

Meeting Notice & Agenda

# MARION CITY COUNCIL

Monday, September 19, 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 the August 15, 2022, Council Meeting and August 25 and September 12, 2022, Special Council Meetings
2. Update on Lake George and Water Supply
3. Update on Sanitary Sewer Project
4. Adjourn

**Minutes of Marion City Council Meeting**  
**Monday, August 15, 2022- 5 p.m.**

The Marion City Council met in Regular Session on August 15, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Council members Darrin Tabor, Jason Hatfield, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Pam Enoch, Danielle Duncan, Police Chief Ray O'Neal, Fire Chief Howton, and City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

**PUBLIC COMMENTS**

Thomas Hawthorne was present at the council meeting regarding a delinquent business property tax bill that was published in the Crittenden Press with his name on the delinquent bill. He advised this business property was sold at the Court House square and that he had spoken with employees at the City of Marion about this issue and he did not appreciate his name, which is the same as his father's name, being published in the Crittenden Press five executive times. He was requesting an apology put in the Crittenden Press from the City of Marion. Mayor Byford advised Mr. Hawthorne the City of Marion would put a clarification in the Crittenden Press concerning the delinquent property tax bill.

Patti Dunlap, a resident of Marion, was present at the council meeting asking the council for a refund on a recent water bill. Ms. Dunlap advised her bill was for 39 days and therefore she was charged \$10.30 too much for the Environment Fee. Motion by D'Anna Browning, seconded by Mike Byford to credit the 10.30 dollars to her account and to give Administrator Ledford approval to adjust for others who might be impacted by the same issue.

**GENERAL GOVERNMENT**

Motion by Dwight Sherer, second by D'Anna Browning to approve the minutes of the July 18<sup>th</sup>, 2022, council meeting and August 2, 2022, Special Council Meeting. All voted yes.

Jackie Logsdon, a representative of DOW, updated the council and public on Lake George and the water supply. Ms. Logsdon advised the city had done soft flushing last week but did not provide acceptable results so the city started flushing Sunday night and would continue to flush until Wednesday night. Ms. Logsdon stated she believes the flushing will improve the water chemistry and Marion can begin testing water later this week to determine whether chlorine and bacteria levels reach an acceptable level. Council member Dwight Sherer asked Logsdon if the water connection with Sturgis was still on track to be finished by the end of August. Logsdon advised that due to obstacles getting in the way more than likely the project would not be completed by the end of the month. Council member Jason Hatfield asked Logsdon about coming off the conservation restrictions. Logsdon advised customers usually use less water in the fall months as compared to summertime. She said this could also help Marion, and once the boil water advisory has been lifted then the city could decide on when the conservation order could begin to move back.

Administrator Ledford advised the council and the public that the test results from the Lucile Mine have not been finalized yet. Ledford answers any questions and concerns from the council and the public.

Council member Mike Byford introduced the 1<sup>st</sup> Reading of Ordinance #22-14 entitled, "An Ordinance relating to the Tax Levy for the Year 2022, City of Marion, Kentucky". The City Attorney gave the first reading of the said ordinance.

## **OTHER BUSINESS**

Council member Jason Hatfield asked how KIA determined how much to charge for the Environment Fee to each sewer customer.

Council member Donnie Arflack advised the stop light at Bellville and Main Street has not been fixed.

Council member D'Anna Browning advised volunteers were needed at the armory for water distribution.

Jason Hurley, county Emergency Management director, advised the council and public, that the plans were to move toward ending the bottled water distribution. He advised no date had been set but depending on when the boil water advisory would be lifted. He advised no one wanted to help volunteer and that was making it difficult to keep the water distribution going.

Council member D'Anna Browning asked about the sign out front of City Hall being gone. Administrator Ledford advised the wind had blown it down, and a new one had been ordered.

Council member D'Anna Browning was concerned that KIA would be raising the City's water rates due to the ongoing water crisis. Administrator Ledford that KIA would work with the City on this issue.

Council member Mike Byford said there were high weeds across from Siemens.

Alan Robinson, president of Eclipse Engineering, was present at the council meeting to update everyone on the new sewer plant. He advised that the new sewer plant was 60 percent complete. He advised contractor's completion date is set for April 2023, but it is not looking like the completion will be done by this date. Council member Jason Hatfield asked what would happen if not completed by the due date. Alan advised since the city is under an agreed order with the State, the city would have to ask for an extension and set a new date for completion.

Alan advised the council that he would be very shocked if the water from the Lucile Mine is ever proven capable of being treated. He indicated there were ways to treat it, but those would not be economical for Marion. He advised he would hesitate to spend any more money on that source. There is a litany of things wrong with the Lucile Mine. He recommended putting resources toward leak detection equipment, particularly meters that would help isolate problems in the system so they can be repaired as part of routine maintenance.

## **ADJOURNMENT**

There being no more business to come before the council; the meeting was adjourned at 6:26 p.m.

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JARED BYFORD, MAYOR

ATTEST:

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PAM ENOCH, CITY CLERK

**Special Called Meeting of the Marion City Council  
August 25, 2022 – 12:00p.m. (NOON)**

The Marion City Council met in special session August 25<sup>th</sup>, 2022, at 12:00 P.M. with Mayor, Jared Byford presiding. Council members present were Donnie Arflack, Darrin Tabor, D’Anna Browning, Mike Byford. City employees in attendance were as follows: Adam Ledford and Layten Croft. A public sign-in sheet is attached and made part of these minutes.

**GENERAL GOVERNMENT**

Mayor, Jared Byford, gave the second reading of Ordinance #22-14 entitled, “An Ordinance Relating to the Tax Levy for the Year of 2022, City of Marion, Kentucky”. A motion was made by Councilman Arflack and seconded by Councilman Byford. Said ordinance was then up for discussion. A motion was made by Councilman Arflack to amend the original Ordinance to increase the tax rate to receive the maximum (4%) increase of revenue, Councilman Byford seconded this motion.

Vote as follows: Tabor: no Arflack: yes Browning: no M. Byford: Yes.

In the result of the tie, Mayor Byford voted yes, motion carried. The Marion City Council then voted on the original Ordinance #22-14 as amended.

Vote as follows: Tabor: yes Arflack: yes Browning: yes M. Byford: Yes.

Motion carried.

**ADJOURNMENT**

There being no further business to come before the council, meeting was adjourned at 12:17 p.m.

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JARED BYFORD, MAYOR

ATTEST:

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LAYTEN CROFT, ASST. CITY CLERK

**Minutes of the Special Called Meeting  
Monday, September 12, 2022- 5:00 p.m.**

The Marion City Council met in special session on September 12, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Council members present were Darrin Tabor, Jason Hatfield, Donnie Arflack, Dwight Sherer, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Layten Croft, Pam Enoch, Danielle Duncan, Jeff Black, and Jonathan James filling in for the city attorney. A public sign-in sheet is attached and made part of the minutes.

**GENERAL GOVERNMENT**

Administrator Ledford updated the council and public on Lake George and the water supply. Ledford advised he had talked with BFW Engineers on this date and had a positive response for things moving forward. They are hoping to propose a solution that would include not having to rebuild the whole dam. Ledford advised the city had brought in a dive team and lifted the intake at Lake George in hopes this would improve the water quality. Ledford stated the red or brown colored water is due to an elevated level of manganese that is gathered in the plant. There are plans to shut down the plant next week and clean the filtration system at an estimated cost of over \$10,500.00. He advised the filter cleaning would be a two-day process. Council member Jason Hatfield suggested the city use the second water storage tank, so we are not sitting on red water. Councilman Jason Hatfield requested to know if the water plant had another 10 years of life in it. Plant Supervisor, Jeff Black, and DOW representative Jackie Logsdon stated it would take an ample amount of money for the plant to survive that long. Logsdon advised the state of the plant is reflected in the difficulties operators are having time balancing the chemistry in Marion's water. Ledford advised Crittenden/Livingston Water District is providing the city with 130 gallons per minute. The city now has a contract to buy 144,000 gallons of water a day from Crittenden/Livingston Water District, but recently they have been providing closer to 200,000 gallons a day. Ledford advised the Sturgis short-term connection could be completed sometime in October. Representatives with DOW advised the holdup with that connection is in the Kentucky Finance Cabinet. Ledford advised Princeton had signed an agreement with Bell Engineers and that could take up to two to three weeks to complete their study.

The city is still in stage three conservation and a burn ban is still in place. Ledford stated two businesses had connected back into the city's water service. The council made no changes to the conservation until further advancements in water availability and quality are ensured.

Ledford presented the council with the Lucile mine update. Traces of arsenic and elevated levels of other elements were detected in the recent testing. Mayor Byford advised it was time to drop Lucile mine as an option. Jackie and Shannon, with DOW, answered questions and concerns from the council and the public. A copy of Lucile Mine and Chandler Mine is attached and made part of these minutes.

**ADJOURNMENT**

There being no more items on the special agenda; the meeting was adjourned at 5:56 p.m.

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JARED BYFORD, MAYOR

ATTEST:

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PAM ENOCH, CITY CLERK