

Stanford City Council  
Regular Meeting  
Thursday, April 6, 2017  
6:30 p.m. Stanford L&N Depot

Council member Dr. Naren James opened the meeting with prayer. Mayor Eddie Carter led the Pledge of Allegiance.

**Roll Call:**

Council members Ronnie Deatherage, Peggy Hester, Scottie Ernst, John Sallee, Dr. Naren James were present. Council member Sara Givens was absent.

Others present;

City Attorney Chris Reed

Police Chief Zach Middleton

Police Officer John Williams

Fire Chief Scott Maples

Code Enforcement Officer Jeff Knouse

P&Z commissioners Ward Hart and Jim Jarrett

Doug Gooch

Garland Vanhook

David Southerland

Tim Estes

Larry Peppard

Kaye Peppard

Joe Crain

Dennis Counts

Abigail Whitehouse

Mayor Carter declared quorum

Mayor Carter presented Joe Crain a plaque for the many years of service to the community.

Robin Jones, retired fire fighter, was not present to accept plaque.

**Approval of minutes:**

March 2, 2017 regular meeting

Mayor Carter asked if there were no additions, corrections or deletions the minutes be approved.

Council member Scottie Ernst made motion to accept as presented, motion was 2<sup>nd</sup> by Council member John Sallee. All voted in favor, motion carried.

### **Planning and Zoning :**

Ward Hart, chairman of P&Z commission gave update.

Ward informed the council at March meeting one zone change was requested for lot next to 627 Danville Avenue. Ward said lot zoned R-1 is located between two properties zoned B-2.

Ward said the owner wants to tear down house and put in rental units. The owner hopes to have done by end of April if there are no objections from adjoining property owners.

Ward informed council we are waiting for greenhouse to present final plans to P&Z.

Council member Ernst asked what the terms are for P&Z members. He asked if they are four year terms. Ward responded Judy Hester has that information. Mayor Carter asked about staggered terms. Ward responded the reason terms don't appear to be staggered is because we have replaced people who have quit or retired.

Council member Hester said several terms expired and commissioners were left on. She added we are working to get boards in compliance. Council member Hester asked if Attorney Kirk Correll has voting privilege. Ward responded no. Council member Deatherage said the minutes from P&Z state he is a commissioner. Council member Deatherage asked if he engages in conversation or gives legal advice. Council member Deatherage asked if he is savvy with P&Z laws. Ward responded yes he is. Council member Deatherage asked if his recommendations are consistent. Ward responded they are.

Council member Ernst asked if Kirk has term limit to serve on the board. Ward responded no.

Council member Deatherage asked why one lawn mower repair shop on Powell Street was closed and another was granted a conditional use permit. Council member Deatherage asked what the difference was. Ward responded he could not address the one that was closed.

Council member Hester questioned how she could justify one being closed when both are in residential area. Council member Hester said individual who's business was closed doesn't understand why he was closed and the other wasn't.

Council member Deatherage informed council he talked to Chris Johnson at Kentucky League of Cities and he is willing to meet with council and all boards to do training to get everyone on same page. Mayor Carter responded we can have a work session.

Council member Ernst asked how often P&Z members go to training. Ward responded eight hours of training every two or three years is required. Ward added training time and locations sometimes makes it hard to attend. Council member Hester asked if there is on-line training.

Council member Ernst asked Ward how long he has served on P&Z. Ward responded approximately fourteen to fifteen years. Ward added Judy Hester has served the longest. Ward explained this is not good or bad, but it's good to bring new people on.

Council member Deatherage said appointments to P&Z have not been brought before the council. Council member Ernst said appointments have been, reappointments have not.

Mayor Carter explained Joe Gilliland appointment in 2016 was made by P&Z due to him failing to not make appointment within the time limit. Mayor Carter explained in 2016 we had a lot going on, we had no attorney, city clerk or police chief. Mayor Carter added I may have told them to go ahead with appointment. Mayor Carter advised council P&Z has the right to do this. Council member Deatherage said since we have been on the council no one has come before the council to be appointed.

Council member Hester explained we are not pointing fingers or placing blame. We are trying to get into compliance and move forward. Ward responded he appreciates the council and going forward appointments and reappointments will come before the council. Ward invited council to come to P&Z meetings.

Council member Hester asked if we could go to citizen's comments due to large number of citizens in attendance. Mayor Carter responded no, I want to bring Jane forward because she has to leave. Council member Hester asked if we could go to citizen's comments afterward. Mayor Carter responded we will see.

**New Business:**

1.) Engineer Doug Gooch, Architect Garland VanHook and David Sullivan presented plans showing what First Southern Bank will do to block in front of the Blue Bird Restaurant. Doug informed council proposal is to create outdoor cafe area in front of the restaurant and ice cream shop. Doug explained to have enough room we will need to take five to six parking spaces on the block to extend sidewalk out another eight feet. Council member Hester asked if the street is state road. Doug responded yes it is.

Doug informed the council the state transportation department has asked for permission from the city to do this. We would like the council support. Doug informed council Main Street traffic will not be impacted we are only taking five to six parking spaces. Doug informed council current street drain boxes will be replaced with drain boxes to collect storm water and are safer than current boxes.

Doug address lost parking spaces. Alley will be built to link parking in the back of building that is underutilized. Doug informed council the goal is to make Stanford a walking area.

Council member Dr. James asked about cost. Doug responded First Southern will finance there will be no cost to the city.

Council member Hester asked if the city will be liable in case there is an accident. Doug responded the property will belong to either the state or First Southern. Any liability in the construction phase will be covered by bond by First Southern.

Architect VanHook explained once permits by the state are issued they will be bonded.

Council member Ernst asked if there will be signage during construction phase stating city is not responsible for accidents. Council member Ernst asked if this will go before P&Z.

There being no further discussion Mayor Carter asked Attorney to read resolution to move forward with outside sitting area and closing parking spots.

Council member Deatherage made motion to accept resolution to move forward, Council member Ernst 2<sup>nd</sup> the motion.

Mayor Carter called for roll call vote.

<u>Council member Deatherage</u>	<u>Yes</u>
<u>Council member Hester</u>	<u>Yes</u>
<u>Council member Ernst</u>	<u>Yes</u>
<u>Council member Sallee</u>	<u>Yes</u>
<u>Council member Dr. James</u>	<u>Yes</u>
<u>Council member Givens</u>	<u>Absent</u>

Motion carried

## **2.) Walking Trail Renovation**

Randy Denham and Jane VanHook presented two plans for walking trail renovation using a grant.

Mayor Carter informed council the grant is a Land and Water Conservation grant offered by the federal government through the state. Mayor Carter explained a blacktopped eight foot bike trail extending from the L&N Depot to Danville Avenue will cost approximately \$16,000 to \$18,000. The grant is 50/50, our cost will be approximately \$8,000 to \$9,000. Mayor Carter informed council this must be in paper work must be in by Monday and we need to have a public hearing. Mayor Carter said another 80/20 grant is coming up that we may be able to look at doing something else.

Council member Ernst asked if we have to take the grant if we are accepted. Mayor responded yes he thought we must commit.

Council member Dr. James expressed concern about length of trail. Mayor Carter responded the walking/ bike trail will be approximately two tenths of a mile to Danville Ave.

Council member Dr. James made motion to move forward with grant work for walking/biking trail, Council member Hester 2<sup>nd</sup> the motion. All voted aye in favor of.

Mayor Carter informed council LeeAnn Lacy with Bluegrass ADD will be here Monday to start paperwork.

There being no further discussion Mayor Carter asked Attorney Reed to read the resolution. Attorney Reed read resolution.

Council member Dr. James made motion to accept resolution presented by Attorney Reed.

Council member Hester 2<sup>nd</sup> motion, all voted aye in favor.

Council member Deatherage asked why we have a lease and not ownership of the trail. He asked if lease if renewal. City Attorney explained trail is for walking. The owners can evict the city if changes such as blacktop, lights, addition of benches are done.

Council member Hester asked what can be done with mess created by KU at the fort. Mayor Carter responded KU has right of way there and the Public Serve Commission gave them permission to cut on right of way. Mayor Carter informed council KU did not meet with him about this.

Randy Denham said vegetation will grow back in time and this should solve the problem. Council member Hester asked Randy how this will affect admission to the Seige. She asked if a privacy fence can be put up. Randy responded this year we will have to monitor this. Mayor Carter suggested putting up a rope to control admission this year.

**3.) Law Enforcement Protection Program Resolution**

Police Chief Middleton informed council new vest for all police officers will have to be ordered in the next budget year. Police Chief advised council current vests expires at the end of the year. Police Chief informed council he is applying for grant of \$10,000 to cover cost of vest. Chief Middleton advised council the amount we receive will depend up money available at time of the grant. Grant money will be given based on need. Police Chief Middleton advised council we may not get the grant, but money will have to be spent anyway. Police Chief said department is current using Level 2 vest but will go to Level 3 which is a better vest. Police Chief Middleton informed council a resolution is needed to go forward with grant application.

There being no further discussion Mayor Carter asked Attorney Reed to read the resolution. Attorney Reed read the resolution.

Council member Dr. James made motion to accept resolution to apply for grant, Council member Hester 2<sup>nd</sup> motion.

Roll call vote;

<u>Council member Deatherage</u>	<u>Yes</u>
<u>Council member Hester</u>	<u>Yes</u>
<u>Council member Ernst</u>	<u>Yes</u>
<u>Council member Sallee</u>	<u>Yes</u>
<u>Council member Dr. James</u>	<u>Yes</u>
<u>Council member Givens</u>	<u>Absent</u>

Motion carried.

**3.) 2017-2018 Municipal Road Aid Resolution**

Mayor Carter explained to council this is road tax money we get each year from the state. Council member Hester asked how much we are getting. Mayor Carter responded approximately \$68,000. Council member Ernst asked if it's better to receive quarterly or yearly. Mayor Carter responded we have always received money in three installments. Council member Deatherage asked if there was money left over from last year. Mayor Carter responded there is approximately \$40,000. Council member Deatherage asked if this money is to be used for roads and not sidewalks. Mayor Carter responded yes it is to be used for roads

only. Mayor Carter explained he tried to get approval to use funds to pay our part in the sidewalk grant the county has applied for but was told by the state this can only be used for roads.

Council member Hester asked if we can use this to blacktop street to the fort. Mayor Carter yes but we will not be able to bid out before the Seige.

There being no further discussion Mayor Carter asked Attorney Reed to read resolution.

Council member Dr. James made motion to accept the Municipal Road Aid Resolution. Motion was 2<sup>nd</sup> by Council member Hester.

Roll call vote;

Council member Deatherage      Yes

Council member Hester              Yes

Council member Ernst              Yes

Council member Sallee            Yes

Council member Dr. James        Yes

Council member Givens            Absent

Motion carried.

#### **4.) Hazard Mitigation Plans Resolution**

Fire Chief Maples explained to council this is required by law. Fire Chief Maples informed council resolution was signed in 1988, 2006 and 2011 and this is an update. Fire Chief added if resolution is not signed FEMA will not provide grant opportunities or disaster relief if needed.

There being no further discussion Mayor Carter asked Attorney Reed to read resolution.

Council member Deatherage made motion to accept resolution, Council member Dr. James 2<sup>nd</sup> the motion.

Mayor Carter called for roll call vote.

Ronnie Deatherage      Yes

Peggy Hester              Yes

John Sallee              Yes

Scottie Ernst              Yes

Dr. James              Yes

Sara Givens            Absent

Motion carried.

#### **Council member business:**

Council member Deatherage reminded Mayor not to forget about basketball court on Helm and Moon Street.

Council member Deatherage said he liked Joe Crain being recognized.

#### **Strategic Plan**

Council member Deatheage asked this be brought back and looked at to develop the budget.

July 4<sup>th</sup>

Council member Deatherage suggested doing something for Veterans either at the Fort or something in conjunction with the Fair.

**Police Tires**

Council member Deatherage asked why the difference in tire prices between Danville and Stanford. Police Chief Middleton responded this is the first time we have bought tires from Danville Family Tires because we got the state rate. Police Chief Middleton explained \$1200 tires can be purchased for \$400 under state contract prices. Tire priced locally for the same tires are three times more expense. Police Chief Middleton informed council police vehicles have to have certain rated tires, regular tires cannot be used. Police Chief explained the department tries different brands to keep cost down. He will check on possibly ordering tires at the state rate in Danville and having them put on locally.

Council member Deatherage said car on Edgewood Drive is parked halfway on the road at all times.

Mayor Carter informed council Joe Gilliland will have event for falling officers. Police Chief Middleton added event to be held May 15<sup>th</sup> is sponsored by the Blue Knights. Council member Hester asked why it's being held on a Monday. Police Chief Middleton responded May 15<sup>th</sup> is National Law Enforcement Memorial Day. Mayor Carter invited council members to attend.

Council member Hester said she received a message from resident regarding stray cats on Pettus Court. Council member Hester reminded council she has brought this up before, now there are stray cats all over town. Council member Hester said she was told health department was now involved due to stray cat attacking a citizen. Council member Hester said she was asked by citizen if animal control can set traps to catch the cats.

Council member Hester addressed council regarding she received from Luzia Foster. Luzia lives on Whitley Ave received a letter to clean up her property. Luzia said house on her street is in worst condition than hers. She would like this addressed.

Council member Hester said she received call regarding vehicles on street not being moved.

Council member Hester commented minutes show Ryan Owens was suppose to be at meeting. Mayor Carter responded we don't have everything in place with the engineers.

Council member Hester said residents on Miller Street are very interested in the project and asked before anything is finalized Ryan should come to meeting.

Attorney Reed reminded council property tax bill will be certified May 1<sup>st</sup> by PVA. Council will need to look at setting compensating rate for real and personal property at next council meeting.

**Old Business:**

1.) Update on HB422

Mayor Carter informed council he called and talked to a lot of cities about HB422. Mayor Carter said he felt good about waiting to see how HB422 played out. Mayor Carter informed council a lot of cities have customized their plan. Mayor Carter added he and Chris have worked on this and will come back next month with plan.

Attorney Reed informed council he talked to Attorney Tom Edge and he agreed to have a class for code enforcement officer, city officials and himself to talk about how to implement this.

Attorney Reed added Attorney Edge had a lot of good ideas.

Council member Ernst asked who the officer is now. Mayor Carter introduced Jeff Knouse to the council. Mayor Carter informed council he is doing a great job and hopes he will be the person to go forward with this.

Mayor Carter asked council to think about three people to serve on the board. Mayor Carter said he will try to work with council on this.

Council member Ernst said he appreciated report Mr. Knouse prepared for the council.

Council member Deatherage commented about code enforcement. He asked if current setup could be more efficient. Council member Deatherage stated he is concerned at the perception this is not done fairly and there is bias by city official when it comes to enforcement of city officials. Council member Deatherage added this is something he did not want and as officials we must lead by example. Mayor Carter responded he believes HB422 will take care of this.

Council member Hester said we need to be definitive and move forward. She added with HB422 Model A the officer doesn't have to get permission or ask for approval from a city official.

Council member Hester said she met with Mr. Knouse and thinks he needs to be full time code enforcement officer. Council member Hester questioned why we are waiting and not moving forward.

Mayor Carter asked this be left as is for now and hopefully we will have three people on the board and can start this next month. Mayor Carter advised council we need ordinance stating code enforcement officers duties.

Council member Hester asked if Mr. Knouse needs to be sworn in for interim period. Mayor Carter responded we are going to leave it as is for now and start this next month.

Police Chief Middleton informed the council they must authorize him to be citation officer. Council member Hester asked Mr. Knouse for his feedback. Mr. Knouse said he would like to be sworn in so we can start this. Mr. Knouse added we can continue as is for now, but there are limits to what he can do.

Council member Deatherage informed the council he wants to take away perception Mayor or Council has asked Mr. Knouse not to serve a citation due to it being a relative. Council member Deatherage added he had three people to talk in the last two weeks about this is going on.

Council member Deatherage asked Mr. Knouse how many hours he worked per week. Mr. Knouse responded two to three days. Mayor Carter informed council he is not in the budget, we are using fire department budget for Mr. Knouse.

Mayor Carter asked Fire Chief Maples where he stands with his budget for code enforcement.

Fire Chief Maples responded he will be over budget for code enforcement this month. Fire Chief Maples commented about HB422. He said if there isn't someone who has the time to do this, it will not work.



Council member Deatherage asked if code enforcement can be self generating if citations are issued. Council member Deatherage asked if uncollected property taxes and business license can go toward code enforcement expense. Fire Chief Maples responded with HB422 code enforcement could be self generating. Council member Deatherage asked who is responsible for collecting unpaid property taxes. Mayor Carter responded letters are mailed out. City Clerk Taylor informed council 3<sup>rd</sup> and 4<sup>th</sup> notices have been mailed.

Council member Ernst asked how much tax money has not been collected. City Clerk responded for year 2016 a little over \$6,000 is still owed and notices have been mailed. City Clerk added there are those who don't buy business license because they don't think they have to. City Clerk asked how much postage we want to invest to continue to mail letters.

Council member Ernst asked if a lien can be placed on the property for unpaid taxes. Council member Ernst added he would like names of people who don't pay their taxes put in the newspaper.

Attorney Reed reminded council unlike the county the city does not sale their tax liens. We will not get extra income.

**Citizen Comments:**

1.) Larry Peppard addressed council about sidewalk situation and speeding on Miller Street. Larry asked if Miller Street will be involved in the water line expansion and if so; will we get sidewalk on north side of Miller Street. Larry asked with people speeding on Miller Street and with there being no sidewalks where are people suppose to walk? Larry reminded Mayor Carter he was told a couple of years ago a sidewalk would be put in when city has money. Larry asked when the allocation will come. Larry said distance between Shea Villa and gas station on Miller Street is only approximately 200 feet. Mayor Carter responded the county is in the process of working on sidewalk grant. If sidewalks happen this fall maybe we can bid this out and it can be done. Mayor Carter informed Mr. Peppard currently we have no money available for sidewalks. Larry asked didn't the council agree to put up \$8,000 for a walking trail but there is no money for a sidewalk that cost less than that to build. Council member Hester responded that grant is for parks and will not cover sidewalks.

Council member Hester said she is making it a mission to see if there are grants available for city sidewalks. Mayor Carter responded we can look at this when we get into the budget. Council member Ernst asked Mayor Carter if he would get cost estimate for a sidewalk. Mayor Carter responded he would.

2.) Larry addressed council about house on Powell Street. There have been mattresses on the property for couple of years, a building behind his property is falling down. Larry asked if a full time code enforcement officer is needed. Mayor Carter responded we are in the process of address this in HB422 discussion.

Mayor Carter expressed his appreciation to Larry for attending the meeting,

Mayor Carter informed council spring cleanup will start. The property will be addressed as a nuisance.

3.) Council member Hester read statements to council given to her by Dennis Counts

1. He would like to see sidewalk extended from health department to Velero gas station
2. Powers Court- "no outlet" sign needed at end of street
3. Is enforcement the law, if so why aren't we using code enforcement
4. Vehicles on Miller Street are speeding, speed limit is 25 mph
5. Stop sign on Lily Avenue has been gone for 2 ½ years
6. Mr. Counts suggested putting box outside City Hall for citizens to leave suggestions that

can be brought to council meetings.

Mayor Carter asked Police Chief Middleton to monitor Miller Street for speeders.

**Adjournment:**

There being no further business Council member Ernst made motion to adjourn, Council member Sallee 2<sup>nd</sup>. All voted in favor

Time: 9:00 p.m.

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Mayor

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City Clerk

\*\*Council meeting held May 4, 2017 amendments to the minutes were made;

- 1.) \$500 donation for Cowbell Days was approved
- 2.) Mayor Carter asked the minutes be amended to say Jim Jarrett and Jeff Cain were appointed to Planning and Zoning by the council. Joe Gilliland was appointed by Planning and Zoning. Council member Hester made motion to approve as amended, Council member Sallee 2<sup>nd</sup> the motion. All voted aye in favor