

MEETING NOTICE & AGENDA

MARION CITY COUNCIL

Thursday, August 31, 2017 – 5:00 p.m.
Marion City Hall, 217 South Main Street, Marion, KY

Public Hearing (5:00 p.m.)

Public Hearing on Proposed 2017 Tax Rates on Real Property

Special Meeting

Call to Order

BUSINESS AGENDA

1. 2nd Reading of Ordinance #17-09, entitled, "An Ordinance Relating to the Tax Levy for the Year of 2017, City of Marion, Kentucky"
2. 2nd Reading of Ordinance #17-11, entitled, "An Ordinance Amending the Code of Ordinances of the City of Marion, Kentucky, by Amending Chapter 35: PERSONNEL POLICIES to Adopt a New Employee Handbook for Employees of the City"
3. Confirmation of Mayor's Appointment to the City Ethics Board
4. 2nd Reading of Ordinance #17-12, entitled, "Amending Marion Code of Ordinance"
5. 2nd Reading of Ordinance #17-13, entitled, "An Ordinance Amending Ordinance No. 17-05 – The City of Marion, Kentucky Annual Budget for Fiscal Year 07/01/17 Through 06/30/2018"
6. Adjourn

To: Mayor and City Council
From: Adam Ledford, City Administrator
Re: Agenda Description
Date: August 31, 2017

Public Hearing on Tax Rates
Call to Order

Business Agenda

I. 2nd Reading of Property Tax Levy Ordinance

Description:

In your packet is a copy of the annual ordinance to set the property tax rates for the City of Marion. Pursuant to Councilmen Arflack's amendment at the 1st reading, this ordinance would set the personal property tax rate at the compensating rate of 0.222. This rate would result in the City collecting roughly \$400 less in revenues. The real property tax rate would be adjusted to reflect a 4% increase. This means the rate would go from .224 to .230 which will result in a \$7,376 increase in revenues. As was previously discussed, this would average about a \$5 annual increase per property. Total property tax collection would result in roughly a \$7,000 increase in revenue.

II. 2nd Reading of Employee Handbook Ordinance

Description:

In your council meeting's packet, you will receive a copy of the ordinance which would replace Chapter 35 of the City Code with an updated personnel policy designed by the Kentucky League of Cities. A copy of that handbook was included in your packet last meeting (if you would like another copy please email me and I will send you a new copy). Minor grammatical errors have been corrected since the last meeting. If this handbook is approved copies will be distributed to all staff and a meeting will be schedule to present the details to them.

III. Confirmation of Mayor Appointment to the Ethics Board

Description:

The Mayor has proposed appointing Linda Schumann to fill a vacant seat on the ethics board. The Council may take action to confirm this appointment prior to making the selection final. Last meeting Linda was proposed to fill a vacant seat on the revolving loan fund board, but we have since discovered that the appointment was improper as the previous Mayor appointed Jerry Collins and Jim Johnson at the February 20th council meeting prior to resigning. After consulting with the city attorney, it was determined that since the opening did not exist the appointments of Linda and Wade were invalid. Linda has offered to instead fill the open vacancy on the ethics board. This exercise is a good reason to maintain a committee appointment list with expiration dates. The list I have created has been corrected.

IV. 2nd Reading of Marion Ordinance Code Update

Description:

Once a year, the Council is provided an updated code supplement from American Legal Publishing Corp. This supplement assures that city code is consistent with changes in Federal and State law. A copy of the ordinance is in your packet. If you wish to review a copy of the supplement packet you are welcome to see the City office were a copy is available for you.

V. 2nd Reading of 2017-18 Budget Amendment Ordinance

Description:

Pursuant to the previously approved emergency ordinance, it is necessary to amend the annual budget to reflect a change in spending for the Municipal Aid Fund. Included in your packet is a copy of the ordinance which indicates an increase in expenditures for that fund sufficient to cover the \$85,500 project.

V. Adjournment

ORDINANCE NO. 17-09

AN ORDINANCE RELATING TO THE TAX LEVY FOR THE YEAR OF 2017
CITY OF MARION, KENTUCKY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, KENTUCKY AS FOLLOWS:

SECTION 1: That an ad valorem tax of \$.230 be and is hereby levied on each One Hundred Dollar (\$100.00) of fair cash value of all real property in the City of Marion, Kentucky.

SECTION 2: That an ad valorem tax of \$.222 be and is hereby levied on each One Hundred Dollar (\$100.00) of fair cash value of all personal property in the City of Marion, Kentucky.

SECTION 3: That an ad valorem tax of \$.230 be and is hereby levied on each One Hundred Dollars (\$100.00) of fair cash value of all Public Utilities.

SECTION 4: That in accordance with KRS 132.487 (2) and ad valorem tax of \$.229 be and is hereby levied on each One Hundred Dollar (\$100.00) of fair cash value of all motor vehicles in the City of Marion, Kentucky; and this accordance with KRS 132.488, and as valorem tax of \$.229 be and is hereby levied on each One Hundred Dollar (\$100.00) of fair cash value of all motorboats in the City of Marion, Kentucky.

SECTION 5: That the tax under Sections 1,2,3, and 4 shall be levied for the purpose of providing public services such as fire protection, police protection, maintenance, repair and improvement of street and parks and for taking care of the general miscellaneous expenses of the City of Marion, Kentucky. All taxes listed, supra, shall be paid into the General Fund of the City.

SECTION 6: That this tax levy ordinance DOES NOT pertain or relate to the franchise tax on all deposits, as defined in KRS Chapter 136, maintained by such financial institutions in the City of Marion, Kentucky in that the Bank Franchise and Local Deposits Tax was set by Ordinance Number 96-13 passed on August 19,1996 and published in the Crittenden Press on August 22, 1996.

SECTION 7: That all taxes levied hereby shall become due and payable on the first day of July, 2017. The City of Marion, Kentucky shall have a lien for taxes upon any and all property subject to taxation, which lien shall be superior to all encumbrances prior or subsequent; and all taxes which are not paid on or before the first day of November, 2017 shall be deemed delinquent and shall be subjected to a penalty of twenty-five per cent (25%) and shall bear interest at the rate of ten per cent (10%) per annum. Furthermore any individual, firm or corporation failing to pay such taxes herein levied by this ordinance on or before the first day of November, 2017 shall pay said twenty-five (25%) penalty and interest at the rate of ten per cent (10%) per annum in addition to the amount of such tax then due and unpaid.

SECTION 8: All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of the conflict.

<u>COUNCIL MEMBERS</u>	YES	NO
Donald Arflack	_____	_____
D'Anna Sallin	_____	_____
Darrin Tabor	_____	_____
Dwight Sherer	_____	_____
Michael Byford	_____	_____
Phyllis Sykes	_____	_____

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

INTRODUCED AND GIVEN 1ST READING : August 8, 2017

GIVEN 2ND READING AND PASSED: August 31, 2017

PUBLISHED IN THE CRITTENDEN PRESS:

ATTEST:

JARED BYFORD, MAYOR

PAM ENOCH, CITY CLERK

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 17-11**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
MARION, KENTUCKY, BY AMENDING CHAPTER 35: PERSONNEL POLICIES TO
ADOPT A NEW 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 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, is repealed and the revised Employee Handbook, which is attached hereto and incorporated herein by reference as if stated in full, is hereby adopted as the Employee Handbook which will govern the policies and procedures concerning Employees of the City of Marion, Kentucky, henceforth.

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 Sallin	_____	_____

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. 17-12**

AMENDING MARION CODE OF ORDINANCES

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

SECTION 1. Amendment

That the 2017-S-31 supplement to the Code of Ordinances, as submitted by the American Legal Publishing Corporation of Cincinnati, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

SECTION 2. Repealer

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 3. Severability Clause

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. Effective Date

This Order shall be in full force and effect upon its passage by law pursuant to Kentucky Revised Statutes.

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 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

ORDINANCE NO. 17-13
AN ORDINANCE AMENDING ORDINANCE NO. 17-05 - THE CITY OF MARION, KENTUCKY ANNUAL
BUDGET FOR FISCAL YEAR 07/01/17 THROUGH 06/30/2018

WHEREAS, some previously unknown or unanticipated expenditures have come to light since adoption of the Fiscal Year Budget for 2017-2018; and

WHEREAS, the City Council has reviewed these expenditures and determined they are necessary;

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

Section One: That the annual budget for the fiscal year beginning July 1, 2017 and ending June 30, 2018, is hereby amended as follows:

	General Fund	Water Fund	Sewer Fund	Municipal Aid	LGEA Fund	Rest./Motel	Total
<i>Revenues</i>							
Property Tax	302140					240800	
Payroll/Net Profits	464020						
Intergovernmental Payments	165512			62000	5000		
Interest & Miscellaneous	82490	12810	2	200	20	20	
Insurance Tax	180000						
Water Sales		612600					
Sewer Sales			456600				
Service Chrgs.		12000					
Penalties		15000					
Environmental fee			200900				
Loan Proceeds			5000000				
Franchise Fees	110125						
TOTAL REVENUE	\$1,304,287	\$652,410	\$5,657,502	\$62,200	\$5,020	\$240,820	\$7,922,239
<i>Expenditures</i>							
Administration	349868	38349	162213				
Appropriations	27306						
Police Dept.	452989						
E911 Dept.	239814						
Fire Dept.	48498						
Street Dept.	45854						
Lights	72000						
Planning/Zoning	67923						
Building Fund							
Water Plant		356956					
Sewer Plant			5257044				
System Maint./Debt		253530	193319				
Public Transp.				94700 59200	8000		
Tourism						240820	
TOTAL EXP.				94,700 59,200	8,000	240,820	7,909,183 7,873,683
	\$1,304,252	\$648,835	\$5,612,576		\$8,000	\$240,820	
Projected Net Increase (Decrease):	35	3,575	44926	(32500) 3000	(2980)	0	13056 48556

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

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

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 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: _____

MAYOR

ATTEST: _____
PAM ENOCH, CITY CLERK