MARION CITY COUNCIL

Monday, August 16, 2021 - 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 July 19, 2021, Council Meeting
- 2. Introduction and 1st Reading of Ordinance #21-16 entitled, "An Ordinance Relating to the Tax Levy for the Year of 2020, City of Marion, Kentucky"
- 3. Second Reading of Ordinance #21-11, entitled, "AN ORDINANCE AMENDING ORDINANCE CHAPTER 50: WATER AND SEWER SYSTEM"
- 4. Second Reading of Ordinance #21-12, entitled, "AN ORDINANCE ESTABLISHING THE REGULATORY LICENSE FEE FOR THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF MARION FOR FISCAL YEAR 2021-2022"
- 5. Introduction and 1st Reading of Ordinance #21-17 entitled, "An Ordinance Amending the Pay Plan for Classified City Employees and Non-Elected Officials"
- 6. Introduction and 1st Reading of Ordinance #21-18 entitled, "An Ordinance Closing a Portion of West Depot Street and Various Alleys"

- 7. Discussion on Food Track Vendors
- 8. Update on Projects & Staffing
 - a. Sewer Plant
 - b. 2021 Street Work
 - c. Technology Updates
 - d. Recent Staff Openings
- 9. Mayor/Council/Staff Comments & Questions
- 10. Adjourn

Meeting of the Marion City Council Monday, July 19, 2021-5:00 p.m.

The Marion City Council met in Regular Session July 19, 2021 at 5:00 p.m. with Mayor Jared Byford presiding. Council members present were; Darrin Tabor, Phyllis Sykes, Donnie Arflack, Dwight Sherer, D'Anna Browning, and Mike Byford. City employees in attendance were as follows: Adam Ledford, Layten Croft, Pam Enoch, Chief Ray O'Neal, Ronald Howton, and the City Attorney Bart Frazer. A public sign-in sheet is attached and made part of these minutes.

PUBLIC COMMENTS

Several Landlord owners were present at the council meeting to voice their opinion on holding the Landlords directly responsible for their tenants unpaid water bills. Evelyn Hayes, spokeswoman for the group, suggested raising the water deposit to 250.00 and raise the reconnect fee also. She advised to give them ten days to pay and after that cut them off for nonpayment. Mrs. Hayes advised the city is going to have to hold them responsible, not the landlords. Several other landlords expressed their concerns about this issue. Councilmember Dwight Sherer advised he had made calls to Whitesburg and they had passed it there. Councilmember D'Anna Browning thought the idea would enable the problem. Councilmember Darrin Tabor advised a lot of landlords are the ones that are left to clean up the properties.

Kay Grimes was present at the council meeting complaining about her sewer and environmental fee. She advised the council it's more than her KU bill.

GENERAL GOVERNMENT

Motion by Phyllis Sykes, seconded by Mike Byford to approve the minutes of June 21, 2021, and July 6, 2021 special called meeting same as submitted to the council. All voted yes.

The City Attorney gave the second reading of ordinance #21-10, entitled, "An Ordinance of the City of Marion, Kentucky, amending ordinance #01-23 to zone property at 1201 US 60 West as 1-2 General Industrial District". Motion by Donnie Arflack, seconded by Darrin Tabor with the vote being as follows: Darrin Tabor yes, Phyllis Sykes yes, Donnie Arflack yes, Dwight Sherer yes, D'Anna Browning yes, and Mike Byford yes. Motion carried.

Councilmember D'Anna Browning introduced the first reading of ordinance #21-11, entitled, "An Ordinance amending ordinance chapter 50: Water and Sewer System". The City Attorney gave the first reading of said ordinance. Motion by Darrin Tabor to amend the ordinance as follows: increase Water Tap Fee from \$300.00 to \$600.00, Sewer Tap from \$300.00 to \$500.00, increase after hour fees to \$100,00, and to increase the water deposit from \$50.00 to \$150.00 and to remove section 2 from the ordinance, seconded by Mike Byford. All voted yes.

Councilmember Mike Byford introduced first reading of ordinance #21-12, entitled, "An Ordinance establishing the regulatory license fee for the sale of alcoholic beverages in the City of Marion for fiscal year 2021-2022". The City Attorney gave the first reading of said ordinance.

Motion by Donnie Arflack, seconded by Phyllis Sykes to adopt resolution #21-03, entitled, "A Resolution authorizing the mayor to submit a grant application to the Kentucky Department of Homeland Security to purchase body armor". All voted yes. A copy of said resolution is attached and made part of these minutes.

Motion by Dwight Sherer, seconded by D'Anna Browning to adopt resolution #21-04, entitled, "A Resolution approving and authorizing a first supplemental assistance agreement between the City of Marion, Kentucky and the Kentucky Infrastructure Authority for project number A18-003". All voted yes. A copy of said resolution is attached and made part of these minutes.

OTHER BUSINESS

Council member Darrin Tabor asked for an update on purchasing truck for maintenance shop.

Council member Darrin Tabor asked about the surplus list. Administrator Ledford advised he was looking over and getting the list ready.

Council member Darrin Tabor wanted to check into getting uniforms for the city workers. He advised the cost was around \$8.50 a week. Administrator Ledford advised he would check into it.

Council member Phyllis Sykes asked if 911 people got a 2% pay raise.

Council member Phyllis Sykes advised a homeowner was interested in purchasing the blue house on Weldon Street. City Attorney advised he would check into it.

Council member Phyllis Sykes inquired about hiring summer help.

Council member Phyllis Sykes advised some yards still are not getting mowed.

Council member Donnie Arflack asked who owned the cemetery across from Ellington Detailing.

Council member Donnie Arflack asked how much it cost the city for the water break on Wilson Drive. Administrator Ledford approximated \$4,000 to \$6,000 for water and overtime.

Council member Darrin Tabor inquired about getting the tank fixed. Alan Robinson, Eclipse Engineer, informed him it would take more than just one repair for repairing the tank. Alan suggested building one big tank and that would take care of the problem.

Council member D'Anna Browning suggested since the water break and residents had to flush more to keep the environmental fee charge same as their last month's bill.

Council member D'Anna Browning inquired about slow signs being put up on Guess and Country Drive due to people speeding.

Council member D'Anna Browning asked about the contract with Freedom Waste.

Council member Mike Byford asked about a hole in front of Henry and Henry needing to be resolved.

Council member Mike Byford asked who owned the ditch in front of Siemens; basically the City has to mow it.

Administrator Ledford advised Tom Guess had contacted him concerning the timing of the environmental fee rate increase. It was approved in March and set to go effect July 1st 2021. Mr. Guess questioned why the fee increase was reflected on his water and sewer bill usage for June. After a brief discussion on this matter the council decided to leave as it was stated effective July 1st 2021.

ADJOURNMENT

PAM ENOCH, CITY CLERK

| There being no further business to come before the council, | meeting was adjourned at 6:48 n m |
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JARED BYFORD, MAYOR

ATTEST:

ORDINANCE NO. 21-16

AN ORDINANCE RELATING TO THE TAX LEVY FOR THE YEAR OF 2021 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 \$.2220 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 \$.2781 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 \$.2220 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, 2021. 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, 2021 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, 2021 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.

| COUNCIL MEMBERS | YES | NO | |
|--|--|--|--------|
| Donald Arflack | ************************************** | | |
| D'Anna Browning | - Continue of the Continue of | PROVIDE CONTRACTOR CON | |
| Darrin Tabor | *************************************** | Manufacture from the contrast of the contrast | |
| Dwight Sherer | | Name of the Contract of the Co | |
| Michael Byford | NAAMA da | | |
| Phyllis Sykes | THE STREET WITH THE PROPERTY OF THE STREET, THE STREET | | |
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| It appearing thatColagainst withabstain INTRODUCED AND GIVEN GIVEN 2ND READING AND | ning, the Mayor de | ed for the adoption of the ordinance, andeclared the ordinance adopted. | _voted |
| PUBLISHED IN THE CRITT | ENDEN PRESS: | | |
| ATTEST: | | JARED BYFORD, MAYOR | |
| PAM ENOCH, CITY CLERK | | | |

COMMONWEALTH OF KENTUCKY CITY OF MARION, KENTUCKY ORDINANCE NO. 21-

AN ORDINANCE AMENDING ORDINANCE CHAPTER 50: WATER AND SEWER SYSTEM.

WHEREAS the City of Marion, Kentucky provides water and sewer services to its citizens and the cost of those services has increased with more accounts being delinquent, and

WHEREAS the paying customers of the Water and Sewer system are being burdened with these delinquent and nonpaying accounts by absorbing higher rates to offset nonpayment, and

WHEREAS the City of Marion, Kentucky seeks to encourage that all accounts be paid timely to support the water and sewer system to promote the general health, safety and welfare of its citizens,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION IN AND FOR THE CITY OF MARION, KENTUCKY AS FOLLOWS:

SECTION 1. Section 50.03 Connection Charges is hereby amended as follows:

- A. A connection charge of \$300.00 of \$600.00 is established [...]
- B. A connection charge of \$300.00 of \$500.00 is established and shall be exacted for each connection to the sewer system within the corporate city limits or \$500.00 \$700.00 without the corporate city limits. [...]
- D. A service fee shall be assessed for turning on water service by city personnel, same to be billed on the first regular billing after the service is performed and shall be assessed as follows: One visit to turn-on service in any twelve-month period shall be \$10.00; a second visit in any twelve-month period shall be \$25.00; three or more visits in any twelve month period shall be \$50.00 on each subsequent visit. In addition to these fees, any turn-on service after normal business hours shall be assessed an additional \$100.00 fee.
- F. A deposit of \$50.00 \$150.00 is established for all new water customers [...]

Any portion of the affected sections not specifically repealed and/or amended are hereby adopted herein by reference as if set out in their entirety and reaffirmed.

SECTION 2: In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.

SECTION 3: All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

SECTION 4: This Ordinance shall be effective upon its passage and publication according to law.

| COUNCIL MEMBER | S YES | NO | |
|---------------------------------------|---|--|--|
| Donald Arflack | | | |
| Phyllis Sykes | | | |
| Darrin Tabor | | | |
| Michael Byford | - | MARKON CONTRACTOR CONT | |
| Dwight Sherer | | | |
| D'anna Sallins | | | |
| It appearing that voted against, with | Council Members voted for the abstaining, the Mayor | ne adoption of this ordin declared the ordinance | |

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| GIVEN SECOND | READING AND PASSED: | |
| PUBLISHED IN T | HE CRITTENDEN PRESS: | |
| JARED BYFORD | | |
| | • | T: |
| | | PAM ENOCH, CITY CLERK_ |
| | <u>CERTIFI</u> | <u>CATE</u> |
| City Council of C adopted at a regulactions taken in e requirements of H | ity of Marion, Kentucky, that thu lar/special meeting of said Connection with such Ordinar KRS Chapter 61, and that su | ly elected and acting City Clerk of the ne foregoing Ordinance was duly Council held on, 2021, that all nce were in compliance with the ch Ordinance is now in full force and of the City in my custody and under my |
| | Pam E | Enoch , City Clerk |
| Dated: | , 2021 | |

CITY OF MARION, KENTUCKY ORDINANCE NO. 21-12

AN ORDINANCE ESTABLISHING THE REGULATORY LICENSE FEE FOR THE SALE OF ALCOHOLIC BEVERAGES IN THE CITY OF MARION FOR FISCAL YEAR 2021-2022

WHEREAS, the City Council of the City of Marion, Kentucky (hereinafter "City"), is authorized to impose regulatory license fee on the sale of alcoholic beverages of each establishment therein licensed to sell alcoholic beverages pursuant to the KRS 243.075 and City of Marion Ordinance 19-08, and

WHEREAS, the City of Marion, Kentucky has reviewed the regulatory license fee revenues from the prior fiscal year as well as the expenditures related to the additional policing, regulatory and administrative expenses related to the sale of alcoholic beverages in the City, with a copy of income statement being attached hereto and incorporated herein by reference, and

WHEREAS, the City Council find that the current regulatory license fees are reasonably estimated to somewhat reimburse the City for the additional policing, regulatory and administrative expenses related to the sale of alcoholic beverages in the City.

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

Section One: The regulatory license fee shall be five percent (5%) of gross sales of all alcoholic beverages sold by drink. In the case of retail sales of package distilled spirits and wine, the regulatory license fee shall be five percent (5%) of gross sales. The regulatory license fee shall be five percent (5%) on gross retail sales of package malt beverages.

Section Two: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is for any reason declared illegal, unconstitutional, or otherwise invalid, such declaration shall not affect the remaining portions thereof.

Section Three: If any provision of this Ordinance is in conflict with provisions of existing Ordinances or laws, it is the intent of the City Council of the City of Marion, Kentucky, that the provisions of this Ordinance shall govern, and such provisions in existing Ordinances of Laws in conflict herewith are hereby rescinded.

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 | | *************************************** | |
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| PUBLISHED IN THE CRITTENDE | N PRESS: | | |
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| JARED BYFORD, MAYOR | | | |
| | ATTEST: | | |
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PAM ENOCH, CITY CLERK

Alcohol Revenues

2021-22

| Alcohol Beverage Fee | |
|----------------------------------|--|
| Alcohol Beverage Fee - Penalties | |
| Misc Income - ABC | |

| Pr | oposed |
|----|--------|
| \$ | 65,500 |
| \$ | - |
| \$ | - |

\$ 65,500

Alcohol Expenses

2021-22

Proposed

| Payroll - ABC | \$ 22,500 |
|----------------------|--------------|
| Retirement | \$ 6,064 |
| FICA | \$ 1,721 |
| Office Expense - ABC | \$ 1,000 |
| Utilities | \$ 500 |
| Travel - Others | \$ 250 |
| Misc Expense - ABC | \$ 22,000 |
| Transfers - ABC | \$ - |
| Insurance - ABC | \$ 11,300 |
| | |

\$ 65,335

Balance \$ 165

CITY OF MARION, KENTUCKY ORDINANCE NO. 21-17

AN ORDINANCE AMENDING THE PAY PLAN FOR CLASSIFIED CITY EMPLOYEES AND NON-ELECTED OFFICIALS

WHEREAS, the City Council of the City of Marion, Kentucky, desires to amend the pay plan and set compensation for classified city employees and non-elected officials.

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

Section One: That the pay plan attached hereto as EXHIBIT A shall govern the compensation of all classified city employees, including non-elected officials, full time employees, and employees in categories of employment other than full time, for services rendered on and after July 1, 2021, until amended by ordinance.

Section Two: 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 | M-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1 | | |
| Michael Byford | *************************************** | | |
| Dwight Sherer | No. of the contract of the con | | |
| D'Anna Browning | *************************************** | | |
| It appearing that Council Mem voted against, with abstain | | | *************************************** |
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| GIVEN SECOND READING AND | PASSED: | | |
| PUBLISHED IN THE CRITTENDE | EN PRESS: | | |

| JARED BYFORD, MAYOR | |
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| | |
| | ATTEST: |
| | PAM ENOCH, CITY CLERK |

EXHIBIT A CITY OF MARION - EMPLOYEE PAY PLAN July 1, 2021 - June 30, 2022

| Position City Hall | <u>C</u> | urrent Pay | | New Pay | \$ | <u>Increase</u> | % Increase |
|--|----------|---|--------------|------------------------|----------|-----------------|------------|
| City Administrator | \$ | 66,300.00 | \$ | 66,300.00 | \$ | | 0.00/ |
| City Treasurer | \$ | 38,250.00 | \$ | 38,250.00 | \$ | - | 0.0% |
| City Attorney | \$ | 12,607.20 | | 12,607.20 | \$ | - | 0.0% |
| | | | | | | | |
| Planning & Zoning | | | | | | | |
| Planning/Zoning Coordinator | \$ | 23,920.00 | \$ | 23,920.00 | \$ | - | 0.0% |
| Police | | *************************************** | <u> </u> | | <u> </u> | | |
| Police Chief | \$ | 49,084.00 | \$ | 49,084.00 | \$ | - | 0.0% |
| Assistant Chief | \$ | 46,028.10 | \$ | 46,028.10 | \$ | - | 0.0% |
| Sergeant | \$ | 44,828.54 | \$ | 44,828.54 | \$ | - | 0.0% |
| Senior Officer | \$ | 42,985.74 | \$ | 42,985.74 | \$ | - | 0.0% |
| Officer | \$ | 42,471.34 | \$ | 42,471.34 | \$ | - | 0.0% |
| 911 | | | | | | | |
| 911 Coordinator | | 20.762.66 | | | | | |
| FT Dispatcher | \$ | 30,768.00 | \$ | 31,383.36 | \$ | 615.36 | 2.0% |
| r i Dispatcher | \$ | 28,509.00 | \$ | 29,079.18 | \$ | 570.18 | 2.0% |
| Fire | | | | | | | |
| Chief | \$ | 3,078.36 | \$ | 3,078.36 | \$ | - | 0.0% |
| Assistant Chief | \$ | 1,050.60 | \$ | 1,050.60 | \$ | _ | 0.0% |
| Fire Fighters (23 total) per run | \$ | 39.47 | \$ | 39.47 | \$ | | 0.0% |
| Water 0.5 | | | | | | | |
| Water & Sewer | | | | | | | |
| Maintenance Supervisor City Clerk | \$ | 40,912 | \$ | 40,912.20 | \$ | - | 0.0% |
| Lead Operator (Wastewater) | | 33,970 | \$ | 33,970.08 | \$ | | 0.0% |
| Lead Operator (Water) | | 44,544 | \$ | 44,544.42 | \$ | | 0.0% |
| Operator (Wastewater) | | 40,490 | \$ | 40,489.92 | \$ | | 0.0% |
| Operator (Wastewater) | | 37,150 | \$ | 37,149.67 | \$ | | 0.0% |
| Operator (Water) | | 34,831 | \$ | 34,830.96 | \$ | | 0.0% |
| Equipment Operator | | 34,831 | \$ | 34,830.96 | \$ | | 0.0% |
| Laborer (Wastewater) | | 29,436 | \$ | 29,435.65 | \$ | | 0.0% |
| Meter Reader | | 23,988 | \$ \$ | 23,987.90 | \$ | - | 0.0% |
| Distribution & Collection Certification Adjustment | | 23,988 | <u> </u> | 23,988.36 | \$ | - | 0.0% |
| Operator (Water - Part Time) | ¢16 0 | 1,500 37 per hour | \$16 | 1,500 87 per hour | | - | |
| operator (water - raic rinie) | 1510'9 | ov her nont | λ10 . | o/ per nour | | <u>_</u> | |

ORDINANCE NO. 5-2021

FIRST READING 4/20/2021 SECOND READING 5/18/2021

AN ORDINANCE GOVERNING THE OPERATION OF MOBILE FOOD UNIT VENDORS IN THE CITYOF MOUNT STERLING, KENTUCKY

WHEREAS, the existing city ordinances do not provide any regulations governing the operation of mobile food unit vendors; and

WHEREAS, the City Council desires to supplement the Mt. Sterling Code of Ordinances by establishing regulations for those vendors while also providing for the public safety, health, and welfare.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNT STERLING, KENTUCKY AS FOLLOWS:

SECTION I - DEFINITION AND APPLICABLE LAWS AND REGULATIONS

- (A) The term "mobile food unit vendor" (hereinafter, "Vendor") as used in this ordinance shall be defined to mean a merchant who conducts business from an establishment which is on wheels or is otherwise mobile but not including, however, vendors such as ice cream trucks who are primarily mobile and who only stop at undetermined locations and for very brief periods of time to service customers. A "Vendor" operating in the City shall be subject to the provisions of this ordinance as well as to all applicable ordinances and regulations currently in effect or enacted or adopted in the future unless otherwise expressly provided herein. These include, but are not necessarily limited to zoning, public safety, pedestrian and state traffic laws, restricted sales or vending areas, parking, and licensing.
- (B) "Owner"— The holder of the title in fee simple and any person, group of persons, company, association, or corporation in whose name tax bills on the property are submitted. OWNER also means a person, association, corporation, partnership, or other legal entity having legal or equitable title in real property. It shall also mean any person who, alone or jointly or severally with others: 1) shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or 2) shall have charge, care, or control of any dwelling unit, as owner, executor, executrix, administrator, trustee, guardian of the estate of the owner, mortgagee or vendee in possession, assignee of rents, lessee, or other person, firm, or corporation in control of a building, or their duly authorized agents. Any such person representing the actual owner shall be bound to comply shall be bound to comply with the provisions of this ordinance, and the rules and regulations adopted.

(C) "Premises" - A lot, plot, or parcel of land including the buildings, dwellings, or structures thereon.

SECTION 2- GENERAL INFORMATION

- (A) The City of Mt. Sterling seeks to provide VENDORS guidance and instruction for obtaining a Business License to operate within the city limits. The VENDOR must submit the following information to the City Clerk to obtain a Business License:
 - a. Authorization and consent for a VENDOR to operate on private property must be obtained in writing from the OWNER or authorized agent.
 - b. Authorization and/or permit issued by the Montgomery County Health Department.
 - c. Authorization and/or permit issued by a state or local fire marshal.
 - d. Proof of general liability insurance.
- (B) The City Clerk will maintain applications for the license at City Hall and on the city website. A Business License will be issued to a VENDOR at a cost of \$100 per calendar year. The Business License must be displayed by the VENDOR in a location which is easily viewed by the public.
- (C) VENDORS are required to collect a "Restaurant Tax". The City Clerk will provide VENDORS all necessary forms for reporting and submission of the tax when the Business License is issued.
- (D) The following information is provided to VENDORS for consideration when setting up business operations:
 - a. VENDORS may not operate within 150 feet of the primary entrance of any business establishment entrance which submits a "Restaurant Tax" to the City.
 - b. The location of the VENDOR must allow for proper vehicular and pedestrian access and circulation on the property.
 - c. VENDORS may not set up or operate for more than seven (7) days consecutively at any location.
 - d. An authorized receptacle must be provided for patrons to dispose of trash or garbage. The receptacle must be emptied daily.
 - e. Water, waste, or refuse may not be dumped down storm drains.
- (E) This ordinance does not apply to VENDORS who only wish to operate during city festivals or other short term community events in which another permit is issued.

SECTION 3 - VIOLATIONS - PENALTIES FOR VIOLATION

- (A) It is unlawful for a VENDOR to operate without a Business License. Failure to obtain a Business License will result in the closure of the VENDOR by an authorized City agent.
- (B) Penalties/fines for violations of this ordinance are as follows:
 - 1) 1st offense within 1-year period Notice of violation and request to correct violation.
 - 2) 2nd offense within 1-year period * \$250.00

SECTION 4- SEVERABILITY

Each word, phrase, sentence, section, and provision (each "portion") of this Ordinance is hereby declared to be independent and, not withstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any portion of said Ordinance, the adoption thereof, or the application thereof to any person or circumstance is held to be invalid, the remaining portions and the application of such portions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is declared that such portions would have been passed independently of such portion or portions so held to be invalid.

SECTION 5-CONFLICTING CODE PROVISIONS REPEALED

Any provision(s) in the City of Mt. Sterling Code of Ordinances specifically in conflict with any provision in this Ordinance is hereby deemed inoperative and repealed.

SECTION 6-PUBLICATION

This Ordinance shall become effective upon passage and publication. Publication is authorized to be made in summary form as authorized in KRS 83.060 (9).

AL BOTTS, MAYOR

ATTEST:

JEANETTE BERTRAM

CITY CLERK

ORDINANCE NO. <u>BG2019 - 50</u>

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 15 (BUSINESS AND GENERAL REGULATIONS) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO ADD SUBCHAPTER 15-8 (REGULATION OF MOBILE FOOD VENDORS AND PUSHCARTS ON PUBLIC RIGHTS-OF-WAY) AND CHAPTER 27 (PROPERTY CODE), SUBCHAPTER 27-8 (PENALTIES) RELATED TO MOBILE FOOD UNITS AND PUSHCARTS

WHEREAS, food trucks are an expanding business operating on public rights-of-way; and,

WHEREAS, City staff drafted an ordinance providing for regulations of food trucks using public rights-of-way, met with food truck owners and operators to obtain input on the draft ordinance and presented the draft ordinance to the Board of Commissioners at the September 16, 2019 Fall Retreat/Special Work Session; and,

WHEREAS, it is in the best interest of the City to adopt an ordinance providing for regulations of mobile food vendors and pushcarts operating on public rights-of-way.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

- 1. Chapter 15 (Business and General Regulations) is hereby amended as follows:
- 15-8 REGULATION OF MOBILE FOOD VENDORS AND PUSHCART VENDORS ON CITY RIGHTS-OF-WAY.

15-8.01 Definitions.

Unless the context requires otherwise, the following terms as used in this Subchapter shall have the following meanings:

"Downtown Square Area" shall mean the Fountain Square and adjacent area to include the area bounded by 8th Avenue to 10th Avenue and College Street to State Street.

"Mobile Food Unit" shall mean a food establishment which is on wheels, is mobile and self-

propelled as a licensed vehicle from which is sold both prepared and pre-packaged consumable foods and which conducts business on public streets within the City of Bowling Green. Mobile Food Unit shall also include food concession trailers pulled by licensed vehicles which are used to prepare or sell consumable foods. Mobile Food Unit shall include ice cream vehicles.

"Mobile Food Unit Vendor" shall mean any person or business entity who conducts business from a Mobile Food Unit on public streets within the City of Bowling Green.

"Pushcarts" shall mean a non-self propelled mobile food unit that is lightweight enough, designed and intended to be moved by one person that typically serves foods such as fruit, popcorn, drinks, hot dogs, flavored ice or pre-wrapped foods.

"Pushcart Vendor" shall mean any person or business entity who conducts business from a Pushcart on public sidewalks within the City of Bowling Green.

15-8.02 Mobile Food Unit Vendor Regulations.

- a. Mobile Food Unit Vendors and Pushcart Vendors shall be subject to and shall comply with all City of Bowling Green business registration requirements and shall not be delinquent on any fees or taxes owed to the City. Mobile Food Unit Vendors and Pushcart Vendors shall also comply with all other federal, state and local laws, rules and regulations including, but not limited to, Health Department and Fire Department laws and regulations.
- b. Mobile Food Unit Vendors using public streets in the City of Bowling Green outside the Downtown Square Area shall operate only in authorized on-street parallel parking spaces and shall not occupy more than two (2) consecutive parallel parking spaces. Mobile Food Units shall not be parked for longer than four (4) hours and shall not park any closer than ten (10) feet from any structure. Except as authorized in this Subchapter, Mobile Food Unit Vendors shall not park any Mobile Food Unit in a manner which prohibits others from parking in otherwise available spaces or areas or park in any manner that prohibits or hinders the ability of other drivers to safely enter or exit any street or alley or to observe

posted traffic signs or signals. Mobile Food Units may operate on public streets outside the Downtown Square Area in the City of Bowling Green from 6:00 a.m. to 12:00 a.m. each day.

- c. Mobile Food Unit Vendors using public streets in the City of Bowling Green within the Downtown Square Area may operate in authorized on-street parallel parking spaces from 6:00 a.m. to 5:00 p.m. Mobile Food Unit Vendors shall not occupy more than two (2) consecutive parallel parking spaces and shall not park for longer than two (2) hours. Except as authorized in this Subchapter, Mobile Food Unit Vendors shall not park any Mobile Food Unit in a manner which prohibits others from parking in otherwise available spaces or areas or park in any manner that prohibits or hinders the ability of other drivers to safely enter or exit any street or alley or to observe posted traffic signs or signals. Any Mobile Food Unit operating in the Downtown Square Area after 5:00 p.m. shall park only in signed and designated loading and unloading zones and shall not operate after 2:30 a.m. All Mobile Food Units shall not be parked closer than ten (10) feet from any structure.
- d. Pushcart Vendors may operate on public sidewalks in the City of Bowling Green. Pushcart Vendors shall not operate on public streets, roads or alleys. Pushcart Vendors shall not impede the ingress or egress of any driveway or the entrance into any building. Pushcart Vendors shall not obstruct pedestrian space and shall maintain at a minimum five (5) feet of sidewalk space for pedestrian passage adjacent to the pushcart. Pushcart Vendors may operate on public sidewalks in the City of Bowling Green from 6:00 a.m. to 12:00 a.m. each day and shall not remain at the same location for longer than four (4) hours.
- e. No Mobile Food Unit or Pushcart shall operate in violation of the above provisions unless allowed pursuant to an approved special event application. During special events, no Mobile Food Unit or Pushcart shall occupy any permitted special event location without the consent of the management of the special event.
 - f. No Mobile Food Unit or Pushcart shall be left unattended or allowed to park on

public streets or sidewalks in the City of Bowling Green overnight and any such Mobile Food Unit or Pushcart left unattended or parked overnight may be towed or removed at the City's discretion. All Mobile Food Unit Vendors and Pushcart Vendors shall promptly cease operations and remove the Mobile Food Unit or Pushcart upon request by appropriate City officials.

- g. Mobile Food Unit Vendors or Pushcart Vendors shall only use lighting which is affixed to the Mobile Food Unit or Pushcart and which does not cause any glare that creates a public hazard, nuisance or distraction to other vehicles or neighboring businesses. No flashing, strobe or neon lighting shall be permitted.
- h. Mobile Food Unit Vendors and Pushcart Vendors shall supply their own electrical power and shall not connect to City power outlets.
- i. The operator of any Mobile Food Unit shall possess a valid driver's license and shall provide that license upon request by any authorized City official.
- j. Mobile Food Units and Pushcarts shall at all times operate in a manner that ensures the safety of patrons, pedestrians and the public. All operations of authorized Mobile Food Units shall serve customers only from the side of the Mobile Food Unit that is parked abutting and parallel to the curb and from the side opposite of the flow of traffic. No Mobile Food Units or Pushcarts shall solicit drive-through service or solicit or make any sales to occupants of vehicles nor shall Mobile Food Units or Pushcarts operate in a manner to cause congestion that impedes pedestrian or vehicle traffic or interferes with the public use of any rights-of-way, sidewalks or public benches. No tables, chairs or similar property shall be permitted on public property. No cords, cables or wires shall be attached to any part of the Mobile Food Unit, trailer or Pushcart that cross any public sidewalk or street.
- k. The Mobile Food Unit or Pushcart shall provide its own waste and recycling containers in sufficient size to collect all waste and recyclables generated by the Mobile Food Unit or Pushcart. The operator of the Mobile Food Unit or Pushcart shall remove all garbage, trash, paper, cups,

cans or litter from the immediate area around the Mobile Food Unit or Pushcart. No waste shall be disposed of in public waste receptacles. No hoses or drainage of grease traps or similar liquids shall be drained into any storm water drainage system and all such liquids shall remain on the Mobile Food Unit or Pushcart until properly disposed.

- l. Mobile Food Unit Vendors and Pushcart Vendors shall be responsible for any damage to public property or public streets caused by the operation of the Mobile Food Unit or Pushcart, including, but not limited to, damage due to stakes, rods or other support methods.
- m. Appropriate City inspectors, fire inspectors and police officers shall be authorized to inspect the permitted Mobile Food Unit or Pushcart without notice and without consent during normal operating hours.
- n. All Mobile Food Units and Pushcarts shall be subject to Subchapter 9-3 (Noise) of the City of Bowling Green Code of Ordinances. Sound absorbing devices are recommended to contain or deflect the noise from generators. All Mobile Food Unit generators shall be rated at or below 80 decibels. Amplified music is not permitted.
- o. Consent for Mobile Food Units or Pushcarts to operate on other City property to include City parking lots and parks shall be obtained from the Parks and Recreation Director for the use of any park property and from the Assistant City Manager / CFO for all other City properties prior to operating on such City property. The City may impose conditions for the approval of such requests as it deems necessary for health and safety and to mitigate the impact of vending that conflicts with City operations. The City has the authority to limit or prohibit such operation on other City properties.

15-8.03 Permits.

a. No person, firm, partnership, corporation or other business entity shall operate a Mobile Food Unit or Pushcart on public rights-of-way in the City of Bowling Green without a Mobile Food Unit Vendor or Pushcart Vendor permit issued by the City of Bowling Green Finance Department.

Each Mobile Food Unit or Pushcart shall require a separate permit (a vehicle pulling a trailer constitutes one Mobile Food Unit). Each permit shall be valid for a twelve (12) month calendar period beginning on January 1st of each year unless suspended or revoked. Upon approval of the permit application, the Mobile Food Unit or Pushcart shall be issued a unique colored coded sticker for that calendar year and this sticker shall be affixed to the Mobile Food Unit or Pushcart in a publicly visible location. Mobile Food Unit Vendors and Pushcart Vendors shall renew permits with the City prior to the end of any twelve (12) month term and shall be in compliance with the provisions of this Subchapter prior to being issued a renewal permit.

- b. The Mobile Food Unit or Pushcart permit application shall be submitted with an annual fee of three hundred dollars (\$300) along with the name, business address and contact information for the applicant. Any permit issued on or after July 1 of any calendar year shall pay a permit fee of one hundred and fifty dollars (\$150) for the remainder of that year. The application shall also include a copy of the City of Bowling Green's business registration and documentation showing that the Mobile Food Unit or Pushcart has been inspected and approved by the City of Bowling Green Fire Department and the Health Department if applicable. The application shall also include the Mobile Food Unit license number, description, vehicle identification number and proof of the Mobile Food Unit automotive insurance. The Mobile Food Unit or Pushcart permit application shall contain proof of required liability and other insurance required by this Subchapter.
- c. Each Mobile Food Unit Vendor or Pushcart Vendor issued a permit shall agree to hold the City of Bowling Green and its officials, officers and employees harmless and to indemnify and defend the City against all claims, damages, losses and expenses, including attorney's fees, resulting from the permitted activity. Each Mobile Food Unit Vendor or Pushcart Vendor also agrees to indemnify and hold harmless the City of Bowling Green and its official, officers and employees for bodily injury, disease or death, or injury to or destruction of property, including the loss of use there from and/or breach

of contract that is not caused by any negligent act or omission of willful misconduct of the City or its officials, officers and employees acting within the scope of their employment.

- d. The Mobile Food Unit Vendor or Pushcart Vendor shall not commence work until all insurance has been obtained and copies of policies or certificates thereof are submitted to and approved by the City of Bowling Green's Human Resources & Risk Management Department. Prior to commencing work, the Vendor shall maintain continuous liability coverage written on an occurrence basis or, if on a claims made basis, with an extended coverage provision (ERP) option of not less than three (3) years. Coverage will be provided through insurance companies licensed to do business in the State of Kentucky with a Best Rating of A- or better. Without limiting Vendor's indemnification requirements, it is agreed that Vendor/Seller shall procure and maintain in force at all times during the performance of this agreement the following policy or policies of insurance covering its operations in the minimum limits set out below.
- 1. COMMERCIAL GENERAL LIABILITY Including contractual liability, bodily injury and property damage combined at a minimum of \$1,000,000 for each occurrence; personal and advertising injury of \$1,000,000 for any one person or organization and \$1,000,000 in the aggregate.
- 2. AUTOMOBILE LIABILITY Insuring all Owned, Non-Owned and Hired Motor Vehicles. The minimum coverage for Liability Limit is \$1,000,000 Combined Single Limit for any one accident. The limit of liability may be subject to increase according to any applicable State or Federal Transportation Regulations.
- WORKERS' COMPENSATION Insuring the employers' obligations
 under Kentucky Revised Statutes Chapter 342 at Statutory Limits.

The Commercial General Liability Policy shall be endorsed to contain the following provisions:

a) "The City of Bowling Green, its elected and appointed officials, employees, agents

and successors and volunteers are to be added as "Additional Insured." The coverage shall contain no

special limitations on the scope of protection afforded to the City, its elected and appointed officials,

employees, agents, successors and volunteers and may not include terms which may make the coverage

excess to other insurance on which the City, its elected and appointed officials, employees, agents,

successors and volunteers may also qualify as an additional insured.

b) The insurance coverage for the Vendor entering into a contract shall be on a primary

and non-contributory basis for liability arising out of activities performed by or on behalf of the Vendor

entering into this contract for service including the insured's general supervision of the premises owned,

occupied or used by the Vendor/Seller entering into this contract and ongoing operations as well as

completed operations and work performed by Vendor. Any insurance or self-insurance maintained by

the City, its elected and appointed officials, employees, agents and successors and volunteers shall be in

excess of the Vendor's insurance coverage.

c) Certificates of Insurance as required above shall be furnished to:

City of Bowling Green

Department of Human Resources & Risk Management

Attn: Risk Management 1001 College Street

Bowling Green, Kentucky 42101

Fax: (270) 393-3298

15-8.04 Enforcement, Penalties, Denial, Revocation or Suspension of Permit.

a. Enforcement proceedings for the provisions of this Subchapter shall be initiated by

the issuance of a notice of violation or a citation by any City Police Officer or designated Code

Enforcement Officer as set out in Chapter 2 of this Code of Ordinances. Any person or business entity

violating any of the provisions of this Subchapter, shall be subject to civil fines as set out in Subchapter

27-8 (Penalties) of the City of Bowling Green Code of Ordinances.

b. The Assistant City Manager / CFO may deny the issuance of a Mobile Food Unit

Vendor or Pushcart Vendor permit pursuant to this Subchapter due to the failure of the applicant to meet

the requirements of this Subchapter or for filing an application that contains material false or untrue statements. The Assistant City Manager / CFO may revoke or suspend the Mobile Food Unit Vendor or Pushcart Vendor permit of any person or business entity that violates the provisions of this Subchapter, including but not limited to: (1) the failure of the permittee to comply with this Subchapter and other laws and regulations involving the operations of the Mobile Food Unit or Pushcart; (2) the failure of the permittee to pay the appropriate permit fees, other taxes and fees and civil fines payable to the City; and (3) the submission by the permittee of an application that contains material false or untrue statements. Any denial, suspension or revocation shall be in writing setting forth the basis for the denial, suspension or revocation. The applicant or permittee may request an appeal in writing within twenty (20) days following the date of the denial, suspension or revocation addressed to the City Manager. The City Manager shall review the record and the basis for the denial, suspension or revocation and may meet with the applicant or permittee. The decision of the City Manager shall be final.

2. Chapter 27 (Property Code), Subchapter 27-8 (Penalties) is hereby amended as follows:

| <u>Violation</u> | 1st Offense | 2nd Offense | All Others |
|--|-------------|-------------|------------|
| Recycling Establishments | | | - |
| Screening Violations | \$ 100.00 | \$ 250.00 | \$ 500.00 |
| Property Maintenance and Nuisances | | | |
| Structural Violations | \$ 150.00 | \$ 300.00 | \$ 600.00 |
| Non-Structural Violations | \$ 100.00 | \$ 200.00 | \$ 400.00 |
| Zoning Ordinance/Subdivision Regulations | | | |
| Use Violations | \$ 100.00 | \$ 200.00 | \$ 300.00 |
| Yard/Dimensional Violations | \$ 50.00 | \$ 100.00 | \$ 200.00 |
| Sign Violations | \$ 50.00 | \$ 100.00 | \$ 200.00 |
| Violation of General | | | |
| Development Standards | \$ 100.00 | \$ 200.00 | \$ 300.00 |
| Violation of Development | | • | |
| Review Procedures | \$ 100.00 | \$ 200.00 | \$ 300.00 |
| Violation of Overlay | | | |
| District Standards | \$ 250.00 | \$ 500.00 | \$ 750.00 |
| Obstructions on City Right-of-Way | \$ 250.00 | \$ 500.00 | \$ 750.00 |
| Damage to City Property/Infrastructure | \$ 500.00 | \$1,000.00 | \$2,000.00 |
| | | | |

| Storm Water | | | |
|--|------------|-------------------|------------|
| Erosion Prevention and Sediment Control | \$ 500.00 | \$1,000.00 | \$2,000.00 |
| Illicit Discharge | \$1,000.00 | \$2,000.00 | \$4,000.00 |
| Post Construction BMP Maint. | \$ 500.00 | 500.00 \$1,000.00 | |
| Construction, Repair, Permitting and Maintenance | | | |
| Infrastructure Requirements | \$1,000.00 | \$2,000.00 | \$4,000.00 |
| Maintenance Responsibility | \$ 500.00 | \$1,000.00 | \$2,000.00 |
| Cuts and Excavations | \$ 500.00 | \$1,000.00 | \$2,000.00 |
| Chapter 21 Violations Not Specifically Listed | \$ 100.00 | \$ 200.00 | \$ 400.00 |
| Cemeteries | | | · |
| Unleashed Animal | \$ 25.00 | \$ 50.00 | \$ 100.00 |
| Animal Waste Removal | \$ 25.00 | \$ 50.00 | \$ 100.00 |
| Animal on Grass | \$ 25.00 | \$ 50.00 | \$ 100.00 |
| Contractors Licensing | | | |
| Expired License | \$ 100.00 | \$ 200.00 | \$ 300.00 |
| No License | \$ 250.00 | \$ 500.00 | \$ 750.00 |
| Expired Insurance | \$ 100.00 | \$ 200.00 | \$ 300.00 |
| No Insurance | \$ 250.00 | \$ 500.00 | \$ 750.00 |
| Mobile Food Units and Pushcarts | \$ 100.00 | \$ 200.00 | \$ 300.00 |

b. If the citation is contested and a hearing before the Board is required, the following maximum penalties may be imposed at the discretion of the Board:

| <u>Violation</u> | 1st Offense | 2nd Offense | All Others |
|--|-------------|-------------|------------|
| Recycling Establishments | | | |
| Screening Violations | \$ 200.00 | \$ 500.00 | \$1,000.00 |
| Property Maintenance and Nuisances | | | |
| Structural Violations | \$ 300.00 | \$ 600.00 | \$1,200.00 |
| Non-Structural Violations | \$ 200.00 | \$ 400.00 | \$ 800.00 |
| Zoning Ordinance/Subdivision Regulations | | | |
| Use Violations | \$ 200.00 | \$ 400.00 | \$ 600.00 |
| Yard/Dimensional Violations | \$ 100.00 | \$ 200.00 | \$ 400.00 |
| Sign Violations | \$ 100.00 | \$ 200.00 | \$ 400.00 |
| Violation of General | | | |
| Development Standards | \$ 200.00 | \$ 400.00 | \$ 600.00 |
| Violation of Development | | | • |
| Review Procedures | \$ 200.00 | \$ 400.00 | \$ 600.00 |
| Violation of Overlay | | | |
| District Standards | \$ 500.00 | \$1,000.00 | \$1,500.00 |
| Obstructions on City Right-of-Way | \$ 500.00 | \$1,000.00 | \$1,500.00 |
| Damage to City Property/Infrastructure | \$1,000.00 | \$2,000.00 | \$4,000.00 |
| Storm Water | | | |
| Erosion Prevention and Sediment Control | \$1,000.00 | \$2,000.00 | \$4,000.00 |
| Illicit Discharge | \$2,000.00 | \$4,000.00 | \$8,000.00 |
| Post Construction BMP Maint. | \$1,000.00 | \$2,000.00 | \$4,000.00 |
| Construction, Repair, Permitting and Maintenance | | | |
| Infrastructure Requirements | \$2,000.00 | \$4,000.00 | \$8,000.00 |

| Maintenance Responsibility | \$1,000.00 | \$2,000.00 | \$4,000.00 |
|---|------------|------------|------------|
| Cuts and Excavations | \$1,000.00 | \$2,000.00 | \$4,000.00 |
| Chapter 21 Violations Not Specifically Listed | \$ 200.00 | \$ 400.00 | \$ 800.00 |
| Cemeteries | | • | |
| Unleashed Animal | \$ 50.00 | \$ 100.00 | \$ 200.00 |
| Animal Waste Removal | \$ 50.00 | \$ 100.00 | \$ 200.00 |
| Animal on Grass | \$ 50.00 | \$ 100.00 | \$ 200.00 |
| Contractors Licensing | | | |
| Expired License | \$ 200.00 | \$ 400.00 | \$ 600.00 |
| No License | \$ 500.00 | \$1,000.00 | \$1,500.00 |
| Expired Insurance | \$ 200.00 | \$ 400.00 | \$ 600.00 |
| No Insurance | \$ 500,00 | \$1,000:00 | \$1,500.00 |
| Mobile Food Units and Pushcarts | \$ 200.00 | \$ 400.00 | \$ 600.00 |

- 3. 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 affect the validity of the remainder of this Ordinance.
- All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.
- 5. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on November 5, 2019, and given final reading on November 19, 2019, and said Ordinance shall be in full force and effective on January 1, 2020, upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: November 19, 2019

APPROVED: Buc Wilkeron

Mayor, Chairman of Board of Commissioners

ATTEST: City Class

SPONSORED BY: Jeffery B. Meisel, City Manager, 10/22/2019, 9:00 a.m.

City of Marion KY Tourism Commission Minutes July 20, 2021

<u>Commissioners Present</u>: Tanner Tabor, Kevin Maxfield, Shelly Davidson, Jason Hatfield, and Mary Ann Campbell.

Others Present: Donnie Arflack, Alan Stout, Phyllis Sykes, and Michele Edwards.

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

<u>Approval of Minutes</u>: Shelly Davidson moved to approve the minutes of the June 15, 2021, meeting. Mary Ann Campbell seconded. Motion carried.

<u>Treasurer's Report</u>: Mary Ann Campbell moved to accept the treasurer's report. Kevin Maxfield seconded. Motion carried.

<u>Fohs Hall Sound & Lighting Proposal</u>: Alan Stout representing Fohs Hall presented a plan and budget to install a new sound system and lighting in the building and rebrand it as a Performing Arts Center. Jason Hatfield moved to donate \$5000.00 to the project. Kevin Maxfield seconded. Motion carried.

<u>Lion Club Fair</u>: Fair events were discussed. The commission suggested purchasing Facebook ads to promote the fair events.

<u>Playground Equipment for the Park</u>: Jason Hatfield suggested a Community Playground Coalition be formed to raise funds to build a playground at the park in the budget range of \$200,000.

<u>Shopping Bag Reorder</u>: Shelly Davidson moved to reorder the Marion Shopping Bags. Kevin Maxfield seconded. Motion carried.

Shelly Davidson moved the meeting adjourn. Kevin Maxfield seconded. Motion carried.

10:46 AM 08/10/21

City of Marion, KY Tourism Commission Reconciliation Detail

Farmers Bank Checking Account, Period Ending 07/31/2021

| Type | Date | Num | Name | Cir | Amount | Balance |
|------------------------------|----------------------------------|-------|--|---|--|------------|
| Beginning Balance | е | | the property control and the second spectrum property control and the second control and the second district of friends Modes. | Acceptable to the second | code and committee provided and service of the complete profits of the contract and desired code and c | 48,456.24 |
| Cleared Tran | | | | | | |
| Checks at | nd Payments - 24 | items | | | | |
| Check | 06/07/2021 | 7016 | Aramark | Χ | -100.00 | -100.00 |
| Check | 06/07/2021 | 7014 | The Front Porch | Х | -25.00 | -125.00 |
| Check | 06/30/2021 | 7033 | Marion Tourism Savi | Χ | -3,200.00 | -3,325.00 |
| Check | 06/30/2021 | 7032 | Terri Watson | Х | -225.00 | -3,550.00 |
| Check | 07/08/2021 | 7039 | City/County Park | Х | -7,000.00 | -10,550.00 |
| Check | 07/08/2021 | 7036 | City of Marion | Х | -1,500.00 | -12,050.00 |
| Check | 07/08/2021 | 7040 | Marion Tourism Par | Х | -1,500.00 | -13,550.00 |
| Check | 07/08/2021 | 7034 | Greg Tabor | Х | -1,500.00 | -15,050.00 |
| Check | 07/08/2021 | 7045 | Helix Creative | Χ | -200.00 | -15,250.00 |
| Check | 07/08/2021 | 7038 | A.T.&T. U-Verse | Х | -187.81 | -15,437.81 |
| Check | 07/08/2021 | 7046 | Aramark | Χ | -132.03 | -15,569.84 |
| Check | 07/08/2021 | 7041 | H&H Supply | Χ | -113.34 | -15,683.18 |
| Check | 07/08/2021 | 7035 | Postmaster | Χ | -110.00 | -15,793.18 |
| Check | 07/08/2021 | 7044 | Atmos | Χ | -59.10 | -15,852.28 |
| Check | 07/08/2021 | 7037 | City of Marion | Х | -20.88 | -15,873.16 |
| Check | 07/12/2021 | 7048 | City of Marion | Χ | -7,122.53 | -22,995.69 |
| Check | 07/12/2021 | 7047 | City of Marion | Χ | -453.77 | -23,449.46 |
| Check | 07/12/2021 | Debit | Kentucky Utilities | Χ | -301.81 | -23,751.27 |
| Check | 07/15/2021 | Debit | Kentucky Utilities | Х | -106.31 | -23,857.58 |
| Check | 07/19/2021 | 7052 | Inside Out Archery | Χ | -5,000.00 | -28,857.58 |
| Check | 07/19/2021 | 7051 | Tourist Information | Х | -525.00 | -29,382.58 |
| Check | 07/19/2021 | 7049 | Bluegrass Mowing | X | -190.80 | -29,573.38 |
| Check | 07/19/2021 | 7050 | Explorations Media | X | -17.00 | -29,590.38 |
| Check | 07/26/2021 | Debit | Google Ad Words | X | -304.99 | -29,895.37 |
| Total Chec | ks and Payments | | | | -29,895.37 | -29,895.37 |
| Total Cleared | Transactions | | | 2000 | -29,895.37 | -29,895.37 |
| Cleared Balance | | | | *************************************** | -29,895.37 | 18,560.87 |
| Uncleared Tra | ansactions | | | | | |
| Checks an General Journal | d Payments - 3 it 07/01/2010 | | | | 00.47 | 00.47 |
| Seneral Journal Check | | AJE 1 | The Deducat Con | | -99.17 | -99.17 |
| Sheck Check | 07/08/2021 | 7043 | The Paducah Sun | | -605.00 | -704.17 |
| DIECK | 07/08/2021 | 7042 | The Crittenden Press | | -125.80 | -829.97 |
| Total Check | ks and Payments | | | | -829.97 | -829.97 |
| Deposits a Check | nd Credits - 1 ite 12/07/2020 | m | | | | 0.00 |
| Total Depos | sits and Credits | | | | 0.00 | 0.00 |
| Total Uncleare | d Transactions | | | *************************************** | -829.97 | -829.97 |
| Register Balance as | of 07/31/2021 | | | 9-9- | -30,725.34 | 17,730.90 |
| Inding Balance | | | | - | -30,725.34 | 17,730.90 |