randy McConnell to renegotiate the prices of workers compensation, property and liability insurance with Kentucky League of Cities. Motion carried 5-0.**

Mr. McConnell provided the commission with cash analysis, overtime and deposit collateral reports. He also stated that the city is fully collateralized at all three banks. Mr. McConnell informed the commission that in reviewing revenue in the General Fund account, Property Taxes year to date are \$131,000, Insurance Premiums \$123,596 and Occupational License Tax \$187,525.

Water Revenue is \$57,000 under budget, Sewer Revenue is \$8,000 under budget, Meter Sets are \$47,000 under budget and Sewer Taps are \$29,000 under budget year to date. Maintenance and Repairs are over budget due to pump repairs and street cuts for \$9,000.

### Utility

Clerk Biven stated that staff has reviewed applications and resume's received for the temporary part-time position leading them to look in a different direction. Clerk Biven said that he and Public Works Director, Harold Compton would like to post this position internally. There are employees already with the city capable of operating the backhoe, but it would likely require more pay. **Motion was made by Commissioner Nation and seconded by Mayor Pay to reject all applications received for the temporary part-time utility worker and post this position internally. Commissioner Nation, Commissioner Waldrige and Mayor Pay voted in favor of. Commissioner Ingram and Commissioner Spears opposed. Motion carried 3-2.**

Mr. Compton informed commission that he had been contacted by the Division of Water in regards to the inspection report, explaining that because we purchase our water the inspection report is a requirement every three years.

Clerk Biven explained that before the Sewer Project was put out for bid, the fencing and telemetry was pulled out to lower costs so bids would be within budget. Because of safety concerns he feels that specs should now be put out for bid on the fencing.

## Public Safety

**Police** - A monthly schedule and activity report, including county runs, was made available to the commission. **Motion was made by Commissioner Nation and seconded by Mayor Pay to table the Mutual Aid Agreement Recommendations. Motion carried 5-0.** Chief Lewis provided estimates for the commission on equipping both expeditions with front and rear cages and equipment boxes for total costs of \$2631.73. **Motion was made by Mayor Pay and seconded by Commissioner Nation to approve the purchase of the cages and equipment boxes making the expeditions functional. Motion carried 5-0.**

Chief Lewis made commission aware that the "Buckle Up For Safety" signs purchased with calendar funds would soon be set in place.

**Fire** – Chief Nation said that there had been a \$178,000 savings during the two year contract with KSP for dispatching services. They are in the process of reviewing the contract for renewal June 30, 2012.

The year 2013 marks the 100<sup>th</sup> anniversary of the Fire and Water Departments. A community event of festivities is in the planning.

Chief Nation reported that in January 2012 there had been 49 fire code inspections and of those 49 inspections there were 149 fire code violations.

In giving an update on unsafe structures: Carpenter Drive has requested that the dumpster be removed; 102 Garrard, the Mock family is working on the sale of this property; and repairs were to begin by February 10, 2012 on properties at 503 and 505 Garrard Street. Chief Nation suggested a follow up visit with Mr. Owen addressing the problems and concerns with the old water plant property.

## General Government

**Streets** - Commissioner Nation presented a proposal for street cleaning services given to him by "Sweep All", a Louisville based company. He also said that if the city preferred they could call the District 5 Office in Louisville and ask them to put a schedule together.

### Other New Business

Clerk Biven and staff met with Rumpke and were asked for their assistance in getting an accurate count of residents utilizing their services and updating the count of units used to calculate charges billed to the city.

Public Works Director, Harold Compton said that in the SSES Study and Agreed Order it says that Mark Armstrong would possibly move from a part-time position to a full time position as the waste water treatment plant was up and running. Mr. Armstrong's title would change from operator to supervisor and he would be on-call. **Motion was made by Commissioner Waldridge and seconded by Commissioner Nation to move Mark Armstrong from a part time position to a full time position and changing his title from operator to supervisor. Motion carried 5-0.**

Mr. Compton asked commission's approval to purchase a trailer for the ATV. **Motion was made by Commissioner Nation and seconded by Commissioner Waldridge to approve the purchase of a trailer for the ATV at the cost of \$1199.00. Motion carried 5-0.**

Mr. Compton said according to policy on call includes a "take home vehicle". **Motion was made by Commissioner Waldrige and seconded by Commissioner Nation to approve a take home vehicle for Mark Armstrong in agreement with his on-call status.**

**Item #7 – Legal – City Attorney**

Attorney Dale had no comments at this time.

**Item #8 - Elected Officials' Comments (Mayor & City Commissioners)**

There were no comments at this time.

**ADJOURN TO EXECUTIVE SESSION**

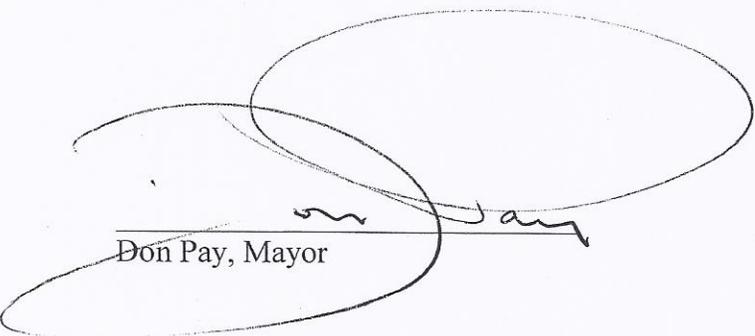
Item #9 – Motion was made by Mayor Pay and seconded by Commissioner Nation to Adjourn to Executive Session under provisions of KRS 61.810 (1) (b) Deliberations on the future acquisition or sale of real property by a public agency (c) Discussions of proposed or pending litigation against or on behalf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

**RETURN TO OPEN SESSION**

Item #10 – Motion was made by Commissioner Nation and seconded by Commissioner Waldrige to return to open session. Motion carried 5-0.

**ADJOURN MEETING**

Item # 11 - Motion was made by Commissioner Nation and seconded by Mayor Pay to adjourn. Motion carried 5-0.



Don Pay, Mayor



Stephen A. Biven, City Clerk