

Meeting Notice & Agenda

# MARION CITY COUNCIL

Monday, October 17, 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 September 19, 2022, Council Meeting and September 29 and October 11, 2022, Special Council Meetings
2. Update on Water Supply Issues
3. A Representative from the Lake Barkley Partnership to Address the Council
4. Mayor/Council/Staff Comments & Question
5. Adjourn

**Minutes of Marion City Council Meeting  
September 19, 2022-5:00 p.m.**

The Marion City Council met in Regular Session on September 12, 2022, at 5:00 p.m. with Mayor Jared Byford Presiding. Council members present were as follows: Darrin Tabor, Jason Hatfield, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City Employees were as follows: Adam Ledford, Layten Croft, Pam Enoch, Danielle Duncan, Jeff Black, Chief Ray O'Neal, and the City Attorney Bart Frazer. A public sign-in sheet is attached as part of these minutes.

**PUBLIC COMMENTS**

Thomas Hawthorne was present at the council meeting wanting to know why the council raised property taxes and why the special called meeting was held at noon. Administrator Ledford explained property taxes can be raised to 4% without having to have a public hearing.

**GENERAL GOVERNMENT**

Motion by D'Anna Browning, seconded by Mike Byford to approve the minutes of the August 15<sup>th</sup>, 2022, and September 12<sup>th</sup>, Special Council Meeting. All voted yes.

Administrator Ledford updated the council on Lake George and the water supply. He advised that there weren't many updates since the last special meeting. Ledford advised that the water plant had conducted filter cleaning and a two-day flushing process. Jackie Logsdon, a representative of DOW, advised the plant was making chemical changes to the level of manganese after the filtering process. Logsdon answered questions from the council and the public regarding Lake George and the water supply.

Council member Darrin Tabor explained his thoughts about the Lucile Mine to the council and the public. He went over figures and explained to the council his opinion on the mine.

Councilmember Dwight Sherer asked about the status of Sturgis's hook-up.

Council member Donnie Arflack advised that Caldwell hook-up needed to be on the emergency order.

Council member Darrin Tabor asked about seeing what the city needed to do about putting the pump over the levee. Tabor advised he wasn't sure how long of a fix this would be, but Lake George needed to be fixed before the city starts losing water and having to start having water hauled again. Tabor advised that December is a very critical month, and the city needs another option, the lake's levee needed to be repaired so it can hold something to its volume.

Council member Donnie Arflack asked Logsdon if the state had approved the levee at Lake George, and she advised that she hadn't received any additional information from BFW Engineers.

Council member D'Anna Browning stated the council couldn't approve a plan until quotes were in from the engineers and once they had the quotes they could get a plan in motion. Administrator Ledford advised that he hadn't received a final report from BFW. Council member Jason Hatfield advised that BFW needed to be the top priority on the list. Mayor Byford advised administrator Ledford to reach out in the morning to them.

Administrator Ledford updated the council on Sanitary Sewer Project. Ledford advised that the project meeting would be held on September 29, 2022. Ledford advised that electrical components causing some issues. Ledford advised that the new plant should be up and running by April 2023.

**OTHER BUSINESS**

Council member Jason Hatfield advised putting up speed bumps at the City/County Park where Marion Tourism is putting up a playground. There were concerns about speed bumps regarding snow removal. Chief Ray O'Neal suggested putting up a guard rail or a fence 25 ft from the road. After a brief discussion on this issue, the council decided to move forward with putting rip rap down.

Council member Dwight Sherer appreciated the stop light getting fixed.

Council member D'Anna Browning requested putting a sign at both ends of Main Street due to the big trucks still Jake breaking on Main Street.

Council member D'Anna Browning asked about the total number of failed fire hydrants in the city.

Council member Mike Byford asked about the paving list. Administrator Ledford advised that he was getting the list from Alan.

#### **ADJOURNMENT**

There being no more business to come before the council; the meeting was adjourned at 6.12 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**  
**Thursday, September 29, 2022 – 5:00 p.m.**

The Marion City Council met in special session on September 29, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Council members present were Darrin Tabor, Jason Hatfield, Donnie Arflack, Dwight Sherer, D’Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Layten Croft, Pam Enoch, Danielle Duncan, Police Chief Ray O’Neal, Sergeant Heath Martin, and City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

**GENERAL GOVERNMENT**

Mayor Byford advised that Administrator Ledford’s last day with the City of Marion would be October 14, 2022, he then added how much he would be missed. Mayor Byford advised that he would like for the new Mayor and the new city council to be responsible for hiring a new city administrator. Mayor Byford advised that he wanted someone to fill in temporarily until a new city administrator was hired. Mayor Byford advised that City Treasurer Layten Croft would be good for being interim city administrator until a new city administrator was hired. After a brief discussion on this, a motion was made by Jason Hatfield, seconded by Darrin Tabor to approve Layten Croft, with compensation, as the interim city administrator. All voted yes.

Administrator Ledford informed the council that Danielle Duncan’s, City Planning and Zoning officer, last day of employment with the city would be October 7, 2022.

**ADJOURNMENT**

There being no further business to come before the council, the meeting was adjourned at 5:16 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  
Tuesday, October 11, 2022**

The Marion City Council met in special session on October 11, 2022, at 5:00 p.m. with Mayor Jared Byford presiding. Council members present were 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, Jeff Black Police Chief Ray O'Neal, Kelly Rudolph, and City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

**GENERAL GOVERNMENT**

Administrator Ledford updated the council on the Marion Sanitary Sewer Project. Ledford advised that the new sewer plant is 70 % done. He advised after COVID hit, there was a delay in getting supplies in, and looking at next summer before the plant was finished. Ledford advised that KIA would not do a final closing until the final expectation had been done. Ledford advised that the City received just over \$1 million in the form of an infrastructure grant from the Delta Regional Authority.

Administrator Ledford updated the council on the Leaf Collection Program. Ledford advised he had talked to Garry Gerard and the maintenance workers would be doing leaf pick-up the whole month of November. Ledford advised he had talked to Judge Executive Perry Newcom, and all was good on his side.

Administrator Ledford updated the council on staff openings. Ledford advised there were three staff openings as of now (1) City Administrator position, (2) City Planning and Zoning officer, and (3) Police Officer). Police Chief O'Neal advised the council he was seeking to find an officer that already had experience. Council member Darrin Tabor suggested the city check into finding money for hazardous pay.

The council decided to postpone going out for bids on 2022/2023 street improvements until the regular council meeting.

Mayor Jared Byford requested to appoint Shana West, and Ron Ledford, which would be replacing Cody McDonald's seat, to Marion Recreation, Tourist, and Convention Commission. Motion by D'Anna Browning, seconded by Mike Byford to appoint Shana West and Ron Ledford to the Marion Recreation, Tourist, and Convention Commission. All voted yes.

Administrator Ledford updated the council on Water Supply issues. Ledford's recommendation was for the council to invite an engineer to come to a council meeting to answer questions and concerns and move forward with this water supply issue.

Ledford discussed three practical options for a long-term solution to the water crisis. (1) Crittenden/Livingston Water District engineers have prepared an outline that would include increasing the capacity of its plant and running a high-volume line from Salem to Marion. The estimated cost is \$31 million and \$37 million. (2) Bell Engineering's proposal to run a water line from Caldwell County Water District to Marion, but its proposal would include other issues because Princeton is the water supplier for that plan. Bell Engineering's cost for the design of the water line would estimate at around \$5 million. (3) Bacon, Farmer, and Workman Engineering estimated the repair cost of the viability of soil in the Lake George Levee would be a little over \$1 million. Shannon McLeary, the DOW representative,

advised permitting any type of work on the dam would require further review and would need more detailed engineering that could take several months. Councilmember Darrin Tabor and Donnie Arflack asked the DOW if the permitting could be fast-tracked, so work could begin before winter rainfall. Council member Jason Hatfield asked the mayor to contact engineers regarding completing the Lake George repair permit application.

Tim Capps, president of Par 4 Plastics, addressed the council and asked the council to find a project manager to help navigate the water crisis that the city is facing. Council member D'Anna Browning advised that there was a plan in the works to bring in a consultant to help Marion develop a clear strategy and to help find funding sources. She advised that plan was expected to be presented at Monday night's regular council meeting.

**ADJOURNMENT**

There being no further business on the special agenda; the meeting was adjourned at 5:47 p.m.

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JARED BYFORD, MAYOR

ATTEST:

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PAM ENOCH, CITY CLERK



**BACON | FARMER | WORKMAN**

**ENGINEERING & TESTING, INC.**

500 SOUTH 17<sup>TH</sup> STREET | PADUCAH, KY 42003

October 14, 2022

Adam Ledford – City Manager  
City of Marion  
217 South Main Street  
Marion, Kentucky 42064

**RE:    *Repair Costs for Lake George Dam***

Mr. Ledford:

BFW is pleased to provide you with this letter regarding the repair of the Lake George Dam. As you are aware, the failure of the drainpipe (raw water withdrawal line) running through the Dam and the emergency actions taken to lower the water levels to alleviate failure have left the Dam with a sinkhole near the center of the levee over the drainpipe. The breached area on the west end of the existing Dam has a current elevation level of 591 ft AMSL and a partial excavation of a breach on the dry side of the dam near the center.

The original construction drawings prepared by Paul M. Jones & Associates dated May 21, 1954 detailed the existing Dam to have a 2.5 foot Horizontal to one (1) foot vertical slope on the dry side, a three (3) foot horizontal to one (1) foot vertical slope on the lake side and a spill way elevation of 601 feet AMSL. The topographic survey conducted by BFW shows that these slopes and spillway elevations are in general conformance with the original plans except where excavations have occurred. Since the Dam and Lake are over 60 years old, the current state of the existing slopes is a testament to the Dam's stability, and the cause of the emergency situation was due to the mechanical failure of the drainpipe which was installed during the original construction.

BFW has provided a Geotechnical Stability Analysis for the Lake George Dam dated September 23, 2022, which provided the soil sampling, laboratory testing, and engineering analysis to show the Dam meets all requirements set forth by the 401 KAR 4:030 regulations as administered by the Kentucky Division of Water, Dam Safety Section (KDOW) if restored to its original design condition. This analysis has been submitted for review to KDOW on September 27, 2022, for their concurrence with our findings. To date, we are still waiting on their concurrence. We did have discussions with the reviewers at the State and they did indicate they had comments on the report, and they would be providing those to the City of Marion in the next week. Once we receive the concurrence and or acceptance of our findings, plans and permits for the proposed repairs to the Dam will have to be prepared and submitted for KDOW's approval.

#### **NEXT STEPS**

BFW proposes the following scope of work to repair the dam which will include modifications to the raw water supply pipe to allow the Lake to refill to its original design level and the reestablishment of the raw water supply for the City of Marion Water Treatment Plant and the Lake's recreational usage for surrounding residents. The repairs will include rebuilding the existing dam to its original design and rerouting the raw water supply line through the breached location at the west end of the dam to a newly constructed raw water intake structure. In an effort to provide a more in depth understanding of this process, I have provided a list of these steps which are involved in the repair process:

1. Seal / plug the existing drainpipe under the Dam. The failure of the 10" pipe which allowed the loss of soils on the dry side of the dam will need to be exposed on both sides of the toe of the levee. The pipe will need to be cut at both locations and pumped full of impervious cementitious grout to a minimum of 4 PSI to allow the grout to fill any possible holes in the pipe or voids in the earthen dam. Once this is complete, mechanical caps shall be installed on both ends to assure no future leakage in or around the pipe.
2. Construct new raw water intake structure in the Lake and route piping on the west side of the dam and to the west side of the breached location.
3. The excavation cavity (which will need to be constructed to allow the work in step one to be completed) will also require impervious cementitious backfill around the pipe and approximately three (3) feet over the pipe to allow the earthwork needed to repair the existing dam to be completed.
4. Earth excavation at the area of the center of the dam is then required to remove existing soil from the dam in the areas around the sinkhole and excavations caused by the breaching activities. This material will need to be removed until a firm, stable earthen foundation of the existing dam soil is reached. The excavation shall be large enough and deep enough to assure that any disturbed soils from loss of ground or previous excavations have been removed from the dam and side slopes shall be stepped back at a minimum ratio of three (3) foot horizontal to one (1) foot vertical to allow for keying the new fill back into the existing dam to assure interlocking of compacted fill to existing dam soil to eliminate any shear planes in the repair.

Steps 1 through 4 are anticipated to be completed in the first portion of the repair construction to allow the watershed to begin refilling Lake George and restore it as the City's raw water supply.

5. The raw water main, discussed in step 2 will then be extended through the existing dam and the west breach location. The portion through the dam will require anti-seep collars and impervious compacted backfill to assure a watertight seal between the pipe and surrounding soils.
6. Further excavation of this breached area will be required within the dam and the side slopes to provide the benching or stepped back face at a minimum ratio of three (3) foot horizontal to one (1) foot vertical to allow for keying the new fill back into the existing dam to assure interlocking of compacted fill to existing dam soil to eliminate any shear planes in the repair.
7. The proposed raw water line shall be routed around the back side of the dam a minimum of 15 feet away from the toe of the dam's levee to the existing pigging port manhole and reconnected to the raw water line to the plant.
8. Final grading and seeding will then be required to restore turf on top and dry side of the levee and rip rap shall be installed on the water side of the dam to stabilize the face of the dam from erosion caused by wave action.

The schematic estimate for this work is attached. Design plans and specifications will need to be prepared and submitted with permit applications to DOW. Information required by regulation for new dams include but are not limited to:

- Completed Division of Water Dam Safety Data Sheet
- Certified hazard classification assessment stamped by the engineer with all supporting calculations and technical data
- Full Engineering Design Report (including Hydrologic and Hydraulic Assessment) with all supporting calculations and technical data
- Geotechnical Exploration and Stability Analysis Report



- Emergency Action Plan with inundation mapping
- Stamped design drawings and specifications ready for construction
- Any other supporting technical information showing the proposed project will meet the regulatory requirements.

It is anticipated that some of these documents may exist since it is an existing dam. However, engineering estimates included in the attached estimate provided include all items required. It should be noted that the Geotechnical Exploration and Stability Analysis Report will be removed from this total since these have already been completed. Environmental permitting is not anticipated since this is an existing dam.

Thank you for this opportunity and we look forward to extending our working relationship with the City of Marion.

Regards,



BFW Engineering & Testing, Inc.  
Kenneth D. McDaniel, PE  
Project Manager

cc: Chris Farmer, PE – BFW  
Chris Mathews, PE – BFW  
Susannah Campbell, PMP – BFW

Enclosure: Estimate of Costs

**Marion Kentucky  
Lake George Dam Rehabilitation  
Construction Estimate**

DEMOLITION									
Bid Item	Unit	Quantity	Material Cost	Labor Cost	Equipment Cost	Unit Cost	Extended Cost		
Existing Pipe Filled & Capped	LF	270	\$ 10.00	\$ 10.00	\$ 10.00	\$ 30.00	\$ 8,100.00		
Existing Soil Removal	CY	5000	-	\$ 5.00	\$ 5.00	\$ 10.00	\$ 50,000.00		
UTILITIES									
10" PVC Water Line	LF	750	\$ 60.00	\$ 20.00	\$ 20.00	\$ 100.00	\$ 75,000.00		
Inlet Structure	EA	1				\$ 75,000.00	\$ 75,000.00		
SITE IMPROVEMENTS / RESTORATION									
Soil Backfill (Borrow)	CY	15000	\$ 23.00	\$ 3.50	\$ 4.50	\$ 31.00	\$ 465,000.00		
							Sub Total Construction	\$	673,100.00
							30% Design/Construction Contingency	\$	201,930.00
							<b>Total Construction Estimate</b>	\$	<b>875,030.00</b>

Engineering Fees (9.45%)	\$	82,690.34
Administrative Expenses (5%)	\$	43,751.50
Legal Expenses (2%)	\$	17,500.60
Engineering Fees Construction (6.4%)	\$	56,001.92

**Total Project Budget \$ 1,074,974.36**