

Meeting Notice & Agenda

# MARION CITY COUNCIL

Monday, January 10, 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 December 20, 2021, Council Meeting
2. 2<sup>nd</sup> Reading of Ordinance #21-22 entitled, "AN ORDINANCE CLOSING A PUBLIC WAY"
3. Introduction and 1<sup>st</sup> Reading of Ordinance #22-01 entitled, "AN ORDINANCE OF THE CITY OF MARION, KENTUCKY, AMENDING CHAPTER 35: PERSONNEL POLICIES TO AMEND THE EMPLOYEE HANDBOOK FOR EMPLOYEES OF THE CITY (Section 5)"
4. Introduction and 1<sup>st</sup> Reading of Ordinance #22-02 entitled, "AN ORDINANCE OF THE CITY OF MARION, KENTUCKY, AMENDING CHAPTER 35: PERSONNEL POLICIES TO AMEND THE EMPLOYEE HANDBOOK FOR EMPLOYEES OF THE CITY (Section 8)"
5. Consideration of Confirming Mayoral Appointments
6. Mayor/Council/Staff Comments & Questions
7. Adjourn

**Meeting of the Marion City Council  
Monday, December 20, 2021 – 5:00P.M.**

The Marion City Council met in Regular Session December 20th, 2021 at 5:00 p.m. with Mayor Pro Tem Phyllis Sykes presiding. Council members present were; Darrin Tabor, Donnie Arflack and Mike Byford. City Employees in attendance were as follows: Adam Ledford, Layten Croft, Danielle Duncan, Chief Ray O’Neal and Fire Chief Howton. A public sign in sheet is attached and made part of these minutes.

**GENERAL GOVERNMENT**

Motion was made by Donnie Arflack, seconded by Mike Byford to approve the minutes from November 15<sup>th</sup> 2021.

Mr. Jeffery Walker was in attendance and presented the 2020-2021 City of Marion Audit to the City Council. He advised the independent audit performed did not find any issues with the city’s finances. He advised there had been an increase in the General Fund revenues. Councilman Tabor request to know about the decrease in the municipal funds, Mr. Walker advised that was due to the sidewalk and paving projects. Mr. Tabor also asked Mr. Walker about the sewer project and his opinions on the newly imposed rate increase and its revenue. Mr. Walker advised during this audit he was unable to see the numbers Mr. Tabor asked for due to the increase not being in effect until July 2021. Motion made by Darrin Tabor to accept the audit report, seconded by Mike Byford. All present members voted yes. Motion carried.

Second reading of Ordinance #21-21 entitled, “AN ORDINANCE GOVERNING THE OPERATION OF A MOBILE FOOD UNIT VENDORS IN THE CITY OF MARION”. Adam reads summary of the ordinance. Motion by Darrin Tabor, seconded by Mike Byford with a vote as follows:

Tabor – No  
Sykes – Yes  
Arflack – Yes  
M. Byford - Yes

Councilman, Mike Byford, sponsored the first reading of Ordinance #21-22 entitled, “AN ORDINANCE CLOSING A PUBLIC WAY”. Discussion was had between the council members and the City Administrator about the closing of W. Elm Street making it a dead-end street. Council members requested that the school send a representative to explain this in a better way to them.

City Administrator Ledford presented a review of the City Employee Manual to the council. He requested that the council members look at the section regarding mileage reimbursement and meal reimbursement. Councilman Arflack asked what the state reimburses their employees. All present members agreed that the allowance for mileage and meals should be higher. Adam advised the council this matter would be on next month’s agenda.

City Administrator Ledford presented the Surplus bid list to the council. Motion by Darrin Tabor, seconded by Donnie Arflack to accept the bids presented except for the Dump Truck, Ford F250 and Lift Gate. All present members voted yes. Motion carried. There was a tie on the bid for the Bush Hog, Chief O’Neal flipped a coin and Timmy Duncan won the flip. There was also a tie on the bid for the

tractor with the mower, Chief O'Neal flipped a coin and Timmy Duncan won the flip. Motion by Donnie Arflack, seconded by Darrin Tabor to accept the coin flips. All voted yes.

#### **OTHER BUSINESS**

Councilman Tabor advised he does not agree with the fact that employees cannot roll over more than 16 hours of their unused vacation time to the following year. Discussion was had on this subject. Councilman Arflack agreed with Mr. Tabor about this matter and the council agreed to look at this again next meeting when the Mayor and other members were in attendance. They advised there would be some type of compensation for employees who had vacation time left unused in 2021.

Councilman Arflack requested to know about the generator at the tower. Mr. Ledford advised he would have to ask Maintenance Supervisor Garry Gerrard about this matter. Mr. Arflack also wanted to know why the electricity bill at the new laundry building was over \$400.00. Mr. Arflack questioned the City Treasurer about a payment made to Service Pump and Machine, Mrs. Croft advised this was for a starter for the Water Plant.

Mayor Pro Tem Sykes requested to know if any of our employees went to Dawson Springs to help with storm clean up. Mr. Ledford advised Garry Gerrard went and helped. He also advised when Dawson started to work on their water/sewer lines we would likely send help again. Ms. Sykes mentioned to Fire Chief Howton about the condition of the flag at the fire station. Mr. Howton advised he had taken care of this problem right before this meeting started. Ms. Sykes advised she thought Danielle Duncan was doing a great job at her new position.

#### **ADJOURNMENT**

There being no further business to come before the council, meeting was adjourned at 6:13 p.m.

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PHYLLIS SYKES, MAYOR PRO TEM

ATTEST:

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LAYTEN CROFT, ASST. CITY CLERK

ORDINANCE NO. 21-22:  
AN ORDINANCE CLOSING A PORTION OF WEST ELM STREET  
AND SCHOOL STREET

NOW, THEREFORE, BE IT ORDAINED by the City Council of Marion, Kentucky that the Marion Code of Ordinances is amended as follows:

**Section 1** Pursuant to KRS 82.405 the City Council finds that the portion of West Elm Street from its intersection with School Street approximately 112 feet west is a public way. This public way has been improved by City funds. The City encourages development of educational facilities and this portion of the public way is needed so that the school campus may expand and be secure from through traffic. The abutting landowner on either side of the affected public way to be closed is the Crittenden County School District Finance Corporation. It has consented to the closing and waived further notice of the proceeding and such consent is attached hereto.

**Section 2** Further, pursuant to KRS 82.405 the City Council finds that School Street from its intersection with West Elm Street terminating with West Gum Street is a public way. This public way has been improved by City funds. The City encourages development of educational facilities and this portion of the public way is needed so that the school campus may expand and be secure from through traffic. The abutting landowner on either side of the affected public way to be closed is the Crittenden County School District Finance Corporation and/or the Crittenden County Board of Education. Each body has consented to the closing and waived further notice of the proceeding and such consent is attached hereto.

**Section 2** Therefore, the City Council having found that there is compliance with KRS 82.405, that portion of West Elm Street from its intersection with School Street approximately 112 feet west and School Street from its intersection with West Elm Street to West Gum Street, and the adjoining landowners on either side having consented, is hereby closed.

**Section 3:** That all Ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

**Section 4: AUTHORITY FOR PASSAGE.**

That this Ordinance shall become effective upon its passage by law pursuant to Kentucky Revised Statutes.

COUNCIL MEMBERS	YES	NO
Darrin Tabor	_____	_____
Phyllis Sykes	_____	_____
Donnie Arflack	_____	_____
Dwight Sherer	_____	_____
D'Anna Browning	_____	_____
Michael Byford	_____	_____

It appearing that \_\_\_\_\_ Council Members voted for the adoption of the ordinance, and \_\_\_\_\_ voted against with \_\_\_\_\_ abstaining, the Mayor declared the ordinance adapted.

INTRODUCED AND GIVEN 1<sup>ST</sup> READING: \_\_\_\_\_

GIVEN 2<sup>ND</sup> READING AND PASSED: \_\_\_\_\_

PUBLISHED IN THE CRITTENDEN PRESS: \_\_\_\_\_

\_\_\_\_\_  
JARED BYFORD, Mayor

ATTEST: \_\_\_\_\_  
PAM ENOCH, City Clerk

**CITY OF MARION, KENTUCKY  
ORDINANCE NO. 22-01**

**AN ORDINANCE OF THE CITY OF MARION, KENTUCKY, AMENDING CHAPTER  
35: PERSONNEL POLICIES TO AMEND THE EMPLOYEE HANDBOOK FOR  
EMPLOYEES OF THE CITY**

**WHEREAS**, the City Council of the City of Marion, Kentucky, has authority pursuant to statute to enact Ordinances relating to the City, and

**WHEREAS**, the City of Marion, Kentucky has codified its Ordinances, and

**WHEREAS**, the City Council deems it necessary to revise, amend, and codify the Employee Handbook going forward,

**NOW, THEREFORE, BE IT ORDAINED BY THE MARION CITY COUNCIL:**

**Section One:** Chapter 35: PERSONNEL POLICIES of the Code of Ordinances of the City of Marion, Kentucky, Employee Handbook, Section 5 – Employee Financial Practices, Reporting and Reimbursement is amended and revised.

**Section Two:** City of Marion, Kentucky, Employee Handbook, Section 5 Employee Travel Expense Reimbursement (5)(a):

(a) When an employee traveling on behalf of the City chooses to use his or her personal vehicle, the employee will be reimbursed for mileage. An employee shall be reimbursed at the mileage rate **consistent with rates set by the State of Kentucky** ~~allowed by the Marion City Council~~ for business expense deductions under the following guidelines:

**Section Three:** City of Marion, Kentucky, Employee Handbook, Section 5 Employee Travel Expense Reimbursement (6):

(1) Except for reimbursable expenses related to official City business as provided in Section 5 of this Handbook, employees shall only be provided reimbursement for meals involving out-of-state travel, overnight travel within Kentucky, and for in-state trips requiring travel after 7:00 p.m. Meal and incidental reimbursement amounts will be determined by the Marion City Council. Current daily limits are set at **\$44.00** ~~\$38.00~~.

**Section Four:** All ordinances and parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

**Section Five:** That this ordinance shall be effective upon its second reading and publication in the

City's legal organ.

COUNCIL MEMBERS	YES	NO
Donald Arflack	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____
Dwight Sherer	_____	_____
D'Anna Browning	_____	_____

It appearing that \_\_\_\_\_ Council Members voted for the adoption of this ordinance, and \_\_\_\_\_ voted against, with \_\_\_\_\_ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING: \_\_\_\_\_  
GIVEN SECOND READING AND PASSED: \_\_\_\_\_  
PUBLISHED IN THE CRITTENDEN PRESS: \_\_\_\_\_

\_\_\_\_\_  
JARED BYFORD, MAYOR

ATTEST: \_\_\_\_\_

PAM ENOCH, CITY CLERK

**CITY OF MARION, KENTUCKY  
ORDINANCE NO. 22-02**

**AN ORDINANCE OF THE CITY OF MARION, KENTUCKY, AMENDING CHAPTER  
35: PERSONNEL POLICIES TO AMEND THE EMPLOYEE HANDBOOK FOR  
EMPLOYEES OF THE CITY**

**WHEREAS**, the City Council of the City of Marion, Kentucky, has authority pursuant to statute to enact Ordinances relating to the City, and

**WHEREAS**, the City of Marion, Kentucky has codified its Ordinances, and

**WHEREAS**, the City Council deems it necessary to revise, amend, and codify the Employee Handbook going forward,

**NOW, THEREFORE, BE IT ORDAINED BY THE MARION CITY COUNCIL:**

**Section One:** Chapter 35: PERSONNEL POLICIES of the Code of Ordinances of the City of Marion, Kentucky, Employee Handbook, Section 8 – Paid and Unpaid Leaves Holidays is amended and revised.

**Section Two:** City of Marion, Kentucky, Employee Handbook, Section 8 Vacation Leave (6):

- (6) An employee may carry over a maximum of ~~24~~ 16 hours of accrued and unused vacation leave time to the next calendar year.
- (8) **By discretion of the Council, the City may reimburse employees for unused vacation and/or holiday pay in a calendar year.**

**Section Three:** All ordinances and parts thereof in conflict with this ordinance are hereby repealed to the extent of the conflict.

**Section Four:** That this ordinance shall be effective upon its second reading and publication in the City's legal organ.

COUNCIL MEMBERS	YES	NO
Donald Arflack	_____	_____
Phyllis Sykes	_____	_____
Darrin Tabor	_____	_____
Michael Byford	_____	_____



Dwight Sherer \_\_\_\_\_

D'Anna Browning \_\_\_\_\_

It appearing that \_\_\_\_\_ Council Members voted for the adoption of this ordinance, and \_\_\_\_\_ voted against, with \_\_\_\_\_ abstaining, the Mayor declared the ordinance adopted.

INTRODUCED AND GIVEN FIRST READING: \_\_\_\_\_

GIVEN SECOND READING AND PASSED: \_\_\_\_\_

PUBLISHED IN THE CRITTENDEN PRESS: \_\_\_\_\_

\_\_\_\_\_  
JARED BYFORD, MAYOR

ATTEST: \_\_\_\_\_  
PAM ENOCH, CITY CLERK