

Meeting Notice & Agenda

MARION CITY COUNCIL

Monday, September 21, 2020 – 5:00 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 August 17, 2020 Council Meeting and August 31, 2020, September 3, 2020 Special Council Meetings
2. A Representative from Allied Utility Solutions to Address the Council
3. 2nd Reading of Ordinance #20-15 entitled, “An Ordinance Declaring the City of Marion’s Intent to Annex Territory Known as Marion Hardwoods, Inc and Marion-Crittenden County Airport into the City”
4. Update on Issues
 - a. Downtown Sidewalks
 - b. 911E
 - c. Utility Payments
 - d. Fire Hydrants
 - e. Sewer Projects
 - f. Trails Master Plan
5. Mayor/Council/Staff Comments & Questions
6. Adjourn

**Meeting of the Marion City Council
Monday, August 17, 2020-5 p.m.**

The Marion City Council met Regular Session August 17, 2020 at 5:00 p.m. with Mayor Jared Byford presiding. Council members present: Phyllis Sykes, Darrin Tabor, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Layten Croft, Pam Enoch, Sergeant Heath Martin, and the city attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

GENERAL GOVERNMENT

Sergeant Heath Martin updated the council on the list of complaints regarding Code Enforcement. He advised he had issued several citations, but no money had been collected. There was brief discussion on different options on how to handle the citations once they were issued.

Motion by Phyllis Sykes, seconded by Dwight Sherer to approve the July 20, 2020 minutes same as submitted to the council. All voted yes.

Motion by Darrin Tabor, seconded by D'Anna Browning to appoint Colby Davis to the Crittenden County Board of Equalization. All voted yes.

Alan Robinson, Eclipse Engineer, was present at the meeting to update the council on the new sewer plant project. Mr. Robinson advised after thirteen months the City can open bids for sewer plant project, which is still on track for September 10th, 2020. He advised this project would end up with 40 days of advertisement and would bring in between 4-10 bidders for the project. He advised he estimated the cost to be \$11.5 million and \$2.9 million have already been spent on the project. Mr. Robinson answered questions and concerns the council had.

Council member Donnie Arflack asked Alan Robinson about the drainage issue on Leland Avenue. Robinson explained storm water project to the council.

Council member Darrin Tabor introduced ordinance #20-15, entitled, Ordinance Declaring the City of Marion's Intent to Annex Territory known as Marion Hardwoods, Inc and Marion-Crittenden County Airport into the City". The City Attorney gave the first reading of said Ordinance.

Motion by Donnie Arflack, seconded by D'Anna Browning to adopt resolution 20-02 pertaining to the CARES ACT. All voted yes. A copy of said resolution is attached and made part of these minutes.

Administrator Ledford updated the council on the different projects going on in the city limits and answered any concerns they had. Ledford advised since the pandemic in March Kentucky Gov. Andy Beshear told municipalities that they could not shut water off to homes that could not pay their bills. Ledford advised the debt had piled up to over \$16,000 dollars. Council member D'Anna Browning stated the residents that customers paying their bills should not be made responsible for the debt of others.

OTHER BUSINESS

Council member Darrin Tabor requested the paper work that has piled up, where he sits for council meetings, be removed.

Council member Phyllis Sykes stated we should start to see a lot of difference in the Tourism Board.

Council member Donnie Arflack stated some of the fire hydrants needed immediate attention.

Council member D'anna Browning suggested painting the fire hydrants that didn't work a different color.

Mayor Jared Byford advised the parking spaces around the Courthouse needed to be painted.

Council member D'Anna Browning advised she was proud of the decision made by the Crittenden County Board of Education allowing school to start back.

Council member Mike Byford questioned Tanner Tabor being chairman of one committee, and president of another committee. Council member Byford thought it was a conflict of interest. Mayor Byford advised he would check into it.

Council member Mike Byford advised of a streetlight out in front of H & R Block. Administrator Ledford stated he would check it out.

ADJOURNMENT

There being no further business to come before the council, meeting was adjourned at 6:17 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

**Special Called Meeting of the Marion City Council
September 3, 2020 – 5:15 p.m.**

The Marion City Council met in special session September 3, 2020 at 5:15 p.m. with Mayor, pro tem Phyllis Sykes presiding. Council members present were Darrin Tabor, Dwight Sherer, D’Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Pam Enoch, and the city attorney. A public sign-in sheet is attached and made part of these minutes.

GENERAL GOVERNMENT

The City Attorney gave the second reading of Ordinance 20-16 titled, “An Ordinance Relating to the Tax Levy for the year 2020”. Motion by Darrin Tabor, second by Mike Byford to adopt said ordinance with the vote being as follows: Darrin Tabor yes, Dwight Sherer yes, D’Anna Browning no, Mike Byford yes, and Mayor pro tem voting yes. Motion carried.

ADJOURNMENT

There being no further business to come before the council, meeting was adjourned at 5:18 p.m.

PHYLLIS SYKES, MAYOR PRO TEM

ATTEST:

PAM ENOCH, CITY CLERK

**Special Called Meeting of the Marion City Council
August 31, 2020 - 5:15p.m.**

The Marion City Council met in special session August 31, 2020 at 5:15 p.m. with Mayor, pro tem Phyllis Sykes presiding. Council members present were Donnie Arflack, Dwight Sherer and Mike Byford. City employees in attendance were as follows: Adam Ledford, Layten Croft and the city attorney. A public sign-in sheet is attached and made part of these minutes.

GENERAL GOVERNMENT

Councilman Dwight Sherer introduced Ordinance 20-16 titled, "An Ordinance Relating to the Tax Levy for the year of 2020". The City Attorney gave the introduction. A copy of said ordinance was made available for everyone in attendance. City Administrator, Adam Ledford, explained to the council this ordinance reflects a compensating rate compared to last year's revenue. Councilman Donnie Arflack requested to see the projected revenue numbers for a 2% and 4% increase at the next meeting.

ADJOURNMENT

There being no further business to come before the council, meeting was adjourned at 5:19 p.m.

PHYLLIS SYKES, MAYOR PRO TEM

ATTEST:

LAYTEN CROFT, ASST. CITY CLERK

Ordinance 2020-

**AN ORDINANCE DECLARING THE CITY OF MARION'S INTENT TO ANNEX
TERRITORY KNOWN AS MARION HARDWOODS, INC AND
MARION-CRITTENDEN COUNTY AIRPORT**

WHEREAS, the territory intended to be annexed, approximately 273.91 acres of land between beginning at the western boundary of the City of Marion along U.S. Highway 60 West and continuing North and then West along the boundary of the Marion-Crittenden County Airport Authority to State Route 1668, is contiguous to the City of Marion; and,

WHEREAS, the territory intended to be annexed is commercial, industrial and/or transportation infrastructure without unreasonable delay because much has been developed in the area are in receipt of city services or requesting city services and,

WHEREAS, the proposed territory to be annexed is all situated within the County of Crittenden, Kentucky, and not within another incorporated city or in the process of being incorporated, nor within an agricultural district; and,

WHEREAS, all of the real property owners within the territory proposed to be annexed have not given their consent to be annexed; and,

WHEREAS, the City declares it desirable to annex the approximately 273.91 acres further described in this ordinance and its attachment (Exhibit A).

NOW, THEREFORE, BE IT ORDAINED by the City of Marion, as follows:

1. Pursuant to KRS 81A.420, the City of Marion hereby declares it desirable to annex and hereby publishes its intent to annex through the enactment of this ordinance the territory described below and show on the map attached to this ordinance as Exhibit A. Exhibit A is incorporated into this ordinance by reference as if copied in full:

Being the same property conveyed to Marion Airport Board a/k/a Marion-Crittenden County Airport Board by Wesley N. Cullen et ux by Deed dated June 6, 1977 and recorded in Deed Book 125, at Page 186;

Being the same property conveyed to Marion-Crittenden County Airport Board by Wilmer Hughes et ux by Deed dated March 30, 1977 and recorded in Deed Book 125, at Page 318;

Being the same property conveyed to Marion Air Board by Marvin Turner et ux by Deed dated September 30, 1977 and recorded in Deed Book 126, at Page 442;

Being the same property conveyed to Marion Airport Board a/k/a Marion-Crittenden County Airport Board by James Hughes et ux by Deed dated June 2, 1978 and recorded in Deed Book 128, at Page 249;

Being the same property conveyed to Marion Crittenden Co. Airport Board by Lynn Frazer et ux et al by Deed dated November 16, 1999 and recorded in Deed Book 185, at Page 1;

Being the same property conveyed to Marion-Crittenden County Airport Board by Brady Kirk et ux by Deed dated October 13, 2010 and recorded in Deed Book 216, at Page 635;

Being the same property conveyed to Marion-Crittenden County Airport Board by Caroline Bryant, a widow, by Deed dated June 4, 2019 and recorded in Deed Book 238, at Page 340;

Being the same property conveyed to Marion Hardwoods, Inc., by Turner and Conyer Lumber Company, Inc., by Deed dated March 1, 2013 and recorded in Deed Book 222, at Page 158; See also Deed of Correction dated May 20, 2013 and recorded in Deed Book 222, at Page 557.

All references herein are to the Crittenden County Court Clerk's Office.

2. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed and the provisions of this Ordinance are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not effect the validity of the remainder of this Ordinance.
3. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on August 17, 2020, and given final reading on _____, 2020, and said Ordinance shall be in full force and effect upon signature, recordation and publication in accordance with KRS 81A.060 and KRS Chapter 424.

COUNCIL MEMBERS

YES

NO

Donald Arflack

Phyllis Sykes

Darrin Tabor

Michael Byford

Dwight Sherer

D'Anna Sallin

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

Jared Byford, Mayor

CERTIFICATE

The undersigned certifies that she is the duly elected and acting City Clerk of the City Council of City of Marion, Kentucky, that the foregoing Ordinance was duly adopted at a regular/special meeting of said Council held on, 2020, that all actions taken in connection with such Ordinance were in compliance with the requirements of KRS Chapter 61, and that such Ordinance is now in full force and effect, all as appears from the official records of the City in my custody and under my control.

PAM ENOCH, City Clerk

City of Marion KY Tourism Commission
Minutes
August 27, 2020

Commissioners Present: Tanner Tabor, Cody McDonald, Jason Hatfield, and Shelly Davidson.

Others Present: Michele Edwards, Bayley McDonald, and Chris Evans.

Call to Order: Chairman Tanner Tabor called the meeting to order at the Marion Welcome Center.

Approval of Minutes: Jason Hatfield moved to approve the minutes of the July 21 and August 4, 2020 meetings. Cody McDonald seconded. Motion carried unanimously.

Treasurer's Report: Cody McDonald moved to accept the treasurer's report as submitted. Shelly Davidson seconded. Motion carried unanimously.

Member Resignations: It was reported Phillis Hardin and Mike Hamilton had resigned their positions. Jason Hatfield nominated Cody McDonald as treasurer to replace Phillis Hardin. Shelly Davidson seconded. Motion carried unanimously.

Bayley McDonald Introduced as Social Media and Events Coordinator: Commission members discussed event ideas and social media policies.

Banners for new streetlights: Jason Hatfield moved to purchase six Christmas banners for the new street lights. Shelly Davidson seconded. Motion carried unanimously.

Electric Vehicle Charging Stations at the Farmers Market: Jason Hatfield moved to purchase two charging units and a mounting pedestal to be installed at the new Farmers Market parking lot. Shelly Davidson seconded. Motion carried unanimously.

Cody McDonald moved the meeting adjourn. Shelly Davidson seconded. Motion carried.