

Meeting Notice & Agenda

# MARION CITY COUNCIL

Thursday, May 6, 2021 – 5 p.m.

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

## Special Meeting

Call to Order

## Business Agenda

1. Introduction and First Reading of Ordinance #21-04, entitled, "An Ordinance Amending Ordinance No. 20-05 – The City of Marion, Kentucky, Annual Budget for Fiscal Year 07/01/2020 Through 06/30/2021"
2. Introduction and First Reading of Ordinance #21-05, entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COVENANT OF USE REGARDING THE CRITTENDEN COUNTY EDUCATIONAL-TECHNOLOGY BUILDING AND AUTHORIZE THE CONVEYANCE OF SAME TO THE CRITTENDEN COUNTY FISCAL COURT"
3. Introduction and First Reading of Ordinance #21-06, entitled, "AN ORDINANCE AMENDING THE CITY OF MARION CODE OF ORDINANCES DEFINITION OF TATTOOING"
4. Consideration of Resolution #21-02, entitled, "A RESOLUTION AUTHORIZING AMENDING ACTION ON THE MARION SIDEWALK PROJECT"
5. Adjourn

**ORDINANCE NO. 21-04**  
**AN ORDINANCE AMENDING ORDINANCE NO. 20-05 - THE CITY OF MARION, KENTUCKY ANNUAL**  
**BUDGET FOR FISCAL YEAR 07/01/20 THROUGH 06/30/2021**

WHEREAS, some previously unknown or unanticipated expenditures have come to light since adoption of the Fiscal Year Budget for 2020-2021; 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, 2020 and ending June 30, 2021, 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	337,500						<u>248,000</u>	
Payroll/Net Profits	<u>483,000</u> 480,000						<u>218,000</u>	
Intergovernmental Payments	<u>503,640</u> 253,640				<u>175,000</u> 55,240	4,250		
Interest & Miscellaneous	<u>155,315</u> 145,315	12,000	2	<u>67,260</u> 42,260	200	5	30	
Insurance Tax	190,000							
Water Sales		614,600						
Sewer Sales			433,900					
Service Chrgs.		11,000						
Penalties		15,000	16,000					
Environmental fee			<u>465,000</u> 405,750					
Loan Proceeds			5,000,000					
Franchise Fees	115,500							
<b>TOTAL REVENUE</b>	<b><u>\$1,784,955</u></b> <del>\$1,521,955</del>	<b><u>\$652,600</u></b>	<b><u>\$5,914,902</u></b> <del>\$5,855,652</del>	<b><u>\$67,260</u></b> <del>\$42,260</del>	<b><u>\$175,200</u></b> <del>\$55,440</del>	<b><u>\$4,255</u></b>	<b><u>\$248,030</u></b> <del>\$218,030</del>	<b><u>\$8,847,202</u></b> <del>\$8,350,192</del>
<i>Expenditures</i>								
Administration	<u>504,744</u> 492,744	<u>28,759</u> 22,759	133,399	<u>\$57,252</u> \$42,252				
Appropriations	7,503							
Police Dept.	489,184							
E911 Dept.	<u>290,000</u> 276,314							
Fire Dept.	<u>68,961</u> 53,961							
Street Dept.	<u>126,650</u> 64,650							
Lights	<u>94,000</u> 77,000							
Planning/Zoning	23,428							
Building Fund								
Water Plant		<u>379,925</u> 374,925						
Sewer Plant			5,296,030					
System Maint./Debt		228,087	<u>168,729</u> 158,729					
Public Transp.					<u>300,000</u> 96,725	<u>4,255</u> 4,250		
Tourism							<u>248,303</u> 218,030	
<b>TOTAL EXP.</b>	<b><u>\$1,604,470</u></b> <del>\$1,484,784</del>	<b><u>636,771</u></b> <del>\$625,771</del>	<b><u>5,598,158</u></b> <del>\$5,588,158</del>	<b><u>\$57,252</u></b> <del>\$42,252</del>	<b><u>300,000</u></b> <del>\$96,725</del>	<b><u>4,255</u></b> <del>\$4,250</del>	<b><u>\$248,030</u></b> <del>\$218,030</del>	<b><u>\$8,448,936</u></b> <del>\$8,059,970</del>
Projected Net Increase (Decrease):	<u>180,485</u> <del>\$37,171</del>	<u>15,829</u> <del>\$26,829</del>	<u>316,744</u> <del>\$267,494</del>	<u>\$10,008</u>	<u>(\$124,800)</u> <del>(\$41,285)</del>	<u>0</u> <del>\$5</del>	<u>0</u>	<u>398,266</u> <del>\$290,222</del>

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. 21-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A COVENANT OF USE REGARDING  
THE CRITTENDEN COUNTY EDUCATIONAL-TECHNOLOGY BUILDING AND AUTHORIZE THE  
CONVEYANCE OF SAME TO THE CRITTENDEN COUNTY FISCAL COURT**

**WHEREAS**, the City of Marion, Kentucky on May 24, 2001 entered into an Agreement and Mortgage with the United States Department of Commerce, Economic Development Authority (EDA); and

**WHEREAS**, the term of the Agreement was for a period of twenty years and the City now seeks a release of the Agreement and Mortgage in compliance with 13 CFR 314.10; and

**WHEREAS**, the Release is conditioned upon the City executing a Covenant of Use to run with the land that any future owner shall be in compliance with Nondiscriminatory policies as set forth in 13 CFR 302.20 and that the facility and real property shall not be used for explicitly religious purposes; and

**WHEREAS**, the City desires to further the public purpose of the facility in to the future, and the Crittenden County Fiscal Court being in need of a new seat for County Government;

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

**Section One:** That the Mayor of the City of Marion, Kentucky is hereby authorized and shall execute on behalf the City the Covenant of Use attached hereto and marked Exhibit "A" and incorporated herein by reference as if set out in its entirety;

**Section Two:** That the Mayor of the City of Marion, Kentucky is hereby authorized and shall execute on behalf of the City a Deed of Conveyance to the Crittenden County Fiscal Court of the property set forth on Exhibit "B" and incorporated herein by reference as if set out in its entirety;

**Section Three:** That this ordinance shall be effective upon its passage.

**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

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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

**CITY OF MARION, KENTUCKY**  
**ORDINANCE NO. 21-\_\_\_\_\_**  
**AN ORDINANCE AMENDING THE CITY OF MARION CODE OF ORDINANCES**  
**DEFINITION OF TATTOOING**

**WHEREAS**, the City of Marion, Kentucky has applied Tattooing under Section 110.55 (K) Special License Fee; and

**WHEREAS**, the City now desires to further define the definition of Tattooing; and

**WHEREAS**, the City deems it in the interest of the health safety and welfare of its citizens that Tattooing be distinguished from micro-pigmentation, or “permanent makeup”;

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

**Section One:** That Section 110.55(K) is hereby amended as follows:

(K) Tattooing. To engage in the business of tattooing, a license fee of \$200.00 per week or any part thereof. Tattooing does not include the process of micro-pigmentation, commonly known as permanent makeup, which uses a silent handpiece with controlled pulsation depositing pigments which are predominantly non-resorbable directly near the epidermis.

**Section Two:** That this ordinance shall be effective upon its passage.

**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: \_\_\_\_\_

\_\_\_\_\_  
 JARED BYFORD, MAYOR

ATTEST: \_\_\_\_\_  
 PAM ENOCH, CITY CLERK

RESOLUTION #21-02

A RESOLUTION AUTHORIZING AMENDING ACTION ON THE MARION  
SIDEWALK PROJECT

WHEREAS, the federal-aid highway program state administered funding awarded City of Marion for the Marion Sidewalk Project, and

WHEREAS, the funding will be authorized in phased agreements as federal requirements are met for the project, and

WHEREAS, the Marion Sidewalk Project has completed preconstruction requirements, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marion, Kentucky, as follows:

Section 1. The City Council of the City of Marion authorizes Mayor Jared Byford to sign the amending documents associated with the phased agreements, as well as any other necessary documents related to the project..

Section 2. This resolution shall become effective after its passage.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor

Witness:

\_\_\_\_\_  
City Clerk