

**City of Stanford**  
**Regular Council Meeting**  
**Thursday, February 7, 2019**

**I. Call to Order**

Mayor Scottie Ernst called to order the regular meeting of the City of Stanford Council at 6:30 pm on February 7th, 2019, at the Historic L&N Depot. Opening prayer was led by Councilwoman Sara Givens, after which all recited the Pledge to the U.S. flag.

**II. Roll Call**

A roll call was conducted with the following council members present: Ella Mae Curlis, Ronnie Deatherage, Sara Givens, Peggy Hester, Dr. Naren James and Dalton Miller.

Also present were: John Hackley (City Attorney), Aaron Miracle (Street Department), Scott Maples (Fire Chief), Zach Middleton (Police Chief), Tim Kitts (Danville Housing Authority), Bobby Baker, Jamie Mingo, Jane VanHook, Randy and Peggy Denham, Jim Jarrett, and Larry Nunemaker.

**III. Approval of the Minutes**

-01/03/2019 Regular Meeting. Motion was made by Councilwoman Hester (second by Councilwoman Curlis) to approve. All in favor, motion carried.

-01/08/2019 Special Council Meeting. Motion was made by Councilman Miller (second by Councilwoman Givens) to approve. All in favor, motion carried.

**IV. Citizen's Comments**

- 1.) Bobby Baker presented pictures to the council concerning a water issue at 716, 707 and 709 Miller Street and the entrance to the Lincoln County Health Department. He stated that when the street was paved, the culvert was plugged and now the water can no longer drain. He is asking that the culvert be repaired. Mayor Ernst stated that he is aware of the issue and the city is working to repair it. Aaron is consulting with Bo Gander to see what can be done. If they cannot repair it, someone will be hired to do the repairs. Questions were also addressed about the upper end of the culvert on Portman Avenue and the Upland Drive water issue. These are both being looked at as well.
- 2.) Lucille Sudduth addressed the council about the cat problem in her neighborhood. They are destroying her property, scratching up cars and uprooting flowers and landscaping. The animal shelter will not accept them and the animal control officer has stated that he cannot catch them. Research will be done to find out what options homeowners or the city may have.
- 3.) Hadden Owens presented his proposal for IT Services to the council. Councilwoman Curlis asked if he carried any type of liability insurance, which he stated he does not. Councilman James asked if he has a contract with the city, his answer was no. Mayor Ernst questioned why he has not been included as administrator on the Facebook page that carries the cities name. Mr. Owens stated that it is his page and the city may purchase it or start their own. The question of access to the cities Godaddy account was addressed as well. Councilwoman Hester stated that she would recuse herself from a vote, but would continue to be a part of the discussion. Councilman Miller made a motion that the discussion be tabled until all proposals for the IT companies being considered were reviewed (2<sup>nd</sup> by Councilwoman Curlis). All in favor, motion carried.

- 4.) Mike Reed, a board member of the McKinney Water District asked if the water department was under the city council. No, they function independently and have their own governing board. He asked who questions about water and billing should be directed to. He was given Ryan Owens name as a contact. He shared that McKinney is considering buying water from Danville instead of from Stanford.

**V. Presented Department Reports**

Police, Fire, Water, and Code Enforcement reports were presented to the council. The Fire Chief submitted his 5 year strategic plan. Councilman Miller asked if each department would be submitting a 5 year plan. Each department is working on their own. Councilman Miller asked if a date could be set when the plans are due so that the council can be working on a plan as well. Thirty to sixty days was presented as a target date. Mayor Ernst stated that the council would have to agree to set working meetings to accomplish this.

Chief Middleton shared his fleet replacement plan of replacing 1-2 vehicles per year and continuing to apply for grants. Councilman James asked if he felt his department was adequately staffed, and he stated that he is about 16 hours short per week. He is short one full time officer. There was a discussion about where confiscated drug money could be used. It can be used to purchase things for the department, but must be shared with other departments and offices that assist on the cases.

Councilwoman Hester questioned the date due for business licenses since January 1 is a holiday. Those dates will be looked at and amended as needed for the new year.

**VI. The Kentucky Battlefield Study Presentation and East Kentucky Pride**

Jane Vanhook, Randy and Peggy Denham and Marion Cooper presented the council with The Kentucky Battlefield Study that Logan's Fort was invited to participate in which explored the economic and tourism benefits of Kentucky's Battlefields and war-related historic sites. The study was conducted from July-October (a non peak tourist season). Special recognition was given to Peggy Nunemaker for being instrumental in so many surveys being turned in. Those surveyed had to be outside a 30 mile radius. 60% of the people surveyed were very positive about how friendly and hospitable our town was. The average tourist spent \$203.60. The Friends of the Fort will be in Frankfort February 20<sup>th</sup> to present this report to our legislators. All were invited to attend. The Kentucky Civil War Association has agreed to accept the Revolutionary War as well, which could qualify us for more grants. They also shared that we have around 100 re-enactors that show up each year for The Siege.

Jane Vanhook also shared about the Ky Pride initiative that she is coordinator for. Bluegrass Green Source and East Ky Pride covers Lincoln County which is great for our community. She is also the City of Stanford Pride Coordinator, and is working to get volunteers for the April cleanup and obtaining grants for cleanup assistance. Pride cleanup day will be April 6<sup>th</sup> and sign up will be in front of the Chamber of Commerce. Mayor Ernst shared that the spring cleanup dates will be March 25 – April 5, 2019. Councilman Deatherage mentioned coordinating a monthly cleanup effort and Mayor Ernst shared the dates they are being looked at.

**VII. Stanford Housing Authority PILOT Tax Presentation – Tim Kitts**

The Danville Housing Authority has been seeing to the day to day operations of the Stanford Housing Authority since August, 2018. Mr. Tim Kitts, Executive Director of the Danville Housing Authority, shared with the council the current state of the Stanford Housing Authority and what is being done to remedy several situations concerning the disrepair of units and also the financial position of the SHA. (pictures attached) They are working to update all units so that the

SHA can maintain peak funding. DHA is currently under agreement with the SHA through May, 2019.

In auditing the records of the SHA, it was found that the PILOT tax owed to the City of Stanford had not been paid since 2015. Mr. Kitts presented three proposals for repaying the PILOT tax to the city. Proposal 1 waived the 2016/2017 tax, Proposal 2 waived the 2017 tax and Proposal 3 waived no taxes. All proposals included a schedule to repay any back taxes owed.

Councilwoman Hester made a motion that we accept Proposal 1 (second by Councilman James). Councilman Miller asked is Danville Housing Authority going to continue to stay on and manage the SHA. That decision would be up to the SHA Board. A roll call vote was taken with Councilwoman Curlis, Councilman Deatherage and Councilman Miller voting Nay; Councilwoman Givens, Councilwoman Hester and Councilman James voting Yay. Mayor Scottie Ernst cast the tie breaking vote with Yay. Motion failed.

Councilwoman Curlis made a motion that we accept Proposal 1 (second by Councilman Deatherage) under the agreement that the proposal would remain in force as long as DHA remain as acting director/agency. A roll call vote was taken with Councilwoman Curlis, Givens, and Hester and Councilman James voting Yay; Councilman Deatherage and Miller voting Nay. With a vote of 4/2, motion carried.

#### **VIII. Old Business**

Republic Services bills are scheduled to be mailed out on February 11, 2019.

Work Order Forms are now available at City Hall to request work done in the City.

#### **IX. New Business**

##### **1.) Open and Award Surplus Bids**

Surplus bids received for the cars and snow plow that were declared surplus in a Resolution dated 3/3/2019 were opened. All high bids were accepted, except for the bid on the 2005 Chevrolet Tahoe which was determined to not meet or exceed scrap value.

##### **2.) First Reading of the Amendment to the Ordinance to Annex Area West of US Highway 27 and East of Ky Hwy 590 Containing 68.745 Acres/AG Opinion Response by City Attorney**

City Attorney John Hackley addressed the AG opinion that was received concerning the comments made about the appointment of a replacement council member. He outlined the timeline of the placement and the fact that the verbage used in the meeting "we have decided that" was construed as a series of meetings without quorum and cautioned against this in the future.

He also discussed the Annexation Ordinance that dates back to 2010. This is the subject we were in closed session about. He addressed the Attorney General's opinion concerning this meeting. The opinion was not that we cannot have an executive session concerning the reason given, or have the members present that were there. The opinion was that we did not give sufficient reason. The opinion states that the reason should have been described in more detail as to the nature of the meeting and why each board/personnel was requested to attend. If he, as City Attorney, had been more cautious in describing the reasons behind the session and attendees, then the executive session would have been compliant.

In reference to the Amendment being read tonight, the issue being discussed in the closed session was the concern over taxes owed in the annexed area, most importantly Walmart. He cautioned that there are times that the duty to the body politic supersedes the duty to divulge information to the public.

Since the time of that meeting, legal council has determined that the annexed area is recorded on the Secretary of State map, and therefore is in the city limits. The issue we face now is the issue of zoning. The zone applied to that annexed area is listed incorrectly in the annexation ordinance and therefore needs to be corrected. The typographical error

included in the body of the ordinance is being amended to read B3 (Highway Business) instead of its current designation of HC (which does not exist in our zoning regulations). The ordinance must be addressed and corrected so that it contains no vague language that is not fully defined.

In response to the late response to the AG opinion, Mr. Hackley explained that he was working under the understanding that the remedial measure required was open discussion in a later meeting and that would fulfill the request by the newspaper. There was no defense to the ruling that a series of meetings without a quorum took place.

Jim Jarrett addressed the council stating his concerns about the Ordinance being amended. Motion was made by Councilman Miller (second by Councilwoman Curlis) to have the first reading of the Amendment to the Ordinance to Annex Area West of US Highway 27 and East of KY Hwy 590 Containing 68.745 Acres. A roll call vote was taken with Councilwoman Curlis, Givens, Councilman James and Miller voting Yay; Councilman Deatherage and Councilwoman Hester voting Nay. With a vote of 4/2, the motion carried. The City Clerk, Jone Allen, made the first reading of the Ordinance.

**X. Board/Mayor Appointments**

Mayor Ernst requested that Philip Sebastian be appointed to the Planning and Zoning Board to fulfill the term of Jeff Cain who resigned. Motion was made by Councilman Deatherage (second by Councilwoman Hester) to approve the appointment of Philip Sebastian to the Planning and Zoning Board for the remaining term of Jeff Cain.

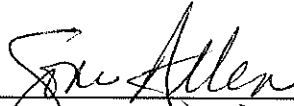
The following appointments have been made by the Mayor: Caty Curlis to the Stanford Housing Authority Board, Bruce Edgington to the Industrial Board, Sara Givens to the Logan's Fort Park Development Council and John Hackley as Stanford City Attorney. There is currently an opening on the Architectural Review Board due to the resignation of Peggy Hester.

**XI. Information to the Council**

Mayor Ernst shared a breakdown of delinquent taxes, city wide cleanup information, insurance premium tax collected and the collection of real estate taxes from other apartment complexes located in the city.

**XII. Adjournment**

With no other business or citizen's comments, motion was made to adjourn the meeting by Councilwoman Givens (second by Councilman Deatherage). With all in favor, the meeting was adjourned at 10:24pm.

Minutes submitted by: Jone Allen  \_\_\_\_\_, City Clerk

 \_\_\_\_\_ Date: 3/13/19  
Scottie Ernst, Mayor, City of Stanford