

Meeting Notice & Agenda

MARION CITY COUNCIL

Monday, July 18, 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 the June 20, 2022 Council Meeting and June 30 and July 14 Special Council Meetings
2. Introduction and First Reading of Ordinance # 22-12 entitled, "An Ordinance of the City of Marion, Kentucky Amending Chapter 50 to include Cross Connection"
3. Discussion on Potential Changes to Alcohol Servers Age Requirement.
4. Update on Lake George and Water Supply
5. Mayor/Council/Staff Comments & Question
6. Adjourn

**Minutes of the Marion City Council
June 20, 2022**

The Marion City Council met in Regular Session on June 20, 2022, at 5:00 p.m. with Mayor Jared Byford Presiding. Council members present were as follows: Darrin Tabor, Phyllis Sykes, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City Employees were as follows: Adam Ledford, Layten Croft, Pam Enoch, Danielle Duncan, Fire Chief Howton, Police Officers Eric Grey, James, Duncan, and the City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

GENERAL GOVERNMENT

Motion by Phyllis Sykes, seconded by Mike Byford to approve the minutes of the May 16, 2022, June 15th and 16th Special Called meeting, and the May 24th Emergency Called meeting. All voted yes.

Administrator Ledford updated the council and public on Lake George Water Supply. Ledford advised Governor Beshear had declared a State of Emergency for City of Marion. Ledford stated the National Guard plans to start hauling water from the river to the Old City Lake as soon as test results were back. Judge Executive, Perry Newcom, advised the National Guard will be distributing water for drinking and cooking at the former National Guard Armory. He also advised the city is planning a four-day system for distributing the bottled water to residents. Jackie Logsdon, a Division of Water representative, was present to answer any questions and concerns the council and public had. She advised any questions she could not answer would be sent up the chain of command. She then spoke on the Lucile Mine, a source of raw water, that the council has interest in is an old mine near the city maintenance garage and Marion has rights to the water. Ms. Logsdon told the council and public preliminary tests have indicated the water has too much natural fluoride to be safe for drinking.

PUBLIC CONCERNS

Around thirty residents were present at the council meeting concerning the water supply issue. Some were property owners who live close to Lake George, with questions regarding whether the lake would be rebuilt even if it was not to hold raw water for the city. Mayor Byford stated his opinion for long term solution will be regional, but all options are on the table for short term.

The City Attorney gave the second reading of Ordinance #22-11, entitled, "An Ordinance of the City of Marion, Kentucky, Amending Ordinance #01-23 to rezone property at 200 Watson Street from C-3 mixed Commercial District to R-3 Multi-Family Residential District". Motion by Darrin Tabor, seconded by Dwight Sherer to adopt said ordinance with the vote being as follows: Darrin Tabor yes, Phyllis Sykes yes, Donnie Arflack yes, Dwight Sherer yes, D'Anna Browning yes, and Mike Byford yes. Motion carried.

OTHER BUSINESS

Council member Phyllis Sykes suggested getting everyone's email that wanted to be updated on the water supply shortage and keeping them updated on daily basis.

Council member Phyllis Sykes stated that DOW gave Jeff Black a huge compliment on his excellent job performance he has done since the levee broke at Lake George.

Council member Donnie Arflack suggested better communication with WMJL Radion and anyone that could get the word out on the water shortage to please do so.

Council member Donnie Arflack suggested a no burn ban.

Council member D'Anna Browning asked for an update on the house at the corner of East Bellville and North Walker Street. She stated that they have had time to get the house torn down.

Council member Mike Byford asked about the list for black topping streets. Administrator Ledford advised that Alan Robinson was working on it.

Council member D'Anna Browning had concerns with people setting off fireworks with the water shortage.

ADJOURNMENT

There being no further business to come before the council, meeting adjourned at 6:27 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

Special Called Meeting
Thursday, June 30, 2022 – 5:00 p.m.

The Marion City Council met in special session June 30, 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, Layten Croft, Pam Enoch, Danielle Duncan, Jeff Black, Greg Tabor, Fire Chief Howton, Police Officers Eric Grey, Heath Martin, and Tucker Frazer filling in for the City Attorney.

GENERAL GOVERNMENT

Administrator Ledford updated the council and public on Lake George and the water supply. Ledford advised the city had a ten-day water supply as of this date. Ledford advised the bottled water for residence would continue for the near future with few changes. Ledford stated over 75,400 bottles were handed out and wanted to thank the National Guard for all their help. Ledford updated the public on Lake George and the water supply up until the June 29th meeting. A copy of the updates is attached and made part of these minutes.

After a lengthy discussion on Lake George and the water supply a motion was made by Darrin Tabor, seconded by Donnie Arflack to turn over administration of the ongoing water crisis to the appropriate state agencies. All voted yes. Carey Johnson, director for the Department for Environmental Protection, said Kentucky Division of Emergency Management, Energy and Environment Cabinet and Finance Cabinet will take the reins, continuing to explore both short- and long-term solutions to the crisis.

Councilmember Dwight Sherer introduced Emergency Ordinance #22-12, entitled, “An Ordinance of the City of Marion, Kentucky authorizing the mayor to ban open burning and discharging firework in the city limits of Marion, Kentucky. All voted yes. Tucker Frazer read the Emergency Ordinance #22-12, motion by Darrin Tabor, seconded by Donnie Arflack, to approve emergency ordinance with the vote being as follows: Darrin Tabor yes, Phyllis Sykes yes, Donnie Arflack yes, Dwight Sherer yes, D’Anna Browning yes, and Mike Byford yes. Motion carried.

Local citizens were present at the meeting, with questions and concerns on Lake George and Water Supply. Carey Johnson, director for the Department for Environmental Protection, answered questions and the concerns the residents had.

ADJOURNMENT

There being no further items on the special agenda; meeting was adjourned at 6:57 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

**Minutes of the Marion City Council
Special Called Meeting
July 14, 2022-5:00 p.m.**

The Marion City Council met in Special Session July 14, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Councilmembers 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, Jeff Black, Danielle Duncan, Chief Ray O'Neal, Officer Eric Gray, and the City Attorney Bart Frazer. A public sign-in sheet is attached and made part of the minutes.

Jerry Slinker, Director of Emergency Management, was present at the council meeting to answer any questions and concerns the council and the public had. Mr. Slinker described in detail what the emergency management does, and he advised everyone this was a unique situation, and everyone was working hard for this to not turn into a disaster. He answered questions and concerns from both the council and the public.

Carey Johnson, Director of Kentucky Division of Water, was also present at the council meeting to answer any questions and concerns the council and the public had. Mr. Johnson advised the council and public their focus was on a five-point plan as follows: (1) Supplement water in City Lake (2) Conservation (3) Bottled water distribution (4) Crittenden/Livingston Connection (5) Engineering emergency line out of Sturgis, advised it was a unique situation and had a few sit backs, but was actively working on it.

Administrator Ledford updated the council and the public that were present at the meeting on Lake George and the water supply. He advised the National Guard were still hauling water to City Lake and distributing bottled water and the armory. Ledford advised everyone that Critt/Livingston Water District was restricted on water supply to the city due to a water leak they had. Ledford stated they were supposed to start back tomorrow on supplying water to the city.

Cody Kirby, with Kentucky Rural Water, was present at the meeting to update the council and public on the leaks they had located and repaired. Mr. Kirby advised the council and public he was on site for technical assistance. He advised everyone that this water crisis was not an overnight fix, and everyone was trying their best to solve the problem.

Then the public was given the opportunity to speak and ask questions concerning the ongoing water crisis.

ADJOURNMENT

There being no more items on the special agenda; meeting was adjourned at 6:36 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

New Bulk Water Storage Tank or Well Installations

What to do before installing a bulk water storage tank or well in a home or business

Report all bulk water storage tanks or well installations to the City of Marion: Marion Water Department (contact information).

A cross-connection is any physical connection between a possible source of contamination and the public water system (401 KAR 8:010), including a new well or storage tank on private property. If you've installed an alternate source of water and have connected it to plumbing that also receives water from the utility, please contact the City of Marion immediately (contact information) to ensure that there isn't a cross connection that might contaminate the water – city officials want to keep you and other customers safe from illness.

Cross-connections to the water system are illegal, because of the potential for contamination of your or other customers' water (401 KAR 8:020, Sec. 3(2)). There are limited circumstances where an automatic connection device, such as a reduced pressure zone back flow preventer or a vacuum breaker, may be approved, but the City of Marion will need to be notified and must approve the circumstance and plans before installation.

Here are some guidelines that must be followed when installing an alternate water source (such as a bulk water storage tank or well):

1. Complete disconnect & separation from the water source to city water meter at the house main shut-off.
2. The alternative water sources will connect on the inlet side of the main shut-off valve in the house.
3. A permit & inspection will be required by the local plumbing inspector for all alternate water source connections along with approved backflow devices if required.
4. Once approved, maintain this information on-site and provide to the Division of Plumbing: information about the alternative potable water sources, permits, inspection records, and test records from drilled wells.