

**City of Stanford**  
**Regular Council Meeting**

Thursday, March 1, 2018

**I. Call to order**

Mayor Eddie Carter called to order the regular meeting of the City of Stanford Council at 6:32 pm on March 1, 2018 at the Stanford L & N Depot. Councilmember Sara Givens led the opening prayer and Mayor Carter led the Pledge of Allegiance.

**II. Roll call**

A roll call was conducted, and the following council members were present: Ronnie Deatherage, Scottie Ernst, Sara Givens, Peggy Hester, Naren James (arrived 6:42 pm), and John Sallee.

**III. Approval of minutes**

- a) Regular Council Meeting – February 1, 2018  
Councilmember Givens made a motion to accept the minutes as presented and Councilmember Sallee seconded the motion. With all in favor, the motion carried.

**IV. Old/New Business**

a) **Safe Communities Coalition of Central Kentucky**

Stephanie Blevins came forth and reminded council that, about a year and a half ago, the City Councils from Boyle, Lincoln, Mercer, and Garrard, in addition to all fiscal courts of those counties invested \$500 for the accreditation of safe communities. The accreditation is for this regional area; however, each county has a task force that operates within their county to address safety needs. The accreditation was done to prevent injuries and reduce injury costs. Andrea Miller is the chair for the Lincoln County task force. Chief Middleton and Robert Bowen were both present and are members of the task force. Ms. Blevins explained that Safe Communities of America came in January and granted the accreditation which she presented to council along with a Safe Communities of Lincoln County flag. The safe communities symbol can be used when trying to bring industry into Lincoln County.

b) **Comprehensive Plan**

Mayor Carter asked Ward Hart to come forth and give an update on the comprehensive plan. Mr. Hart explained that a public hearing was held in January which is required for the goals and objectives part of the comprehensive plan. No changes were made, and no one voiced opposition. Due to the lack of changes, there is no need to spend \$15,000 on a new comprehensive plan. We are going to readopt the comprehensive plan that we have now, which will bring us into compliance as far as the State is concerned. We have a new census coming out in two years and we can look at it again then to see if we need any major changes.

Councilmember Deatherage made a motion to adopt the comprehensive plan as presented by Ward Hart. Councilmember Hester seconded the motion and with all in favor, the motion carried.

Mr. Hart also explained that the economic picture is looking up. The greenhouse project and the dialysis center are both coming along.

Mayor Carter asked Mr. Hart to go ahead and give an update on the swimming pool ordinance. James Jarrett stated that the swimming pool ordinance has been in effect since 1993 – it just hasn't been enforced. The only change is that the gate must be self-latching. Mr. Hart stated that we need to stress public awareness of the ordinance and the need to obtain a permit. After the discussion, Attorney Reed gave first reading to the swimming pool ordinance.

Mr. Hart also stated that Planning & Zoning would like to amend the definition of a home occupation. Attorney Reed will prepare an amended ordinance for first reading at next month's meeting.

c) **Approval of Survey for Annexation of US 27 South of Stanford**

Mayor Carter explained that Chief Maples has been working with Bluegrass ADD to come up with some figures. It looks like the gain from annexation will be about \$12,000. The next step is to have the surveys done. Some discussion ensued about whether to include the 2 houses on the right on US 27, the county garage and recycle center. Chief Maples recommended that the 2 houses on the right be excluded at this time.

Councilmember James made a motion to move forward with the survey, excluding the 2 houses on US 27 on the right and including the county garage and the recycle center. Councilmember Givens seconded the motion and with all in favor, the motion carried.

d) **Approval for Study of Annexation on Goshen Cutoff on US 27 North of Stanford**

Councilmember Ernst asked Chief Maples to share with the Council about what is already in place in this area. Chief Maples explained that it already has sidewalks, fire hydrants and sewer. We would have to invest in street lights. The area was built to be annexed – it just never was. Mayor Carter stated that the streets are in pretty good shape except for the main street which will need a little work – the side streets are in really good shape. Chief Maples stated that he would run the income and expenses and have that ready for the Council's review. He stated he must show the benefits to the City and to the residents. Mayor Carter stated that he, Chief Maples, and the Bluegrass ADD representative went through the neighborhood and there are approximately 120 residents in the area.

Councilmember James made a motion to allow Chief Maples and Bluegrass ADD to proceed with the study of benefits to the City as well as the residents.

Councilmember Givens seconded the motion and with all in favor, the motion carried.

e) **Discussion of Hazardous Duty and Non-hazardous Duty Retirement Rate Increase**

Mayor Carter explained that, as the Council well knows, the hazardous and non-hazardous duty retirement for the cities and counties is going to make a tremendous jump. The hazardous duty will go up to almost 48%. Mayor Carter asked Councilmember James to bring the Council up to speed – he went to Frankfort to lobby to try to get some help to phase this in. Councilmember James explained that he met with Senator Girdler and State Representative David Meade. In talking to David Meade, our concern is that the increase will be a huge part of our budget next year, approximately \$60,000-70,000. Meade's response at the time was that he did not have any discretion over it. Councilmember James stated that we want to support our first responders and want them to have hazardous duty retirement. It's just a matter of, can we have a phase-in provision where it is not an immediate hit which would push us into a tax increase or cutting expenses or a combination thereof - either would be a painful event. Mayor Carter explained that the Kentucky League of Cities is lobbying hard for the cities to try to get some help. Senator Girdler did give some hope yesterday that they might be able to phase the increase in. Councilmembers Deatherage and Hester inquired about the increase amount and Mayor Carter responded that hazardous duty would go from 32% to 47.86%.

f) **Smoking Ban Ordinance Second Reading**

Mayor Carter said that the feedback so far has been very positive since the first reading last month and the article in the paper, except for the \$2300 fine for the second offense which some thought was too much. That amount was in the Danville ordinance, but Council has the right to fine tune that if they want to. Councilmember Ernst asked if the second reading should be postponed since some councilmembers had not read the ordinance. The ordinance was sent by e-mail. Councilmember James said that in keeping with their previous directive to the clerk when a copy is e-mailed it should be followed up with a hard copy in the packet.

Councilmember Salle asked about businesses such as the funeral homes where individuals are there for 3-4 hours at a time with no place to smoke.

Councilmember James pointed out that the business owner has the right to set up a zone outside the 10 feet area if they choose to. We are trying to balance public health interest with the individual's rights.

Councilmember James made a motion to amend item 2B on page 8 of the ordinance to lower the second offense on a business from \$2300 to \$500 and to leave the rest of the ordinance the same, then to proceed with the second reading. Councilmember Hester seconded the motion and with all in favor, the motion carried.

Attorney Reed proceeded with the second reading of the Tobacco Ban Ordinance. Councilmember Hester made a motion to accept the second reading of the Tobacco Ban ordinance as amended. Councilmember Deatherage seconded the motion. The motion carried with Councilmembers Deatherage, Givens, Hester, James, and Sallee voting for the motion and Councilmember Ernst voting against the motion.

**V. Councilmember Business**

a) **Rise in Garbage Fees**

Councilmember Hester mentioned the rise in garbage fees for individuals to \$55 plus a weight charge. Mayor Carter explained that this will affect individuals and county hauliers but does not affect the city contract. He has already talked to them about the spring cleanup and the fees will not be raised for that. The city contract was renewed last year.

b) **Pothole Repairs**

Councilmember Deatherage asked if pothole repairs would start soon. Mayor Carter stated that repairs have already begun. The rain and the pothole mix have caused problems and some potholes have been redone. Also, Mayor Carter had received several complaints about a very large pothole at the entrance to the old Walmart parking lot which is private property. He talked to a lady in Chattanooga, TN and finally got them to fix that one.

c) **City Water Department Suit against the County**

Councilmember James asked if there has been any developments – filing or activity regarding the City Water Department’s suit against the County. Attorney Reed stated that he talked to Johnathan Baker today and nothing has been done yet. Councilmember Hester brought up that 2 years ago, the Council requested that someone from each board and commission attend the council meetings. We have a lot of things going on with water and a lot of questions. Councilmember Deatherage pointed out that for the most part, it has worked well, but someone from the Water Board needs to be at the meetings. Maybe they can alternate so the same person does not have to attend all the time. Councilmember James stated that we could be respectful of their time and put them at the beginning of the agenda and this would give us more oversight over the water district.

d) **Sidewalk on Miller Street**

Councilmember Ernst asked about the progress on the Miller Street sidewalk. Mayor Carter stated that he met with the contractor and Luther Galloway a couple weeks ago. They went over the design and Luther will be overseeing the project. The contractor will start in the spring when the weather permits.

e) **Cherry Property**

Councilmember Hester asked for an update on the Cherry property. Attorney Reed stated that he submitted his proposed order and Mr. Jenco submitted his. The Council approved \$500 - he took that offer to them, but they no longer want to take \$500, so now we are just waiting on the judge.

f) **Lancaster Street Blacktop**

Councilmember Hester stated that she knows Lancaster Street is owned by the state, but it needs work. Mayor Carter explained that he believes it is on the list to be blacktopped this summer. He praised David Meade and Councilmember Deatherage for their persistence in getting the grate installed and solving the water problem – the people really appreciate it.

**VI. Citizen Comments**

There were no citizen comments.

**VII. Executive Session**

Mayor Carter called for a motion to go into executive session.

Councilmember James made a motion to go into executive session for the purpose of contract negotiation on the Atmos Energy gas franchise. Councilmember Sallee seconded the motion and with all in favor, the motion carried. The time was 8:30 pm.

Councilmember Hester made a motion to come out of executive session. Councilmember Deatherage seconded the motion and with all in favor, the motion carried. The time was 9:07 pm.

**VIII. Atmos Energy Gas Franchise**

Councilmember James made a motion to authorize Chris Reed to proceed with negotiations with Atmos Energy on the 10-year franchise. Councilmember Sallee seconded the motion and with all in favor, the motion carried.

**IX. Adjournment**

Councilmember James made a motion to adjourn and Councilmember Sallee seconded the motion. With all in favor, the meeting was adjourned at 9:09 pm.



Minutes submitted by: Peggy Denham

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Eddie Carter, Mayor