

Stanford City Council
Regular Council Meeting
Thursday, January 2nd, 2020
6:30pm, Historic Stanford L&N Depot

I. Call to Order

Mayor Scottie Ernst called to order the Regular Council Meeting of the Stanford City Council at 6:30pm, Thursday, January 2nd, 2020 at the Historic Stanford L&N Depot. All recited the Pledge to the U.S. Flag, after which the opening prayer was led by Councilwoman Sara Givens.

The Clerk read a thank you card from the family of Nell Deatherage, mother of Councilman Ronnie Deatherage. A donation has been made to the Lincoln County Education Fund in memory of Elaine Sebastian, wife of Planning and Zoning member, Phillip Sebastian.

II. Roll Call

A roll call was conducted with the following members present: Ella Mae Curlis, Ronnie Deatherage, Sara Givens, Peggy Hester, Naren James (6:39pm) and Dalton Miller. A quorum was declared by the Mayor.

Also present were: Chief Zach Middleton, Chief Scott Maples, Joe Gilliland, Larry Nunemaker, Nancy Leedy – The Interior Journal, Peggy Nunemaker, Jane Vanhook, Debra Morris, and Imogene Dawson.

III. Approval of Minutes

-11/07/2019, Regular Council Meeting. Motion was made by Councilwoman Curlis (2nd by Councilman Miller) to accept the minutes as written. All in favor, motion carried.

-12/05/2019, Regular Council Meeting. Motion was made by Councilwoman Givens (2nd by Councilman James) to accept the minutes as written. All in favor, motion carried.

IV. Citizen's Comments

Larry Nunemaker addressed the council as Planning and Zoning Commissioner, on behalf of some phone calls from the residents of the Vista Court/Hilltopper Area concerning the building of the County Fire Station #1.

He stated that the residents had attended the Lincoln County Fire Board meeting and were told that the Planning and Zoning had already recommended the construction of the fire station. If this was County Planning and Zoning's approval he stated that it still must come before the City P&Z Commission and then go before the Board of Adjustments before it could be approved.

Councilman James asked Mr. Nunemaker if anything had come before the City of Stanford Planning and Zoning Commission. The answer was no. He stated that currently the property is zoned R-1 and no building can be constructed on it without P&Z approval. A question was raised by Councilwoman Curlis concerning the statement made at last month's meeting that "a government entity did not have to go through planning and zoning".

Debra Morris, resident of Hilltopper, reported that she spoke with several different people in Frankfort. She called her representative who put her in touch with Sarah Gibson Les who works with the Legislative Research Commission in Frankfort. Ms. Les advised that "the zoning has to be changed and it must go through local planning and zoning". Ms. Morris is concerned with the location of the station being directly behind her home, within a residential area. She presented an informal listing of 29+/- signatures of the residents in the area who are opposed to the construction. The Mayor stated that he and the City Attorney would look in to the matter and share what they find with the residents. During discussion City Attorney John Hackley asked that KRS 100.361 be referenced to determine what a "political subdivision" means.

It is defined as "(17) "Political subdivision" means any city, county, consolidated local government, urban-county government, charter county government, or unified local government.

KRS.100.361 states:

100.361 Construction of chapter. (1) Nothing in this chapter shall apply or affect zoning regulations adopted pursuant to KRS Chapter 183. (2) Nothing in this chapter shall impair the sovereignty of the Commonwealth of Kentucky over its political subdivisions. Any proposal affecting land use by any department, commission, board, authority, agency, or instrumentality of state government shall not require approval of the local planning unit. However, adequate information concerning the proposals shall be furnished to the planning commission by the department, commission, board, authority, agency, or instrumentality of state government. If the state proposes to acquire, construct, alter, or lease any land or structure to be used as a penal institution or correctional facility, and the proposed use is inconsistent with or contrary to local planning regulations or the comprehensive plan for the area, the secretary of the Justice and Public Safety Cabinet, or his or her designee, shall notify, in accordance with KRS 424.180, the planning commission, the local governing body who has jurisdiction over the area involved, and the general public of the state's proposals for the area, and he or she shall hold a public hearing on the proposals within the area at least ninety (90) days prior to commencing the acquisition, construction, alteration, or leasing. A final report on the public hearing shall be submitted to the Governor and members of the General Assembly within twenty-five (25) days of the public hearing, and prior to commencing any construction, alteration, acquisition, or leasing of such property or facilities. Effective: June 26, 2007 History: Amended 2007 Ky. Acts ch. 85, sec. 157, effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 211, sec. 15, effective July 14, 1992. -- Amended 1984 Ky. Acts ch. 178, sec. 1, effective July 13, 1984. -- Created 1966 Ky. Acts ch. 172, sec. 89.

City Attorney Hackley stated that he believes the Fire Board, much the same as the Water Board, would be considered a "political subdivision", but he will check further to verify this information.

V. Council Comments

Councilman Deatherage asked if anyone is aware of what the "City Miscellaneous Charge" is on his insurance bill. Mayor Ernst asked if he had contacted his insurance agent to find out what the additional charge is. No one was aware of what the charge is for.

Councilwoman Givens shared that her kids came down from Louisville and Ohio through the holidays and they didn't give anything but praise for Stanford and how beautiful everything is. From her heart she just wanted to say that, "Stanford is beautiful! And the lights and how clean everything is, thank you to all who worked on it."

VI. 1st Reading of the Ordinance Amending City Ordinance No. 2017-0501, to Align Sectional References and Establish Payment of Members of the Code Enforcement (Nuisance) Board

City Attorney John Hackley introduced the Ordinance and shared a summary copy with the council of the changes that need to be made. This Ordinance will also be updated to add payment to the Code Enforcement Board members. This payment was added to the budget for the 2019-2020 year, but the language was not added to the Ordinance. The board meeting time is also being changed from 5:30 to 6:30pm.

Councilman Miller (2nd by Councilwoman Curlis) made a motion to retroactively pay the Code Enforcement from July 2019 to present, for the months that they have a meeting. All in favor, motion carried.

A motion was made by Councilman Miller (2nd by Councilman Deatherage) to have the 1st reading. All in favor, motion carried. City Attorney Hackley made the 1st reading of the summary of the Ordinance Amending City Ordinance No. 2017-0501, to Align Sectional References and Establish Payment of Members of the Code Enforcement (Nuisance) Board.

VII. 1st Reading of the Ordinance Amending the Text of the City of Stanford Zoning Ordinance #920.27A

City Attorney John Hackley stated that this Ordinance removes overlap between the Planning and Zoning Ordinance and the Code Enforcement Board Duties, that was brought to the Commission and Council's attention by Mr. Jarrett. A Resolution was given to the Planning and Zoning Board by Attorney Hackley that would accomplish this. The Planning and Zoning Commission adopted this Resolution and it has been presented to the City Council so that those portions of the Planning and Zoning Ordinance can be removed.

A motion was made by Councilwoman Curlis (2nd by Councilman Miller) to have the 1st reading of the Ordinance Amending the Text of the City of Stanford Zoning Ordinance #920.27A. All in favor, motion carried.

City Attorney John Hackley read the Resolution adopted by the Planning and Zoning Commission as well as the Ordinance Amending the Text of the City of Stanford Zoning Ordinance #920.27A.

VIII. 2nd Reading of Ordinance Amending the Code of Ethics by Addition in Relation to Absenteeism

After some discussion about the requirement for a unanimous vote for removal which is a requirement of KRS 84A.040 (9), and that the vote would have to be done in an open meeting, a motion was made by Councilman Deatherage (2nd by Councilwoman Givens) to have the 2nd reading of the Ordinance Amending the Code of Ethics by Addition in Relation to Absenteeism. A roll call vote was taken to have the 2nd reading with all in favor, motion carried. City Attorney John Hackley made the 2nd reading of the Ordinance Amending the Code of Ethics by Addition in Relation to Absenteeism.

A motion was made by Councilwoman Hester (2nd by Councilwoman Givens) to adopt the Ordinance Amending the Code of Ethics by Addition in Relation to Absenteeism. A roll call vote was taken with all in favor. Motion carried.

Councilman James asked that we revisit the idea of moving the location of the city council meetings to the library. Mayor Ernst shared that we have an Ordinance to that affect still open for a 2nd reading. Chief Maples received a bid of \$18,000 for the cost to upgrade the Depot with adequate equipment. Information was shared with the council by the City Clerk concerning the most recent correspondence with Spectrum concerning having wi-fi installed at the Depot. Spectrum is currently researching if they are responsible for providing wi-fi service to our city government buildings at no charge under our current franchise agreement.

IX. Recommendation by the Mayor of Joe L. Gilliland to the Planning & Zoning Commission

Mayor Ernst recommended that Joe L. Gilliland be appointed to the Planning and Zoning Commission for a term beginning January 2020 and running to December 2023. He would be replacing Jim Jarrett, whose term ran out December 31, 2019. After some discussion, a roll call vote was taken:

Councilwoman Curlis, Councilman James and Councilman Miller voting, Yes; Councilwoman Hester, Councilman Deatherage and Councilwoman Givens voting, No. Mayor Ernst cast the tie breaking vote with: Yes. Joe L. Gilliland has been appointed to the Planning and Zoning Commission. Mayor Ernst thanked Mr. Gilliland for his willingness to serve.

Planning and Zoning Commissioner Larry Nunemaker asked that when appointing members to these boards, the council and Mayor remember that education is important and that they should make sure new members understand there is a lot of training that has to go in to accepting the position. He expressed his support for Joe Lynn Gilliland. He is experienced and educated and will do a good job.

X. Mayors Information to Council

Mayor Ernst suggested to the council that the work sessions that were being planned once a month to correct city ordinances be abolished and that ordinances be looked at and corrected as problems arise. He does not feel that the time that was being devoted was effective or efficient. All council members agreed. We will continue to work with our City Attorney on problems and updates to ordinances as they arise.

A rendering of options for a new "Welcome to Stanford" sign was shared with the council. After some discussion on the color options, the consensus of the council was the blue sign with white lettering be used. The first sign to be replaced would be the one on the 150 Bypass. Eventually the Mayor would like to have all the signs replaced.


Mayor Ernst shared a printout with the new dates to sign up to run for council. Those dates have changed from previous years.

Councilman James asked about the committee that is researching the move of city hall, the police department, etc. Mayor Ernst shared that he is compiling information from property owners about potential downtown properties and will have that information available soon to present to the committee.

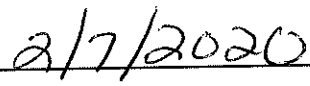
Councilman James invited everyone to attend an important meeting that he will be having at the library, Tuesday, January 7th, 2020 at 6pm where he will be announcing his candidacy for the United States Senate in the Republican Primary.

X. Adjourn

With no other business, motion was made by Councilwoman Givens (2nd by Councilwoman Curlis) to adjourn. With all in favor, motion carried. The meeting was adjourned at 8:42pm.



Scottie Ernst, Mayor



Date:



John Allen, City Clerk