

MEETING NOTICE & AGENDA

MARION CITY COUNCIL

Monday, June 4, 2018 – 5:00 p.m.

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

Special Meeting

Call to Order

BUSINESS AGENDA

1. Approval of the Minutes of May 21, 2018 Council Meeting
2. Resolution #18-04, entitled, "A Resolution of the City of Marion, Kentucky Authorizing the Mayor to Make Application for and, Upon Approval, to Enter into an Agreement with the Kentucky Office of Homeland Security (KOHS), to Execute any Documents which are Deemed Necessary by KOHS to Facilitate and Administer the Project and to Act as the Authorized Correspondent for this Project. This Resolution Also Establishes Procurement Policy for any KOHS Approved Project for the FY-2018 Application Cycle"
3. 2nd Reading of Ordinance #18-07 entitled, "An Ordinance of the City of Marion, Kentucky Amending Chapter 50, Water and Sewer System, Section 50.02, Rates and Charges"
4. Adjourn

To: Mayor and City Council
From: Adam Ledford, City Administrator
Re: Agenda Description
Date: June 4, 2018

Call to Order

Business Agenda

- I. Approval of Minutes for 5/21 Special Council Meeting
Description:
A council member does not have to be present at the previous meeting to approve the minutes for that meeting. A copy of the minutes is included in your packet.

- II. Resolution for 911E Grant
Description:
If we keep the service as is or work a deal out with the County, this grant will save the department roughly \$12,000 to \$18,000 annually while updating the phone system used. Currently, we receive backup support from Union County as we both have the same system, however, that is about to change as they are also updating. This move will keep us in the game for receiving mutual support from other counties. If, in the end, the City was to dissolve the service and turn the process over to KSP, the City would have until accepting the grant to make that decision. This step prevents the City from putting all its eggs in one basket so to speak.

- III. 2nd Reading of Sewer Assessment Rate Adjustment
Description:
At the last meeting, Allan was on hand to speak about KIA's notice that the City is in violation of their original funding agreement from early 2016. We learned the City agreed to create a funding method to raise revenues in the sewer fund by \$230,000 on June 30, 2017. In the same ordinance (back in 2016) the City was also to have a second step incorporated that would additionally raise another \$120,000. Regardless of the expectations, the new assessment created in mid-2016 collected \$207,000 in FY 2017 and lacked the required second step for FY 2018. KIA has informed us that in order to continue to receive their funding we must immediately act to make up the difference. This would mean the City needs to expect to pass a rate that will generate an additional \$147,000 in FY 2019. They request this be completed in time to be reviewed before their meeting with Alan and I on June 12. A failure to comply will close the door on a loan with interest rates in the sub-1% range and a partial forgiveness option. In addition, we run the risk of delay the project and violating the terms of our administrator order, an action which can result in significant daily fines. Included, is a copy of the Ordinance that has been updated based on the approved amendment from our last meeting.

- IV. Adjournment

**Meeting of the Marion City Council
May 21, 2018**

The Marion City Council met in regular session May 21, 2018 at 6:00 p.m. with Mayor Jared Byford presiding. Council members present were Phyllis Sykes, Darrin Tabor, Donnie Arflack, Dwight Sherer, D'Anna Sallin, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Pam Enoch, Terri Hart, Brian Thomas, Ray O'Neal, Ronald Howton, and the city attorney. A public sign-in sheet is attached and made part of these minutes.

PUBLIC COMMENTS

Phyllis Hardin was present at the council meeting to answer any questions or concerns the council had regarding Marion Tourism. Council member Donnie Arflack stated Michele Edwards, Marion Tourism Director, was in the process of getting a line item budget ready to give to the council upon their request.

Becky Tyner-Belt was present at the council meeting to address the council on her concerns about how the citizen's tax dollars are being spent. She stated she knew by her own experience the importance of dispatchers, police officers, and fire protection. She stated she was a proud tax-payer and wants her money used for safety, protection and commerce, not special interests, and was in favor of funding the airport.

Scott Tabor was present at the council meeting to address the council on his concerns about how citizen's tax dollars are being spent. He had concerns with discontinuing leaf collection this fall. He also had concerns with the state of city streets, and fire hydrants. He felt tax dollars needed to be spent toward leaf pick-up, and other city issues rather than subsidizing third party organizations.

GENERAL GOVERNMENT

Motion by Dwight Sherer, second by D'Anna Sallin to approve the minutes of the special called meeting May 14, 2018 minutes as submitted to council. All voted yes.

Mayor Jared Byford recognized Dayton Simpkins for being awarded the status of Eagle Scout. He stated Eagle Scout is the highest achievement or rank attainable in the Boy Scouting program of the Scouts of America.

The city attorney gave the second reading of ordinance 18-03, entitled, "An ordinance amending ordinance #17-05-The City of Marion, Kentucky annual budget for FY 07/01/17 through 06/30/18. Motion by Darrin Tabor, second by Donnie Arflack to adopt said ordinance with the vote being as follows: Phyllis Sykes yes, Darrin Tabor yes, Donnie Arflack yes, Dwight Sherer yes, D'Anna Sallin yes, and Mike Byford yes. Motion carried.

The city attorney gave the second reading of ordinance 18-04, entitled, "An ordinance adopting the Pay Plan for classified City Employees and non-elected officials for Fiscal Year beginning July 1, 2018, and ending June 30, 2019, and adopting the pay plan for elected and appointed officials for the same fiscal year. Motion by Dwight Sherer, second by Mike Byford to adopt said ordinance with the vote being as follows: Phyllis Sykes yes, Darrin Tabor yes, Donnie Arflack yes, Dwight Sherer yes, D'Anna Sallin yes, and Mike Byford yes. Motion carried.

The city attorney gave the second reading of ordinance 18-05, entitled, "An ordinance adopting the City Marion, Kentucky annual budget for Fiscal Year 07/01/18 through 06/30/19 by estimating revenue and resources and appropriating funds for the operation of City government. Motion by Dwight Sherer, second by Mike Byford, then council discussed several concerns about the annual budget. Council member Phyllis Sykes and Council member Donnie Arflack stated they weren't against the funding of the two food programs, but they felt the city had to get their priorities in order. The cost of providing health insurance is one of the reasons for the need of cuts and new revenue. Family health plan contribution will be cut to 25 percent for city workers hired after December 31, 2018. That is down from the current 75 percent, but 100 percent of employee health benefits will still be paid for current and new public workers. The retirement is also going up 12 percent, that's an increase of more than \$29,000 in payments to the state's public employee pension system that has been forced by state legislature. Council member Darrin Tabor stated, every year the council passes the budget with no way to have new revenue coming in. He stated if the council attended to the fact that the city needed more money, then the city wouldn't have this issue. Council member Darrin Tabor proposed legalizing the sale of alcohol to increase the licensing and tax revenue, and help fund the police department. Council member Darrin Tabor suggested residents along Airport Road, as well as the Airport itself, be annexed into the City. He stated the sewer system on the road wasn't paying for itself. After a lengthy discussion on adopting the annual budget a vote was taken as follows: Phyllis Sykes no, Darrin Tabor yes, Donnie Arflack no, Dwight Sherer yes, D'Anna Sallin yes, and Mike Byford yes. Motion carried.

The city attorney gave the second reading of ordinance 18-06, entitled, "An ordinance of the City of Marion, Kentucky amending chapter 74, schedule VII of the code ordinances, by adding Section C temporary permits for commercial traffic on routes restricted under subsection B". Motion by Donnie Arflack, second by Phyllis Sykes to adopt said ordinance. After a brief discussion, Council member Donnie Arflack made a motion to amend the permit fee from \$250 to \$1500, second by Dwight Sherer with vote being as follows: Phyllis Sykes Yes, Darrin Tabor no, Donnie Arflack yes, Dwight Sherer yes, D'Anna Sallin no, and Mike Byford no. Mayor Jared Byford had to break the tie vote to pass the permit by voting yes. Motion carried.

Council member Mike Byford introduced ordinance 18-07 entitled, "An Ordinance of the City of Marion, Kentucky amending chapter 50, Water and Sewer System, section 50.02, rates and charges. Motion by council member Darrin Tabor to change section 1 E-6 to a \$65.00 increase with all five council members voting yes and council member Mike Byford wasn't present at the time for vote.

A letter from Wes Hunt was provided to the council in their packets regarding the Park Board requesting use of city property to install and operate an 18-hole Frisbee golf course. The city administrator, Adam Ledford, stated since the Victory Gardens already use the property, the board wanted the council support before making this request. Motion by Donnie Arflack, second by Mike Byford to allow this project. All voted yes. A copy of said letter is attached and made part of these minutes.

OTHER BUSINESS

Council member Donnie Arflack inquired about when a map would be ready regarding repairing the fire hydrants. Utility Director, Brian Thomas, stated it would be around late June or July when the city does flushing.

Council member D'Anna Sallin inquired about the bridge repair at the park. The city administrator said he would ask Wes Hunt about it.

ADJOURNMENT

There being no more items to come before the council, meeting was adjourned at 7:35 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

RESOLUTION #18-04

City of Marion

A RESOLUTION OF THE CITY OF MARION, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT. THIS RESOLUTION ALSO ESTABLISHES PROCUREMENT POLICY FOR ANY KOHS APPROVED PROJECT FOR THE FY-2018 APPLICATION CYCLE

WHEREAS, the City of Marion, Kentucky desires to make an application for United States CMRS funds for a project to be administered by Kentucky Office of Homeland Security:

WHEREAS, it is recognized that an application for and approval of CMRS funds impose certain obligations and responsibilities upon the county:

NOW, THEREFORE, BE IT RESOLVED this 4th day of June 2018, by the City of Marion, Kentucky.

The Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

For the purpose of any KOHS funded projects using FY-2018 funds the city/county will use the provisions of KRS 45A for the purchase of equipment and/or services. For any equipment and/or services under \$20,000 three (3) quotes will be obtained. For any equipment and/or services that exceeds \$20,000 the provisions of KRS 45A will apply.

Done this 4th day of June, 2018 on a Motion made by _____ And seconded by

_____.

Jared Byford
Mayor

ATTEST:

City Clerk

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 18-07**

**AN ORDINANCE OF THE CITY OF MARION, KENTUCKY AMENDING CHAPTER
50, WATER AND SEWER SYSTEM, SECTION 50.02, RATES AND CHARGES**

WHEREAS, the City of Marion operates a water and sewer enterprise that must be financially solvent; and

WHEREAS, said water and sewer enterprise is in need of significant capital improvements and infrastructure repair, including but not limited to a new wastewater treatment plant; and

WHEREAS, the Kentucky Infrastructure Authority (KIA) has the cheapest loan money available for these improvements at the best terms and conditions; and

WHEREAS, KIA has determined that in order for it to loan the City the needed funds for improvements, a fee must be placed on all water bills distributed by the City of Marion's Water and Sewer System.

WHEREAS, the fee previously established by passage of Ordinance 16-06 was deemed insufficient by KIA

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

SECTION 1. That §50.02(E) of the Marion Code of Ordinances be amended to read as follows:

(E) In addition to all rates, surcharges and penalties contained herein this Section, there shall also be a flat-rate environmental assessment fee placed on all water bills to fund capital improvements and depreciation, structured as follows:

- (1) Up to 1,500 gallons - ~~\$8.00~~ **\$13.60** per month
- (2) 1,501 – 5,000 gallons - ~~\$12.00~~ **\$20.40** per month
- (3) 5,001 – 15,000 gallons - ~~\$16.00~~ **\$27.20** per month
- (4) 15,001 – 25,000 gallons - ~~\$55.00~~ **\$92.95** per month
- (5) Over 25,000 gallons - ~~\$110.00~~ **\$187.00** per month
- (6) Sewer customers not on the City's water service - ~~\$20.00~~ **\$65.00** per month

SECTION 2. That all ordinances in conflict herewith are, to the extent of the conflict, hereby repealed, and that this ordinance shall become effective upon its passage by law pursuant to Kentucky Revised Statutes.

COUNCIL MEMBERS

YES

NO

Donald Arflack

Phyllis Sykes

Darrin Tabor

Michael Byford

Dwight Sherer

Danna Salim

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