

Meeting Notice & Agenda

MARION CITY COUNCIL

Monday, May 16, 2022 – 5 p.m.

Marion City Hall, 217 South Main Street, Marion, KY

Regular Meeting

Call to Order

Public Comments

Business Agenda

1. Approval of the Minutes of April 18, 2022, Council Meeting and May 9, 2022, Special Council Meeting
2. 2nd Reading of Ordinance #22-05, entitled, “An Ordinance Amending Ordinance No. 21-07 – The City of Marion, Kentucky, Annual Budget for Fiscal Year 07/01/2021 Through 06/30/2022
3. introduction and 1st Reading of Ordinance #22-08, entitled, “An Ordinance Adopting the City of Marion, Kentucky, Annual Budget for Fiscal Year 07/01/2022 Through 06/30/2023 by Estimating Revenue and Resources and Appropriating Funds for the Operation of City Government”
4. Introduction and 1st Reading of Ordinance #22-06 entitled, “An Ordinance Amending the Pay Plan for Classified City Employees and Non-Elected Officials”
5. Introduction and 1st Reading of Ordinance #22-07, entitled, “AN ORDINANCE ESTABLISHING THE REGULATORY LICENSE FEE FOR THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF MARION FOR FISCAL YEAR 2022-2023”
6. Mayor/Council/Staff Comments & Questions
7. Adjourn

**Meeting of the Marion City Council
April 18, 2022**

The Marion City Council met in Regular Session on April 18, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Council members present: Phyllis Sykes, Donnie Arflack, Dwight Sherer, D'Anna Browning, Darrin Tabor and Mike Byford. City Employees were as follows: Adam Ledford, Danielle Duncan and the city attorney Bart Frazer.

GERNERAL GOVERNMENT

Motion by Dwight Sherer, second by Phyllis Sykes to approve the March 21, 2022, minutes same as submitted to the council. All voted yes.

The city attorney gave the second reading of Ordinance #22-04 entitled, "An Ordinance Amending the Pay Plan for Classified City Employees and Non-Elected Officials" motion by Dwight Sherer and second by Phyllis Sykes to adopt said Ordinance. Mayor Byford opened up for discussion. Darrin Tabor asked why employees pay was lumped into one Ordinance. Administrator Ledford explained that at the time the 911 coordinators position was being created. After a brief discussion motion by Darrin Tabor, second by Michael Byford to remove the position of the assistant equipment operator. All voted yes. Then all council members voted to adopt said Ordinance as amended.

Administrator Ledford went over project updates.

- (A) Explained that we had two defective computers that were sent back, and we were waiting for the new ones to arrive. Other than that, everything went according to plan.
- (B) Administrator Ledford stated that he was waiting for the final healthcare numbers to come in before he could present a budget, as there has been a slight increase.
- (C) Administrator Ledford told the council that the maintenance truck had arrived. He and Garry Gerard went to Lexington on 4/18/2022 to pick it up.

OTHER BUSINESS

Council member Donnie Arflack asked about looking into a side-by-side for meter reading and possible driveway snowplow.

Council member Browning asked to investigate Second Street/N College for a shelf in the road. She is afraid a car is going to be damaged.

ADJOURNMENT

There being no further business to come before the council, meeting was adjourned at 5:18 p.m.

JARED BYFORD, MAYOR

ATTEST:

DANIELLE DUNCAN, PLANNING & ZONING COORDINATOR

**Minutes of the Marion City Council
Special Called Meeting
May 9, 2022-5:00 p.m.**

The Marion City Council met in Special Session May 9, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Council members present were Darrin Tabor, Phyllis Sykes, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Pam Enoch, Police Officer Eric Grey, and the City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

GENERAL GOVERNMENT

Administrator Ledford updated the council on Lake George and Water Supply. Ledford stated the breakthrough was noticed earlier last week and by Friday, April the 29th, a hole had developed halfway up the levee near where a pipe runs through it for collecting raw water that is treated by the water plant then distributed to Marion water customers. Division of water was called and by Saturday the hole continued to grow. Judge-Executive Perry Newcom declared a State of Emergency which hopefully can lead to state and federal financial assistance. Ledford stated the hole continued to get bigger, so the decision was made to cut a relief ditch to control the flow. Their concerns were if the levee broke, it would take three bridges out, few homes and the possibly some of the hospital. Mayor Byford issued "a community-wide disaster" order and issued a water conservation notice on May 2nd, 2022. Ledford discussed different options for supplying water: Repairing Lake George, siphoning water from either the Ohio or Cumberland rivers by running a pipe from Marion to those sources, dredging Old City Lake to increase its capacity, exploring for other groundwater sources and/or buying water from a third-party source. Ledford stated rebuilding the levee and repairing Lake George could take years and could cost \$10 million dollars or more and running pipes to the rivers could be the same amount of cost. Ledford stated there was no easy answers and no decisions would be made in the next week or so.

Motion by Dwight Sherer, seconded by Darrin Tabor to adopt Resolution #22-06, entitled, "Resolution adopting and approving the execution of a Municipal Aid Co-op Program Contract between the Incorporated City and the Commonwealth of Kentucky, Transportation Cabinet, Department of Rural and Municipal Aid for the fiscal year beginning July 1, 2022, as provided in the Kentucky Revised Statutes and accepting all streets referred to therein as being streets which are a part of the Incorporated City". All voted yes. A copy of the said resolution is attached and made part of these minutes.

Council member Phyllis Sykes introduced 1st Reading of Ordinance 22-05, entitled, "An Ordinance Amending Ordinance #21-07-The City of Marion, Kentucky, Annual Budget for Fiscal Year 07/01/2021 through 06/30/2022. The City Attorney gave the first reading of said ordinance.

Administrator Ledford went over the annual budget beginning 07/01/2022 through 06/30/2022. He answered any questions or concerns the council had.

ADJOURNMENT

There being no further items on the special agenda; meeting was adjourned at 5:52 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

ORDINANCE NO. 22-05
AN ORDINANCE AMENDING ORDINANCE NO. 21-07 - THE CITY OF MARION, KENTUCKY ANNUAL
BUDGET FOR FISCAL YEAR 07/01/21 THROUGH 06/30/2022

WHEREAS, some previously unknown or unanticipated expenditures have come to light since adoption of the Fiscal Year Budget for 2021-2022; and

WHEREAS, the City Council has reviewed these expenditures and determined they are necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE MARION CITY COUNCIL:

Section One: That the annual budget for the fiscal year beginning July 1, 2021 and ending June 30, 2022, is hereby amended as follows:

	General Fund	Water Fund	Sewer Fund	ABC Fund	Municipal Aid	LGEA Fund	Rest./Motel	Total
<i>Revenues</i>								
Property Tax	<u>354,000</u> 343,000						<u>290,000</u> 218,225	
Payroll/Net Profits	<u>495,000</u> 483,000							
Intergovernmental Payments	<u>395,000</u> 334,198				<u>65,000</u> 60,000	3,400		
Interest & Miscellaneous	<u>160,000</u> 146,511	11,300	1	<u>82,000</u> 65,500	200	5	35	
Insurance Tax	<u>210,000</u> 200,000							
Water Sales		611,800						
Sewer Sales			433,600					
Service Chrgs.		11,000						
Penalties		15,000	16,000					
Environmental fee			<u>650,000</u> 600,000					
Loan Proceeds			5,000,000					
Franchise Fees	<u>111,000</u> 110,700							
TOTAL REVENUE	1,725,000 \$1,617,409	\$649,100	6,099,601 \$6,049,601	82,000 \$65,500	65,200 \$60,200	\$3,405	290,035 \$218,260	8,914,341 \$8,663,475
<i>Expenditures</i>								
Administration	<u>590,500</u> 510,497	28,600	133,450	<u>75,000</u> 65,335				
Appropriations	7,503							
Police Dept.	<u>515,000</u> 504,253							
E911 Dept.	<u>290,000</u> 281,310							
Fire Dept.	<u>64,000</u> 57,715							
Street Dept.	<u>91,000</u> 85,850							
Lights	<u>94,000</u> 81,500							
Planning/Zoning	72,967							
Building Fund								
Water Plant		371,687						
Sewer Plant			5,304,866					
System Maint./Debt		248,094	167,897					
Public Transp.					<u>178,000</u> 116,725	3,405		
Tourism							<u>290,035</u> 218,260	
TOTAL EXP.	1,724,970 \$1,601,595	\$648,381	\$5,606,213	75,000 \$65,335	178,000 \$116,725	\$3,405	290,035 \$218,260	8,526,004 \$8,259,914
Projected Net Increase	<u>30</u> \$15,814	<u>\$719</u>	<u>493,388</u> \$443,388	<u>7,000</u> \$165	<u>(112,800)</u> (\$56,525)	\$0	\$0	388,337 \$403,561

(Decrease):								

Section Two: That this ordinance shall be effective upon its second reading and publication in the City's legal organ.

Section Three: All ordinances and parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

COUNCIL MEMBERS	YES	NO
Donald Arflack	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____
Dwight Sherer	_____	_____
D'Anna Browning	_____	_____

It appearing that _____ Council Members voted for the adoption of this ordinance, and _____ voted against, with _____ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING: _____
 GIVEN SECOND READING AND PASSED: _____
 PUBLISHED IN THE CRITTENDEN PRESS: _____

 MAYOR

ATTEST: _____
 PAM ENOCH, CITY CLERK

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 22-08
AN ORDINANCE ADOPTING THE CITY OF MARION, KENTUCKY ANNUAL
BUDGET FOR FISCAL YEAR 07/01/2022 THROUGH 06/30/2023 BY ESTIMATING
REVENUES AND RESOURCES AND APPROPRIATING FUNDS FOR THE
OPERATION OF CITY GOVERNMENT**

WHEREAS, an annual budget proposal and message has been prepared and delivered to the Marion City Council as required by KRS 83 A; and

WHEREAS, the Council has reviewed said budget proposal and message and made necessary modifications;

NOW, THEREFORE, BE IT ORDAINED BY THE MARION CITY COUNCIL:

Section One: That the annual budget for the fiscal year beginning July 1, 2022 and ending June 30, 2023, is hereby adopted as follows:

	General Fund	Water Fund	Sewer Fund	ABC Fund	Municipal Aid	LGEA Fund	Rest./Motel	Total
<i>Revenues</i>								
Property Tax	368,400						236,000	
Payroll/Net Profits	485,000							
Intergovernmental Payments	387,428				60,000	2,000		
Interest & Miscellaneous	146,000	12,100	3,500	77,500	75	8	50	
Insurance Tax	210,000							
Water Sales		578,600						
Sewer Sales			420,600					
Service Chrgs.		10,000						
Penalties		15,000						
Environmental fee			705,000					
Loan Proceeds			5,000,000					
Franchise Fees	111,000							
TOTAL REVENUE	\$1,707,828	\$615,700	\$6,129,100	\$77,500	\$60,075	\$2,008	\$236,050	\$8,828,261
<i>Expenditures</i>								
Administration	509,214	27,475	141,919	74,808				
Appropriations	7,768							
Police Dept.	528,995							
E911 Dept.	340,040							
Fire Dept.	58,966							
Street Dept.	92,027							
Lights	88,500							
Planning/Zoning	73,420							
Building Fund								
Water Plant		383,162						
Sewer Plant			5,303,260					
System Maint./Debt		200,531	171,544					
Public Transp.					1,375	1,375		
Tourism							236,050	
TOTAL EXP.	\$1,698,929	\$611,168	\$5,616,723	\$74,808	\$1,375	\$1,375	\$236,050	\$8,240,428
Projected Net Increase (Decrease):	\$8,899	\$4,532	\$512,377	\$2,692	\$58,700	\$633	\$0	\$587,833

Section Two: Money allocated and approved in the line item, "Public Assistance," shall be withheld from organizations receiving in the aggregate an amount equal to or greater than \$750.00. Council approval is required for disbursement to each organization for which money is withheld. This money shall not be advanced to any organization from these line items until a budget is submitted. Further, organizations receiving in the aggregate an amount equal to or greater than \$10,000 shall, in addition to submitting a budget, appear by personal representative before the Council to explain budgetary documents.

Section Three: That this ordinance shall be effective on July 1, 2022.

Section Four: All ordinances and parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

COUNCIL MEMBERS	YES	NO
Donald Arflack	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____
Dwight Sherer	_____	_____
D'Anna Browning	_____	_____

It appearing that ____ Council Members voted for the adoption of this ordinance, and _____ voted against, with _____ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING: _____
GIVEN SECOND READING AND PASSED: _____
PUBLISHED IN THE CRITTENDEN PRESS: _____

JARED BYFORD, MAYOR

ATTEST: _____
PAM ENOCH, CITY CLERK

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 22-06**

**AN ORDINANCE AMENDING THE PAY PLAN FOR CLASSIFIED CITY
EMPLOYEES AND NON-ELECTED OFFICIALS**

WHEREAS, the City Council of the City of Marion, Kentucky, desires to amend the pay plan and set compensation for classified city employees and non-elected officials.

NOW, THEREFORE, BE IT ORDAINED BY THE MARION CITY COUNCIL:

Section One: That the pay plan attached hereto as EXHIBIT A shall govern the compensation of all classified city employees, including non-elected officials, full time employees, and employees in categories of employment other than full time, for services rendered on and after July, 2022, until amended by ordinance.

Section Two: All ordinances and parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

COUNCIL MEMBERS	YES	NO
Donald Arflack	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____
Dwight Sherer	_____	_____
D'Anna Browning	_____	_____

It appearing that ____ Council Members voted for the adoption of this ordinance, and _____ voted against, with _____ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING: _____

GIVEN SECOND READING AND PASSED: _____

PUBLISHED IN THE CRITTENDEN PRESS: _____

JARED BYFORD, MAYOR

ATTEST: _____

PAM ENOCH, CITY CLERK

EXHIBIT A
CITY OF MARION - EMPLOYEE PAY PLAN
July 1, 2022 - June 30, 2023

<u>Position</u>	<u>Current Pay</u>	<u>New Pay</u>	<u>\$ Increase</u>	<u>% Increase</u>
<i>City Hall</i>				
City Administrator	\$ 66,300.00	\$ 70,941.00	\$ 4,641.00	7.0%
City Treasurer	\$ 38,250.00	\$ 40,927.50	\$ 2,677.50	7.0%
City Attorney	\$ 12,607.20	\$ 13,489.70	\$ 882.50	7.0%
<i>Planning & Zoning</i>				
Planning/Zoning Coordinator	\$ 27,040.00	\$ 28,932.80	\$ 1,892.80	7.0%
<i>Police</i>				
Police Chief	\$ 49,084.00	\$ 52,519.88	\$ 3,435.88	7.0%
Assistant Chief	\$ 46,028.10	\$ 49,250.07	\$ 3,221.97	7.0%
Sergeant	\$ 44,828.54	\$ 47,966.54	\$ 3,138.00	7.0%
Senior Officer	\$ 42,985.74	\$ 45,994.74	\$ 3,009.00	7.0%
Officer	\$ 42,471.34	\$ 45,444.33	\$ 2,972.99	7.0%
Assistant ABC Officer	\$ 12,000.00	\$ 12,000.00	\$ -	0.0%
<i>911</i>				
911 Coordinator	\$ 35,048.00	\$ 36,800.40	\$ 1,752.40	5.0%
FT Dispatcher	\$ 29,079.18	\$ 30,533.14	\$ 1,453.96	5.0%
<i>Fire</i>				
Chief	\$ 3,078.36	\$ 3,293.85	\$ 215.49	7.0%
Assistant Chief	\$ 1,050.60	\$ 1,124.14	\$ 73.54	7.0%
Fire Fighters (23 total) per run	\$ 39.47	\$ 42.24	\$ 2.76	7.0%
<i>Water & Sewer</i>				
Maintenance Supervisor	\$ 40,912	\$ 43,776.05	\$ 2,863.85	7.0%
City Clerk	33,970	\$ 36,347.99	\$ 2,377.91	7.0%
Lead Operator (Wastewater)	40,490	\$ 43,324.21	\$ 2,834.29	7.0%
Lead Operator (Water)	40,490	\$ 43,324.21	\$ 2,834.29	7.0%
Operator (Wastewater)	37,150	\$ 37,269.13	\$ 119.46	0.3%
Operator (Water)	34,831	\$ 37,269.13	\$ 2,438.17	7.0%
Operator (Water)	34,831	\$ 37,269.13	\$ 2,438.17	7.0%
Equipment Operator	29,436	\$ 31,496.15	\$ 2,060.50	7.0%
Laborer (Wastewater)	23,988	\$ 25,667.05	\$ 1,679.15	7.0%
Meter Reader	23,988	\$ 25,667.55	\$ 1,679.19	7.0%
Distribution & Collection Certification Adjustment	1,500	1,500	-	
Operator (Water - Part Time)				

EXHIBIT B

CITY OF MARION - ELECTED/APPOINTED OFFICIALS PAY PLAN

July 1, 2021 - June 30, 2022

Position	Current Pay	New Pay	\$ Increase	
<i>Elected Officials</i>				
Mayor	\$ 9,705	\$ 9,705	\$ -	
City Council Member	\$ 3,684	\$ 3,684	\$ -	(6 people)
<i>Planning & Zoning</i>				
Planning Commissioners	\$ 998	\$ 998	\$ -	(6 people)
Board of Adjustments Member	\$ 998	\$ 998	\$ -	(3 people)
<i>Code Enforcement</i>				
Code Board Member	\$ 998	\$ 998	\$ -	(5 people)

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 22-07**

**AN ORDINANCE ESTABLISHING THE REGULATORY LICENSE FEE FOR THE
SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF MARION FOR FISCAL
YEAR 2022-2023**

WHEREAS, the City Council of the City of Marion, Kentucky (hereinafter “City”), is authorized to impose regulatory license fee on the sale of alcoholic beverages of each establishment therein licensed to sell alcoholic beverages pursuant to the KRS 243.075 and City of Marion Ordinance 19-08, and

WHEREAS, the City of Marion, Kentucky has reviewed the regulatory license fee revenues from the prior fiscal year as well as the expenditures related to the additional policing, regulatory and administrative expenses related to the sale of alcoholic beverages in the City, with a copy of income statement being attached hereto and incorporated herein by reference, and

WHEREAS, the City Council find that the current regulatory license fees are reasonably estimated to somewhat reimburse the City for the additional policing, regulatory and administrative expenses related to the sale of alcoholic beverages in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MARION CITY COUNCIL:

Section One: The regulatory license fee shall be five percent (5%) of gross sales of all alcoholic beverages sold by drink. In the case of retail sales of package distilled spirits and wine, the regulatory license fee shall be five percent (5%) of gross sales. The regulatory license fee shall be five percent (5%) on gross retail sales of package malt beverages.

Section Two: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is for any reason declared illegal, unconstitutional, or otherwise invalid, such declaration shall not affect the remaining portions thereof.

Section Three: If any provision of this Ordinance is in conflict with provisions of existing Ordinances or laws, it is the intent of the City Council of the City of Marion, Kentucky, that the provisions of this Ordinance shall govern, and such provisions in existing Ordinances of Laws in conflict herewith are hereby rescinded.

Section Four: That this ordinance shall be effective upon its second reading and publication in the City’s legal organ.

COUNCIL MEMBERS

YES

NO

Donald Arflack

Phyllis Sykes

Darrin Tabor

Michael Byford

Dwight Sherer

D'Anna Browning

It appearing that _____ Council Members voted for the adoption of this ordinance, and _____ voted against, with _____ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING:

GIVEN SECOND READING AND PASSED:

PUBLISHED IN THE CRITTENDEN PRESS:

JARED BYFORD, MAYOR

ATTEST: _____

PAM ENOCH, CITY CLERK

CITY OF MARION, KENTUCKY
FINANCIAL STATEMENT
 April 2022
 Council meeting May 16, 2022

	<u>Balance Mar1.</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance April 30.</u>
General Fund	\$ 1,191,348.36	\$ 150,503.92	\$ 146,066.32	\$ 1,195,785.96
Municipal Aid Fund	\$ 18,811.75	\$ 3.74		\$ 18,815.49
LGEAF Mineral Severance	\$ 4,832.55	\$ 0.96		\$ 4,833.51
Operation & Maintenance Fund	\$ 278,005.31	\$ 145,830.17	\$ 95,991.88	\$ 327,843.60
Sewer Fund	\$ 15,894.82	\$ 20,000.08	\$ 35,701.90	\$ 193.00
*Consumer Deposits	\$ 21,946.40	\$ 3,300.37	\$ 721.69	\$ 24,525.08
Env. Assess. Building Fund	\$ 1,490,672.73	\$ 716,204.02	\$ 714,830.12	\$ 1,492,046.63
*1988 Sinking Fund	\$ 19,364.00	\$ 2,450.27	\$ 4,125.00	\$ 17,689.27
*1993 Sinking Fund	\$ 49,338.36	\$ 2,920.71	\$ 6,862.50	\$ 45,396.57
Waterline Sinking Fund	\$ 27,775.40	\$ 5,500.48		\$ 33,275.88
*1988/93 Reserve Fund	\$ 6,421.36	\$ 0.05		\$ 6,421.41
Sewer Project R & I	\$ 30,081.82			\$ 30,081.82
Police Drug & Alcohol	\$ 9,663.36			\$ 9,663.36
*Revolving Loan Fund	\$ 485,506.70	\$ 8,577.63		\$ 494,084.33
Rest. & Motel Acct.	\$ 12,003.15	\$ 52,411.68		\$ 64,414.83
Alcohol Beverage Fund	\$ 105,583.57	\$ 6,236.33	\$ 2,722.57	\$ 109,097.33
Police Forfeitures	\$ 2,564.00	\$ -	\$ -	\$ 2,564.00

INVESTMENTS

General Fund-----	\$ 490,472.31
General Project Account-----	\$ 29,033.26
Insurance Fund-----	\$ 9,599.36
Municipal Aid Fund-----	\$ 8,389.47
*Consumer Deposits-----	\$ 80,439.76
Operation & Maintenance Fund-----	\$ 30,000.00
1969 Replacement & Improvement Fund-----	\$ 172,427.56
1969 Reserve Fund-----	\$ 54,000.00
*1988 Reserve Fund-----	\$ 50,000.00
Police Equipment Fund-----	\$ -

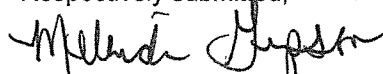
LOANS

1988 Loan-----	\$ 165,288.08
1993 Loan-----	\$ 305,261.81
Sewer Project A04-01-----	\$ 179,073.78
City Hall Lease-----	\$ 510,000.00
Land Lease-----	\$ 13,916.05
Main Street Waterline B10-05-----	\$ 761,936.89
New Sewer Plant A18-003-----	\$4,529,387.17

*Restricted Funds

**Semi-restricted Fund

Respectively submitted,


 Melinda Gipson, Asst. Treasurer