

MEETING NOTICE & AGENDA

MARION CITY COUNCIL

Monday, February 18, 2019 – 6:00 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 January 14, 2019 Council Meeting
2. Representatives of Young Leaders in Action to Address the Council
3. Consideration of Establishing Police Sergeant Position
4. 2nd Reading of Ordinance# 19-01, entitled, "Amending Marion Code of Ordinance"
5. Discussion on 2-Year Committee & Board Appointments
6. Update on 911E Discussion
7. Introduction and 1st Reading of Ordinance# 19-02, entitled, "An Ordinance Amending Chapter 31 Mayor-Council Plan: Meetings"
8. Mayor/Council/Staff Comments & Questions
9. Adjourn

To: Mayor and City Council
From: Adam Ledford, City Administrator
Re: Agenda Description
Date: February 18, 2019

Call to Order
Public Comments

Business Agenda

- I. Approval of Minutes for 1/14 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. Approval will require a motion/second and vote of the council.

- II. Young Leaders Address
Description:
A group of young people will be in attendance. I believe they will be proposing the City consider changing speed limits around the City/County Park along with some other updates around the property. Some of what they have proposed may fall into the realm of the park board.

- III. Consideration of Establishing Police Sergeant
Description:
The police chief is proposing the city consider the development of a new position within his department. This would recognize more senior members of the staff. In your packet is the proposed job description. The position would have a pay between Assistant Chief and Senior Officer.

- IV. Ordinance Amending Ordinances
Description:
In your packet is a copy of the information associated with the annual update provided by the codification vendor to amend our codes to properly align with state and federal changes.

- V. Committee & Board Appointments
Description:
Included in your packet is a copy of the 2019-20 appointments.

VI. 911E Update

Description:

I will provide a brief update on the state of the process. The parties met early this month about how to proceed forward. A proposed solution seems to be ready.

VII. Ordinance Amending the Date of the February Council Meeting

Description:

The council is being asked to consider changing the date of the February regular council meeting from the 3rd Monday of the month to the 2nd Monday of the month in order to avoid President's Day in the future. As a first reading there will not need to be a vote, however, a sponsor/introducer is required to begin the process.

VIII. Mayor/Council/Staff Forum

- This would be the time for any Council Member to share activities or issues going on at the liaison meetings they have attended.
- I have been working with Chamber on next year's 2nd Annual Mystery Event.

IX. Adjournment

**Meeting of the Marion City Council
January 14, 2019**

The Marion City Council met in regular session January 14, 2019 at 6:00 p.m. with Mayor Jared Byford presiding. Council members present were Phyllis Sykes, Darrin Tabor, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Melinda Gipson, Brian Thomas, Terri Hart, Ray O'Neal, and the city attorney. A public sign-in sheet is attached and made part of these minutes.

PUBLIC COMMENTS

Paul Beard was present at the meeting asking the council to video meetings where people would be able to watch, if not able to attend the meetings.

Judy Faught was present at the meeting asking for help concerning her neighbor's property. She stated the neighbor, a renter, had trash piled up in the backyard, out of site from the street, but plainly visible from her home. Terri Hart, Code Enforcement Officer, stated a letter was sent out last Friday ordering them to clean up the property.

GENERAL GOVERNMENT

Motion by Phyllis Sykes, second by Darrin Tabor to approve the minutes of December 17, 2018 minutes with one correction with Tabor voting no because of no momentary consideration. All voted yes.

Alan Robinson, President of Eclipse Engineering, was present at the council meeting to update the council on the new sewer system project. Alan said that scheduled meetings for next month with the Kentucky Division of Water will need to occur before construction on the first phase of the project, upgrading 6 miles of collection lines across the city, can begin. Adkins Excavating Co of Corbin Kentucky was awarded the \$2.63 million the overall project last month. Alan stated the City would advertise for bids in the coming weeks, with bid opening expected in May. The City has signed an agreed order with the state's Division of Enforcement to have the facility up and running by July 21, 2021, in order to avoid fines.

Motion by council member Darrin Tabor, second by Mike Byford to appoint council member Phyllis Sykes for Mayor Pro Tempore. All voted yes. It is a 2-year posting to fill in during any absence of the Mayor.

Council member Donnie Arflack introduced ordinance #19-01, entitled, "Amending Marion Code of Ordinance." The city attorney gave the first reading of said ordinance.

Included in the council packets were forms to fill out to be part of subcommittees or stakeholder boards. The city administrator, Adam Ledford, asked the council to come ready to turn those forms in during the council meeting if possible so the Mayor could make his appointments within the next few days. These appointments are for 2-year cycle.

The city administrator briefed the council on the 911E update. He stated meetings are being arranged which should involve the nearly appointment 911E committee within appointments.

OTHER BUSINESS

Council member Phyllis Sykes asked if the city attorney had sent letters regarding the bad debt list from December 2018.

Council member Donnie Arflack would like to see about the city billing insurance companies for some fire runs made by the Marion Fire Department. He stated the city could help pay for cost associated with the department by billing insurance companies \$500.00 for fire responses where a damage claim has been filed by the property owner. He stated that the county's volunteer fire department already bills insurance companies for a run. The city administrator, said he check into the proposal and report back to the council.

Council member D'Anna Browning suggested sending a drafted letter to the County Attorney, Rebecca Johnson, concerning the city's intention of giving more recognition to outstanding citizens.

Council member Mike Byford inquired about having Tourism pay for Barbara Browning salary.

Council member Mike Byford stated the cross walk still not working.

ADJOURNMENT

There being no further business to come before the council, meeting was adjourned at 6:45 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

POSITION TITLE - POLICE SERGEANT

CHARACTERISTICS OF THE CLASS –This is a highly skilled and responsible position which involves a continuation of police officer duties along with additional duties of supervising subordinates. An individual in this position is responsible for setting an example for subordinates by being professional in all matters that pertain to law enforcement duties. This position receives moderate supervision from the Chief of Police and/or Asst. Chief.

ESSENTIAL FUNCTIONS – An individual in this position will have the continuation of police officer duties and the ability to supervise subordinates; to communicate accurately with the police chief and subordinates; understand the mission and goals of the police department and become an active participant in achieving those goals; be able to make decisions that are consistent with departmental policies; and the ability to respond as a first line supervisor in certain situations.

JOB DUTIES – An individual in this position will have the continuation of police officer job duties along with supervisor duties. This person will have a working knowledge of the duties and responsibilities of his/her subordinates; will observe contacts made with the public by his/her subordinates and will be available for assistance or instruction when required. This person will also respond to calls that are serious in nature; shall observe the conduct of subordinates and take active charge when necessary; will closely supervise the activities of subordinates, making corrections where necessary and commending when appropriate; and may provide on the job training as needed for efficient operation of the department. This person shall report all violations of policy by subordinates to the Chief of Police; shall enforce all department rules and regulations; and will have additional duties as directed by the Chief of Police.

DESIRABLE TRAINING AND EXPERIENCE – This individual shall have completed Basic Training as recognized by the Department of Criminal Justice Training and shall have completed a minimum of 120 hours of in-service training. This person shall have completed three years of continual service to the Marion Police Department and shall be skilled in at least one specialized police function.

KNOWLEDGE, SKILLS, AND ABILITIES –This individual will have continuation of police officer skills and abilities with considerable knowledge of police methods, federal laws, state and local laws, city ordinances, and departmental policies. This person shall have ability to analyze reports and make corrections where and when needed; the ability to supervise subordinates and direct them in crisis situations; have knowledge of duties and responsibilities of all subordinates; and the knowledge of equipment used by law enforcement personnel.

NECESSARY SPECIAL REQUIREMENTS – This individual will have the continuation of the requirements of a police officer. The first level supervisor must successfully complete departmental probationary period of six months; must successfully complete at least a 40 hour course in supervisory training which has been approved by the Kentucky Law Enforcement Council prior to or within one year of appointment to position.

LEGAL REQUIREMENTS –An individual in this class must meet the requirements of all applicable Kentucky Revised Statues and local ordinances with regards to an individual in this classification.

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 19-01**

AMENDING MARION CODE OF ORDINANCES

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Marion, Kentucky, that an Ordinance is hereby adopted and the City of Marion Code of Ordinances is amended as follows:

SECTION 1. Amendment

That the 2018-S-32 supplement to the Code of Ordinances, as submitted by the American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. Repealer

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 3. Severability Clause

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. Effective Date

This Order shall be in full force and effect upon its passage by law pursuant to Kentucky Revised Statutes.

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

	1	2	3	4	5
<u>Phyllis Sykes</u>	<u>Darrin Tabor</u>	<u>Dwight Sherer</u>	<u>D'Anna Browning</u>	<u>Mike Byford</u>	<u>Don Arflack</u>
Tourism	Revolving Loan Fund	Parks	Revolving Loan Fund	Code Enforcement	Board of Adjustment
Code Enforcement	Parks	Planning & Zoning	Drug Coalition	Chamber	Police
Airport	Planning & Zoning	Safety	Economic Development	Streets & Alley	Water
Fire	Airport	Water	Police	Fire	Finance
911E	Streets & Alley	Sewer	Safety	Finance	911E
	Sewer				

CITY OF MARION, KENTUCKY
ORDINANCE NO. 19-_____

ORDINANCE 19-_____: AN ORDINANCE AMENDING CHAPTER 31 MAYOR-COUNCIL PLAN: MEETINGS.

Be it ordained by the City of Marion, Kentucky as follows:

SECTION 1. Section 31.31 (A) of the Marion Code of Ordinances is amended to read as follows:

(C) The City Council shall meet in session at 6:00 p.m., prevailing time, on the third Monday in each and every month, except for the months of January and February when the City Council shall meet in session on the second Monday, with the meetings to be held at the city hall building.

SECTION 2. This ordinance shall become effective upon its passage by law pursuant to Kentucky Revised Statutes.

This Order shall be in full force and effect upon its adoption. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Introduced and given first reading at regular meeting of the City Council of the City of Marion, Kentucky held on the ____ day of February, 2019, and finally adopted, after second reading, at a regular meeting of said Council held on the ____ day of March, 2019.

COUNCIL MEMBERS

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

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

Jared Byford, Mayor

CERTIFICATE

The undersigned certifies that she is the duly elected and acting City Clerk of the City Council of City of Marion, Kentucky, that the foregoing Ordinance was duly adopted at a regular/special meeting of said Council held on _____, 2019, that all actions taken in connection with such Ordinance were in compliance with the requirements of KRS Chapter 61, and that such Ordinance is now in full force and effect, all as appears from the official records of the City in my custody and under my control.

PAM ENOCH, City Clerk

Dated: _____, 2019

61118965.2

City of Marion KY Tourism Commission
Minutes
December 6, 2018

Commissioners Present: Phillis Hardin, Darrick Myers, Tanner Tabor, Kory Wheeler and Mike Hamilton.

Others Present: Michele Edwards, Emily Shelby, Paul Beard, Linda Schuman and Phyllis Sykes.

Call to Order: Chairman Phillis Hardin called the meeting to order at 5:15 pm at the Marion Welcome Center.

Approval of Minutes: Darrick Myers moved to approve the minutes of the August 14, 2018 meeting. Mike Hamilton seconded. Motion carried unanimously.

Treasurer's Report: Darrick Myers moved to accept the financial report as submitted. Tanner Tabor seconded. Motion carried unanimously.

Disc Golf: The lease with the City of Marion for the property was discussed. Mike Hamilton moved to table further action on the Disc Golf course construction until final action is taken by the city. Tanner Tabor seconded. Motion carried unanimously.

Barn Quilt Brochure: Tanner Tabor moved to accept the bid from The Crittenden Press to reprint the Barn Quilt Brochure Booklet at a cost of \$1000.00. Darrick Myers seconded. Motion carried unanimously.

Shopping Bag Reorder: Mike Hamilton to reorder 5000 shopping bags at the cost of \$2500.00. Tanner Tabor seconded. Motion carried with Kory Wheeler opposing.

T.O.N.E-Z Concert : Tanner Tabor moved to pay the actual cost of the airfare for T.O.N.E-Z to fly to Nashville to preform at Fohs Hall on January 19, 2019. Darrick Myers seconded. Motion carried unanimously.

Mike Hamilton moved the meeting adjourn. Kory Wheeler seconded. Motion carried.

Approved 2-13-19

City of Marion, KY Tourism Commission

Profit & Loss

July 1, 2018 through February 12, 2019

02/12/19

Cash Basis

	<u>Jul 1, '18 - Feb 12, 19</u>
Ordinary Income/Expense	
Income	
Income from Taxes	
Lodging Tax Income	518.75
Restaurant Tax Income	112,170.90
Total Income from Taxes	112,689.65
Interest Income	210.82
Rent Income	250.00
Total Income	113,150.47
Expense	
Appropriations Expense	
Beta Sigma Phi Gazebo	2,390.49
City/County Park Board Approp.	
Disc Golf Expense	27.07
Park Maintenance	3,000.00
City/County Park Board Approp. - Other	7,500.00
Total City/County Park Board Approp.	10,527.07
Clement Mineral Museum Approp.	3,133.39
Comm. Arts Foundation Approp.	3,500.00
Crit. Co. Chamber of Comm. App	
Christmas Parade Expense	355.26
Heritage Days Festival	677.60
Total Crit. Co. Chamber of Comm. App	1,032.86
Fohs Hall Approp.	2,000.00
Marion Main St. Approp. Exp.	
Backroads Expense	25.00
Marion Main St. Approp. Exp. - Other	2,500.00
Total Marion Main St. Approp. Exp.	2,525.00
Total Appropriations Expense	25,108.81
Brochures, Maps, etc. Expense	2,146.93
Buck Contest	171.50
Contract worker expense	
Contract Labor- Market	5,191.00
HB Clark Disc Golf	3,300.00
Contract worker expense - Other	1,725.00
Total Contract worker expense	10,216.00
Crittenden County Fair	731.50
Hwy 60 Yard Sale	304.21
Market Utilities	1,682.30
Meetings - Staff Meals Expense	120.64
Membership Dues & Matching Fund	650.00
Miscellaneous Expense	1,595.40
Non-Print Advertising Expense	811.63
Office Equipment Expense	849.63
Office Rental Expense	10,500.00
Office Supplies	
Market Supplies	251.74
Office Supplies - Other	4,371.35
Total Office Supplies	4,623.09
Other Special Events Expense	2,302.19
Payroll Expenses	37,122.40
Post Office Box Rental Exp.	62.00
Postage Expense	250.00
Promotions - general	
Co-op Advertising	6,406.74
Promotions - general - Other	3,796.75
Total Promotions - general	10,203.49
Telephone/Internet Expense	2,597.68
Utilities Expense	2,821.58
Website Domain Names Purch. Exp	20.17
Website Updating Expense	2,385.00
Total Expense	117,276.15
Net Ordinary Income	-4,125.68
Net Income	-4,125.68

Approved 2-13-19.

CITY OF MARION, KENTUCKY
FINANCIAL STATEMENT
February 2019

	<u>Balance Jan 1</u>	<u>Receipts</u>	<u>Expenditures</u>	<u>Balance Feb 1</u>
General Fund	\$ 265,955.82	\$ 74,603.96	\$ 142,672.60	\$ 197,887.18
Municipal Aid Fund	\$ 153,764.96	\$ 5,336.76		\$ 159,101.72
LGEAF Mineral Severance	\$ 1,618.21	\$ 1,347.82		\$ 2,966.03
Operation & Maintenance Fund	\$ 14,398.44	\$ 99,719.06	\$ 110,828.31	\$ 3,289.19
Sewer Fund	\$ 442.41	\$ 63,475.72	\$ 63,642.44	\$ 275.69
*Consumer Deposits	\$ 8,497.31	\$ 700.07	\$ 1,999.66	\$ 7,197.72
Env. Assess. Building Fund	\$ 274,511.09	\$ 28,030.68	\$ 14,000.00	\$ 288,541.77
*1988 Sinking Fund	\$ 11,398.28	\$ 2,450.21		\$ 13,848.49
*1993 Sinking Fund	\$ 33,455.96	\$ 2,920.58		\$ 36,376.54
Waterline Sinking Fund	\$ 13,415.38	\$ 5,500.26		\$ 18,915.64
*1988/93 Reserve Fund	\$ 6,419.20	\$ 0.06		\$ 6,419.26
Sewer Project R & I	\$ 12,956.83	\$ 4,000.00		\$ 16,956.83
Police Drug & Alcohol	\$ 1,595.93			\$ 1,595.93
*Revolving Loan Fund	\$ 294,989.12			\$ 294,989.12
Rest. & Motel Acct.	\$ 6,083.66	\$ 34,404.48		\$ 40,488.14
Main Street Acct.	\$ -			\$ -

INVESTMENTS

General Fund-----	\$ 487,248.28
General Project Account-----	\$ 60,015.38
Insurance Fund (Street Dept. 9,594.16-----	\$ 9,594.16
Municipal Aid Fund-----	\$ 8,384.55
*Consumer Deposits-----	\$ 80,104.26
Operation & Maintenance Fund-----	\$ 30,000.00
1969 Replacement & Improvement Fund-----	\$ 170,370.92
1969 Reserve Fund-----	\$ 54,000.00
*1988 Reserve Fund-----	\$ 50,000.00
Police Equipment Fund-----	\$ 70.37

LOANS

1988 Loan-----	\$ 238,000.00
1993 Loan-----	\$ 358,000.00
Sewer Project-----	\$ 308,767.26
City Hall Lease-----	\$ 630,000.00
Land Lease-----	\$ 30,016.32
Main Street Waterline-----	\$ 931,094.41
New Sewer Plant-----	\$293,445.00

*Restricted Funds

**Semi-restricted Fund

Respectively submitted,

Melinda Gipson
Melinda Gipson, Treasurer