

**CITY OF TAYLORSVILLE
CITY COMMISSION
SPECIAL MEETING**

July 10, 2012

The City of Taylorsville City Commission held a Special meeting on Tuesday, July 10, 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

Rick Jewell, Lieutenant

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 by Lt. Jewell.

Item #2 – *Consent Calendar*

Motion made by Commissioner Nation and seconded by Commissioner Spears to approve the Consent Calendar for June, 2012 with clarification to the minutes of the June 5, 2012 meeting. Referring to Public Safety under the “Police” section of the June 5th minutes, a motion was made by Mayor Pro Tem Spears to have Chief Lewis bring back some way of marking both of the “Explorers”, it should read “Expeditions”. Also under Public Safety under the “Fire” section, it says that Mayor Pro Tem Spears offered to have the city help demolish the old water plant, owned by Mr. Claude Owen, it should read that she offered phone numbers for EPA and Corp of Engineers for Mr. Owen to obtain rules and regulations he would need before starting demolition of the property. **Motion carried 5-0.**

Item #3 – *Committee Reports*

a) Engineering Projects (Sisler – Maggard Engineering PLLC)

Kevin Sisler reported that Salmon Contracting just finished laying the lines on the Highway 44 Sewer Line Extension leaving only testing and clean up which should be completed by the end of next week. Mr. Sisler said that the owners of the building housing the newly opened Mexican restaurant is having problems with their sewer pump station and would like to hook onto the sewer line as soon as possible.

Jonathan O’Dell spoke representing the owners of this property and said that one of his pumps had already been replaced and the second is soon to be. Their plumbers say that three out of the

four lines are ready to be hooked on. They have no problem with being annexed into the city since this is city policy, but hope that this would not delay them of tapping onto the sewer line. Commissioner Nation said that they had always provided water outside of the city and were it is feasible to provide sewer services he would like to look at the city's policy and maybe not necessarily require someone to be annexed unless they wanted to be annexed. City Attorney Dale advised Mr. O'Dell to bring him a copy of the deed and survey to start the proceedings for annexation. **Motion was made by Commissioner Nation and seconded by commissioner Waldridge to approve the owners of this property to tap on to city sewer lines contingent upon the request to be annexed and payment of \$3000. Motion carried 5-0.**

Concrete work should be completed today in Early Wyne Plantation and after talking with Mark Clinton Mr. Sisler said that paving should start Monday.

Competitive bids were taken at City Hall for the Streetscape Phase II Project. Joe Sisler, Sisler – Maggard conducted the bid opening on June 28, 2012 at 12:00 p.m. at the City Hall Annex. Each of the three bids were opened and read aloud. Sisler – Maggard Engineering evaluated all bids and prepared a “Bid Tabulation”. Pace Contracting was the low bidder with a bid of \$187,000. The bid was within budget and all necessary qualification papers were attached. The sixty day contract will begin on the south side. **Motion was made by Commissioner Spears and seconded by Commissioner Ingram to approve award to the low bidder, Pace Contracting at \$187,000. Motion carried 5-0.** Clerk Biven and Gordon Deapen are to prepare a letter to be sent out letting businesses know of the forthcoming construction.

b) Main Street (Gordon Deapen)

Mr. Deapen informed commission of separate accounts opened at Citizen Union Bank for designated and non-designated funds. Mr. Deapen said that their request for a review of Main Street's financials had been declined by Verbeck and Kaleher CPA's, which opened discussion of possibly establishing an annual review to be brought to the City Commission to coincide with the city's fiscal year. **Motion was made by Commissioner Nation and seconded by Commissioner Spears to accept the recommendation to conduct an annual review of Main Street's financials. Motion carried 5-0.**

Trees purchased from grant funds have been planted in various locations within the city. Clerk Biven asked who will be responsible for the watering of these trees. Mr. Deapen was not sure where the responsibility fell, but he would inquire.

Commission was provided with minutes from the Main Street Committee's May 10, 2012 meeting.

c) Planning & Zoning (Julie Sweazy)

Jan Kehne gave a second reading of Ordinance 336, an Ordinance approving the rezoning of certain property located in Taylorsville – Spencer County, Kentucky owned by H&H Enterprises. **Motion was made by Commissioner Spears and seconded by Commissioner Ingram to accept Ordinance 336. Motion carried 5-0.**

Item #4 – Public Comment

a) Evelyn McKemie – Ms McKemie was not in attendance.

b) Nathan Lawson (Water) – Mr. Lawson said that he wanted to follow up on issues

regarding water rates that were discussed at the June 5, 2012 meeting. He also said that one of his concerns, as a county water customer, is in regard to the recent water rate increase. Mr. Lawson spoke extensively on water rate increases comparing city water rates to those of the county and read aloud sections from the city's current water policy regarding rate studies.

c) Lawrence Trageser – Mr. Trageser pointed out the same section of the city's water policy as did Nathan Lawson.

Item #5 – *Old Business*

a) All Saints Church Sidewalk on Park Alley

Clerk Biven informed commission that the low bid for the concrete work was received from Jeff Cozine. All Saints will complete the parking lot and then the city is to install the sidewalk. City Attorney Dale said for future references there needs to be something in writing to clarify who is to maintain the sidewalk. **Motion was made by Commissioner Nation and seconded by Commissioner Spears to approve the city to maintain the sidewalk at All Saints Church. Motion carried 5-0.**

b) Taylorsville Drainage Project

Clerk Biven reported that FEMA has requested additional information concerning tree removal and its impact on the habitat of the Indiana Bat.

Item #6 – *New Business*

a) Department Reports

Financial Report – Mr. McConnell, City Comptroller provided the commission with a Cash Analysis Report, a Deposit Collateral Report and Overtime Report. Mr. McConnell said that the General Fund is \$1,566 under budget and the Water and Sewer Enterprise Fund is \$15,772 under budget. The General Fund Balance Sheet and Income Statement were also provided.

Revenues: Year to date Property Taxes are \$141,882 net of discounts and \$8,118 under budget. Year to date Insurance Premium Revenue is \$171,265 and \$18,735 under budget. Year to date Occupational License Receipts are \$256,651 and \$11,651 over budget.

Expenses: Year to date Street Repair and Maintenance Expense is at \$35,272. Total Budget for FY2012 is \$37,285. Capital Outlay for the Street Department includes the purchase of a salt building in the amount of \$8,671. Capital Outlay in the Police Department includes the purchase of Police equipment for \$5,187 offset by the sale of the Trans Am for \$6,800.

Water and Sewer Balance Sheet and Income Statements were provided for the commission. The Year to date Water Revenue is \$132,084 under Budget. Year to date Meter Set Revenue is \$73,322 under Budget. Year to date Sewer Revenue is \$13,328 under Budget. Year to date Sewer Impact Fees are \$45,561 under Budget.

Mr. McConnell informed the commission that the annual Audit is scheduled for the week of August 13th.

Commissioner Nation asked if trash is suppose to be an in and out why does it show a balance?

It was explained that discussions have been held with Rumpke for several years in an attempt to improve their accuracy in counting the appropriate number of residents scheduled for collection. There are a number of reasons why they are unable to accurately bill us for the correct number of customers served. Another reason may also be that the billing starts when the water meter is set. Collection does not always start before someone moves in unless construction workers utilize the service.

Mr. McConnell informed the commission of that the annual Audit is scheduled for the week of August 13th.

Utility

Water – Harold Compton, Public Works Director explained that Dennis Eisenback had asked that the city relocate a waterline on Hickory Lane in the Ashes Creek area. This will be at Mr. Eisenback's expense. **Motion was made by Commissioner Nation and seconded by Commissioner Waldridge to approve the recommendation made by the Public Works Director to relocate the waterline on Hickory Lane. Motion carried 5-0.**

Mr. Compton gave an update on the SSES and smoke testing; informing commission that we are smoke testing again within the Floodwall. This should last the remainder of the month.

Roy Wyatt said that he was working on the sewer issues. He asked why during the time he had a water leak, was he charged for sewer when nothing was going through the sewer. Mr. Wyatt said that he did not have sufficient water pressure and wanted to know if there would be any advantages of having his property annexed into the city. Pro and cons of annexation were discussed. Mr. Wyatt will have further discussions with Mr. Compton and return when the issue is resolved.

Commission recessed at this time

Public Safety

Police – Lt. Jewell provided a monthly schedule informing the commission that Chief Lewis and Officer Walls were currently on vacation. A monthly activity report documenting all runs was also provided.

Lt. Jewell anticipates receiving \$5100 next fiscal year for the "Click it or Ticket" program.

July 26, 2012 Lt. Jewell will attend the Award Dinner in Lexington to receive the Occupant Protection Award, sponsored by the "Click it or Ticket" program. The DUI campaign will begin August 17, 2012.

Clerk Biven expressed his and commission's appreciation of the role Lt. Jewell played in the child pornography case.

Fire – Commissioner Nation stated that the 911 dispatching contract was up for renewal with the Kentucky State Police for another two years for the same cost of \$89,000. All other agencies have already approved the renewal. **Motion was made by Commissioner Spears and seconded**

by Commissioner Waldrige to approve the renewal of the 911 dispatching contract with the Kentucky State Police. Motion carried 4-0. Commissioner Nation abstained in view of the fact that he is Chairman of the 911 committee.

Clerk Biven reported that he received a call from Ms McKinley explaining that she had been sick with the flu and asking the city to extend the timeline for the property at 57 Jefferson Street. Ms McKinley's expectations are that this property will be brought up to a standard that will allow it to be occupied by business. **Motion was made by Commissioner Ingram to proceed with the condemnation process as outlined in the letter send out to Helen McKinley, owner of property at 57 Jefferson Street. Motion died for lack of a second.** Clerk Biven also reported that the Snider property on Main Street has been inspected and the inspector is to supply a report with the determination of what 50% of what the anticipated repair cost will be to bring it up to standard. Mr. Monroe was not in attendance for discussion of issues concerning the property he purchased at 503 & 505 on Garrard Street. Jan Kehne, with the county planning and zoning office, stated that she had several issues to be addressed with Mr. Monroe. Those matters will be addressed and then the city will revisit the matter.

After reviewing the letter from Claude Owen and Attorney Hodge outlining a proposal for sealing the old water plant and making it safe, Commissioner Nation suggested setting a time frame allowing Mr. Owen enough time to make the structure safe and usable. **Motion was made by Commissioner Waldrige and seconded by Commissioner Spears to direct City Attorney Dale to prepare a letter to Claude Owen informing him, that he has thirty days to respond in writing his intent for the old water plant, sealing the properties to make it safe and clarifying point number seven regarding the request of city responsibilities as outlined in the letter addressed to City Attorney Dale. Motion carried 3-1-1.** Commissioner Nation abstained, Mayor Pay, Commissioner Spears and Commissioner Waldrige voted in favor of, Commissioner Ingram opposed.

General Government

Willow Sullivan was not available for an update regarding the status of the Tourism Board but would email reports to Clerk Biven.

Commissioner Ingram had suggested that now may be the opportune time to complete a development plan listing requirements for the development of subdivisions. Mayor Pay suggests developing a committee and City Attorney Dale suggested asking Tim Butler for his input. Clerk Biven and Gordon Deapen to meet and discuss all options with Tim Butler.

Clerk Biven updated commission on information received from Department of Highways – District 5 Office via email regarding street sweeping. The last email received from the Chief District Engineer, Department of Highways says that a request for a new vacuum sweeper truck has been submitted through their division of equipment. Ultimately he would like to utilize this piece of equipment throughout municipal areas within the district's eight counties. After receiving requests for this service from other areas, they were able to get a contract set up in Frankfort. Eventually he hopes to contact the city and agree to a set number of cycles per year that could be done in Taylorsville at no charge, as long as it applies to only state roads.

b) Other New Business

Commissioner Nation stated that it was at his request for the topic of forming a City of Taylorsville Citizens Water and Sewer Advisory Board to be added to the agenda. He feels that there is a need to reach out to all the service area for representation including county government. That Water and Sewer Advisory Board would solve fairness issues such as water rate increases. Mayor Pay asked would not a Water and Sewer Advisory Board work primarily with water districts. City Attorney Dale stated that a "Board" indicates legal authority. It is an issue of semantics, if it were of the commission's choosing they could label it a "Committee" and it would have no legal authority. Another suggestion was to have a monthly meeting inviting all to attend with concerns, comments and suggestions for the commission to address. It is not uncommon for cities to own and run a water system and that the history of the Taylorsville water system explains the difference between the city and county water rates; the required infrastructure to provide county residents with water and the loans which still exist to supply that infrastructure. Around 95% of the water purchased from Louisville Water is for the county and 95% of maintenance provided is for the county.

Commissioner Nation was asked by an employee of the Peoples Bank to bring the cat problem to the commission's attention. The claim was that cats were residing on bank employee's cars. Mayor Pay stated that a lot of cities have the same issues, it's an ongoing problem. His suggestion is to do what he has been doing, to round up the cats and transport to Alley Cat Advocates in Louisville. They will spay or neuter the cats, give them rabbi shots and treat them for ear mites and fleas. This is all done on Saturdays by volunteer veterinarians. The cats stay until Monday when they are picked up, brought back and released.

Item #7 – Legal

City Attorney had no additional comments at this time.

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

There were no comments

ADJOURN TO EXECUTIVE SESSION

Item #9

Motion made by Commissioner Spears 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 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 made by Commissioner Nation and seconded by Commissioner Waldrige to come out of Executive Session. Motion carried 5-0.

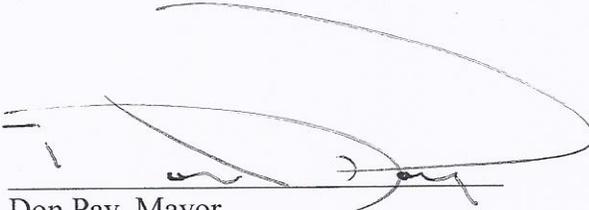
Item #11 – Motion was made by Commissioner Spears and seconded by Commissioner Waldrige to extend leave without pay and medical insurance coverage to Ricky McClain until regular August meeting of the City Commission. Motion carried 5-0.

Item # 12 – Motion was made by Mayor Pay and seconded by Commissioner Nation to suspend officer Schultz without pay for 3 days, plus the remainder of the current day, and to suspend police powers for that same period, with a return to work on the night of the 16th for purposes related to attending training. Motion carried 5-0.

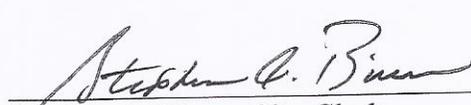
ADJOURN MEETING

Item #13

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



Don Pay, Mayor



Stephen A. Biven, City Clerk