

Meeting Notice & Agenda

# MARION CITY COUNCIL

Monday, March 15, 2021 – 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 February 8, 2021 Council Meeting
2. Update on 911 Services
3. Discussion on Council Committee Appointments
4. Introduction and 1<sup>st</sup> Reading of Ordinance #21-02 entitled, "AN ORDINANCE CLOSING A PUBLIC WAY"
5. A Representative from Eclipse Engineering to Address the Council on Projects
  - a. Water Loss
  - b. Streets
  - c. Sewer Projects
6. Introduction and 1st Reading of Ordinance #21-03 entitled, "AN ORDINANCE OF THE CITY OF MARION, KENTUCKY, AMENDING CHAPTER 50, WATER AND SEWER SYSTEM, SECTION 50.02, RATES AND CHARGES"
7. Consideration of Awarding Contract to The Walker Company for Construction of the City of Marion Sewer Plant
8. Consideration of Approval on Going Out for Bids on Street Improvements
9. Mayor/Council/Staff Comments & Questions
10. Adjourn

**Meeting of the Marion City Council  
Monday, February 8, 2021-5:00 p.m.**

The Marion City Council met in Regular Session February 8, 2021 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, Layten Croft, Pam Enoch, Chief Police Ray O'Neal, Sergeant Heath Martin, Fire Chief Ronald Howton, and the City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

**GOVERNMENT**

Motion by Phyllis Sykes, seconded by D'Anna Browning to approve the minutes of January 11<sup>th</sup>, 2021, and January 14<sup>th</sup>, 2021 special called meeting same as submitted to the council. All voted yes.

Administrator Ledford briefed the council on Alan Robinson's proposed 2021 street improvement project list. He answered any questions and concerns the council had. Ledford advised due to lack of funds, two streets would be taken off the list, and the next step would be to advertise for bids. A copy of the list of streets is attached and made part of these minutes.

Marion City Council discussed what the best option would be on the issue of Air Brakes. Council member D'Anna Browning advised it was hard to understand the issue unless you lived on Main Street. The council looked at the language of ordinance 08-04, which the council voted down in 2004. After a brief discussion, the council decided to have the police officers enforce a nuisance law which is already a Kentucky state statute. The Police Chief advised this would carry more disciplining measures, than disobeying a city ordinance.

Administrator Ledford briefed the council on the 911 service agreement that was passed out to each of the council members. He advised them to take it home and to look it over and if they had any questions or concerns to call him or the Mayor.

Administrator Ledford discussed with the council the water loss issue on going in the city. He explained this as water that is being treated at the water plant but that is not getting billed out. Ledford advised 20 to 30 percent was typical for older communities, but he advised the city's was 40 percent of loss in leaks of the water system. Ledford recommended hiring a consulting firm that would bring a leak detection device and they would identify problem areas. The city would have option to hire the company to repair the leaks or have the maintenance crew repair them. The cost of this would be \$5,000 to 10,000 dollars. Ledford explained this process is not budgeted for in this fiscal year, but he advised finding the leaks and fixing them will save enough money in water treatment cost to pay for itself over a 12 month period.

Administrator Ledford explained the technology updates to the council. Ledford explained recently that the Water Plant, Sewer Plant, and Maintenance Shop all had to be updated since their computers were pushing ten years old. Ledford also advised the computers in the City Hall office and the server would have to be updated soon. He advised he didn't have a figure amount yet but would keep them updated. He advised while getting a quote for the new computers and servers he requested the IT department to get him a quote for the microphones needed in the Council Chambers.

**OTHER BUSINESS**

Council member Darrin Tabor advised the street light is out on Adams Street/Old Morganfield Road.

Council member Phyllis Sykes was pleased the minutes were put in packets for the Tourism meetings, but she requested their budget also be provided showing what the money is spent on. Administrator Ledford suggested having Michelle Edwards attend the council meetings to answer questions and concerns the council might have.

Council member Donnie Arflack asked for an update on the property across from Hometown Foods, regarding a fence be put up to hide junk owned by Billy Peters. Sergeant Martin advised he was having the City Attorney send a letter to the property owner regarding this issue.

Council member Donnie Arflack suggested that the City check into the cost of switching the street lights to LED for next year's budget.

Council member Dwight Sherer asked if water customer had taken advantage of the \$38 million from the PADD to help with utility bills.

Council member Dwight Sherer was concerned about the sewer project bids coming in much higher than expected. Ledford advised he was meeting with Alan next week about options, and the council will likely be called into a special meeting this month to discuss the options.

Council member D'Anna Browning advised that she had set in on the committee for the armory and the plan was to create a community center.

#### **ADJOURNMENT**

There being no further business to come before the council, meeting was adjourned at 6:02 p.m.

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JARED BYFORD, MAYOR

ATTEST:

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PAM ENOCH, CITY CLERK

ORDINANCE NO. 21-\_\_\_\_\_  
AN ORDINANCE CLOSING A PORTION OF WEST ELM STREET

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

**Section 1** Pursuant to KRS 82.405 the City Council finds that the portion of West Elm Street from its intersection with School Street east to the creek is public way. This public way has been improved by City funds. The City encourages development of educational facilities and this portion of the public way is needed so that the school campus may expand. The abutting landowner on either side of the affected public way to be closed is the Crittenden County Board of Education. It has consented to the closing and waived further notice of the proceeding and such consent is attached hereto.

**Section 2** Therefore, the City Council having found that there is compliance with KRS 82.405, that portion of West Elm Street from its intersection with School Street east to the creek abutting the property on either side being the Crittenden County Board of Education is hereby closed.

**Section 3:** That all Ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

**Section 4: AUTHORITY FOR PASSAGE.**

That this Ordinance shall become effective upon its passage by law pursuant to Kentucky Revised Statutes.

	YES	NO
<b>COUNCIL MEMBERS</b>		
Darrin Tabor	_____	_____
Phyllis Sykes	_____	_____
Donnie Arflack	_____	_____
Dwight Sherer	_____	_____
D'Anna Browning	_____	_____
Michael Byford	_____	_____

It appearing that \_\_\_\_\_ Council Members voted for the adoption of the ordinance, and \_\_\_\_\_ voted against with \_\_\_\_\_ abstaining, the Mayor declared the ordinance adapted.

INTRODUCED AND GIVEN 1<sup>ST</sup> READING: \_\_\_\_\_

GIVEN 2<sup>ND</sup> 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 Arfiack</u>		
Code Enforcement		Parks	Economic Development	Drug Coalition	Code Enforcement		Tourism		
Planning & Zoning	Streets & Alley	Streets & Alley	Planning & Zoning	Parks	Board of Adjustment		Airport		
Chamber	Water		Police	Streets & Alley	Fire		Police		
Police	Finance		Fire	Safety	Safety		Fire		
Streets & Alley	Revolving Loan Fund		Safety	Water	Finance		Water		
Sewer			Sewer	Revolving Loan Fund	Sewer		Finance		

**CITY OF MARION, KENTUCKY  
ORDINANCE NO. 21-\_\_\_\_\_**

**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 Ordinances 16-06, 18-07 and 19-12 has been 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                           | <b>\$41.82</b>  | <del>\$20.60</del>  | per month |
| 2) 1,501 – 5,000 gallons                         | <b>\$55.62</b>  | <del>\$27.40</del>  | per month |
| 3) 5,001 – 15,000 gallons                        | <b>\$62.72</b>  | <del>\$34.50</del>  | per month |
| 4) 15,001-25,000 gallons                         | <b>\$270.12</b> | <del>\$102.95</del> | per month |
| 5) Over 25,000 gallons                           | <b>\$497.00</b> | <del>\$197.00</del> | per month |
| 6) Sewer customers not on the City water service | <b>\$83.14</b>  | <del>\$41.00</del>  | 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

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\_\_\_\_\_

Darrin Tabor

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Michael Byford

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Dwight Sherer

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\_\_\_\_\_

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



SECTION 00010 - ADVERTISEMENT FOR BIDS

Sealed Bids for “2021 Marion City Street Resurfacing” for the City of Marion, will be received by the City of Marion, 217 South Main Street, Marion, Kentucky 42064 until 2:00 p.m. (local time) on April 1, 2021, and then publicly opened and read aloud.

The scope of work includes the resurfacing of various city streets in Marion, Kentucky. The city streets needing resurfacing will be selected at a later time.

The Bid Form and Specification may be examined at the following:

Eclipse Engineers, PLLC	City of Marion
113 West Mt. Vernon Street	217 South Main Street
Somerset, KY 42501	Marion, Kentucky 42064
(606) 451-0959	(270) 965-2266

Copies of the BID Package may be obtained by contacting Eclipse Engineers listed above. Partial sets of documents will not be provided.

The OWNER reserves the right to waive any informality, reject any or all bids, or partially reject any or all line items included in the bid.

No BIDDER may withdraw Bid within sixty (60) consecutive calendar days after the actual date of the opening thereof.

“EQUAL EMPLOYMENT OPPORTUNITY”

Honorable Jared Byford, Mayor  
City of Marion

END OF SECTION 00010

12:09 PM

03/08/21

**City of Marion, KY Tourism Commission**  
**Reconciliation Detail**  
**Farmers Bank Checking Account, Period Ending 02/28/2021**

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						
<b>Cleared Transactions</b>						26,013.25
<b>Checks and Payments - 24 items</b>						
Check	01/07/2021	6938	Marion Baptist Chruch	X	-75.00	-75.00
Check	01/07/2021	6937	Ben Clement Minera...	X	-75.00	-150.00
Check	01/20/2021	6942	KACVB	X	-300.00	-450.00
Check	01/20/2021	6941	Kentucky Travel Ind...	X	-250.00	-700.00
Check	01/20/2021	6940	A.T.&T. U-Verse	X	-193.61	-893.61
Check	02/01/2021	6944	Greg Tabor	X	-400.00	-1,293.61
Check	02/08/2021	6950	City of Marion	X	-5,407.46	-6,701.07
Check	02/08/2021	6947	H&H Supply	X	-2,062.98	-8,764.05
Check	02/08/2021	6951	City of Marion	X	-1,500.00	-10,264.05
Check	02/08/2021	6952	HBC Group, LLC	X	-1,500.00	-11,764.05
Check	02/08/2021	6956	Tourist Information ...	X	-525.00	-12,289.05
Check	02/08/2021	6949	City of Marion	X	-451.98	-12,741.03
Check	02/08/2021	6953	A.T.&T. U-Verse	X	-196.74	-12,937.77
Check	02/08/2021	6946	The Crittenden Press	X	-130.80	-13,068.57
Check	02/08/2021	6955	Atmos	X	-100.54	-13,169.11
Check	02/08/2021	6954	Marion True Value H...	X	-23.97	-13,193.08
Check	02/08/2021	6948	City of Marion	X	-20.88	-13,213.96
Check	02/10/2021	Debit	Kentucky Utilities	X	-329.30	-13,543.26
Check	02/16/2021	Debit	Kentucky Utilities	X	-102.22	-13,645.48
Check	02/22/2021	6959	City/County Park	X	-3,750.00	-17,395.48
Check	02/22/2021	6960	Marion Tourism Par...	X	-1,500.00	-18,895.48
Check	02/24/2021	Debit	Explorations Media ...	X	-142.00	-19,037.48
Check	02/25/2021	Debit	Google Ad Words	X	-315.69	-19,353.17
Check	02/25/2021	Debit	Gurneys Seed	X	-233.07	-19,586.24
<b>Total Checks and Payments</b>					<b>-19,586.24</b>	<b>-19,586.24</b>
<b>Deposits and Credits - 1 item</b>						
Deposit	02/19/2021			X	61,221.84	61,221.84
<b>Total Deposits and Credits</b>					<b>61,221.84</b>	<b>61,221.84</b>
<b>Total Cleared Transactions</b>					<b>41,635.60</b>	<b>41,635.60</b>
<b>Cleared Balance</b>					<b>41,635.60</b>	<b>67,648.85</b>
<b>Uncleared Transactions</b>						
<b>Checks and Payments - 4 items</b>						
General Journal	07/01/2010	AJE 1				
Check	02/08/2021	6945	Helix Creative		-99.17	-99.17
Check	02/22/2021	6957	Walker & Associates		-200.00	-299.17
Check	02/22/2021	6958	Aramark		-1,925.00	-2,224.17
<b>Total Checks and Payments</b>					<b>-99.99</b>	<b>-2,324.16</b>
<b>Total Checks and Payments</b>					<b>-2,324.16</b>	<b>-2,324.16</b>
<b>Deposits and Credits - 1 item</b>						
Check	12/07/2020					0.00
<b>Total Deposits and Credits</b>					<b>0.00</b>	<b>0.00</b>
<b>Total Uncleared Transactions</b>					<b>-2,324.16</b>	<b>-2,324.16</b>
<b>Register Balance as of 02/28/2021</b>					<b>39,311.44</b>	<b>65,324.69</b>
<b>Ending Balance</b>					<b>39,311.44</b>	<b>65,324.69</b>