

Meeting Notice & Agenda

MARION CITY COUNCIL

Monday, September 16, 2019 – 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 August 19, 2019 Council Meeting and August 29, 2019 Special Council Meeting
2. Introduction and First Reading of Ordinance #19-10, entitled, “An Ordinance Amending the Pay Plan for Classified City Employees and Non-Elected Officials”
3. Introduction and First Reading of Ordinance #19-11, entitled, “An Ordinance Annexing Territory by the City of Marion, Kentucky, A City of Home Class Rule, of 17.03 Acres Along U.S. 641 South”
4. Confirmation of Mayoral Appointment of LeRoy Hodge to the City/County Airport Commission
5. Mayor/Council/Staff Comments & Questions
6. Adjourn

To: Mayor and City Council
From: Adam Ledford, City Administrator
Re: Agenda Description
Date: September 16, 2019

Call to Order
Public Comments

Business Agenda

- I. Approval of Minutes 8/19/19 Council Meeting & 8/29/19 Special Council Meeting
Description:
A council member does not have to be present at the previous meeting in order to approve the minutes for that meeting. A copy of the minutes is included in your packet.

- II. 1st Reading & Intro of Pay Plan
Description:
In your packet is a proposed amendment to the pay plan based on adjustments to the responsibilities for the replacement of the public works director position. Additionally, you will find a job description for a newly created, maintenance supervisor job. The Mayor will be seeking a sponsor for the ordinance.

Here are the modification highlights:

- The Water Plant & Wastewater Plant Leads would now take on slightly expanded roles associated with operation, planning, and supervising of their departments. A role previously managed by the Public Works Director position. (Proposed compensation of \$2,000 for each Lead is included)
- A Maintenance Supervisor would replace the role of Foreman and incorporate duties related to employee supervision, budgeting, and daily department operations previously managed by the Public Works Director position. (Proposed compensation of \$38,763 for the new position is included)
- Maintenance staff could now qualify for compensation for advancing in the State's permitting process for distribution and collection. A function previously provided by the Public Works Director. (\$500 annually is offered to any employee reaching grade II)
- The City will seek to fill another starter position which already has a baseline salary in the pay plan. (\$23,518)
- The resulting changes will leave the City back to full staffing with one less leadership role exchanged for a laborer position.

III. Annexation Ordinance

Description:

In your packet is an ordinance and map that reflect an elective annexation of acreage into city limits. After the first reading, the Planning Board will need to review the proposal before the Council takes final action on the property. The Mayor will be seeking a sponsor for the ordinance.

IV. Reappointment of Mr. Hodge to Airport Commission

Description:

The Mayor is seeking your confirmation of his appointment of LeRoy Hodge for another term on the City/County Airport Commission. A motion and second along with a vote are required to act.

V. Mayor/Council/Staff Forum

- This would be the time for any Council Member to share activities or issues going on at the liaison meetings they have attended.
- Designs and bidding for the new sewer plant project will be moving forward in the next 45 to 60 days.
- The Sewer system improvements are progressing and are roughly 50% implemented by the end of this week.
- The City is in the process of applying for a \$350,000 digressionary fund allocation from the Transportation Cabinet for road repairs.
- Bids are due later this month for street overlays as was previously discussed by the council.
- An update on the fire hydrants should be ready for discussion by the next council meeting.
- Wireless options for audio integration of the council chambers ranged from \$7,500 to \$4,500 so a wired method is being explored.
- We are working through updated job descriptions for all the staff positions before the end of the year.

VII. Adjournment

**Meeting of the Marion City Council
August 19, 2019-5:00 p.m.**

The Marion City Council met in regular session August 19, 2019 at 5:00 p.m. with Mayor Jared Byford presiding. Council members present 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, Terri Hart, Ray O'Neal, and the city attorney. A public sign-in sheet is attached and made part of these minutes.

PUBLIC COMMENTS

Jeremiah Walston, resident at 300 E Elm Street, was present at the council meeting with concerns as follows: (1) the city re-leased property, next to him, to Midwest and it's not zoned properly. (2) He also brought to the council's attention that, the property across from him has been abandoned for ten years. (3) He also complained of city maintenance department's "old rusty truck" and requests it to be moved. The city administrator, Adam Ledford, stated he would get the truck moved. (4) Jeremiah advised the water haul machine was broken. He questioned if Herrin Construction had a written agreement with the city to fill up at the hydrant for the work they're doing at the Airport. He also questioned the water tool being left out in the open for anyone to use. He then asked if Herrin Construction could use the side road by the city maintenance garage instead of the main entrance.

GENERAL GOVERNMENT

Motion by Dwight Sherer, second by Phyllis Sykes to approve minutes of July 15, 2019, July 29th, and August 1st 2019 special council meetings as submitted to the council. All voted yes.

Council member Dwight Sherer introduced Ordinance #19-09, entitled, "An Ordinance relating to the Tax Levy 2019. Due to a typo, motion by Phyllis Sykes, second by Dwight Sherer to amend tax year date to 2019. Council member Donnie Arflack question if the tax increase was a 4% or a 2%. The city administrator explained the 2% had been approved in the budget. Council member Darrin Tabor stated a 4% tax increase would be asking even more out of the property owners of Marion. He said he wasn't voting for the 2% increase and for sure not a 4% tax increase. After brief discussion, motion by Donnie Arflack, second by Mike Byford to amend section 1 of the ordinance from .230 to .243 for a 4% increase. Vote as follows:

Darrin Tabor: No	Dwight Sherer: No
Phyllis Sykes: No	D'Anna Browning: No
Donald Arflack: Yes	Mike Byford: Yes

Motion died due to the lack of votes. City Attorney, Bart Frazer gave first reading of said ordinance as it was introduced.

OTHER BUSINESS

Council member, Phyllis Sykes asked the Mayor if he had talked with Chris Wynn, regarding him donating money to get the fire hydrants fixed.

Council member, Phyllis Sykes discussed her 2 ½ hour Fire Department meeting she attended. In her discussion she said the new fire truck needed to be repaired, the drive shaft was broken. She also said the equipment van was on its last leg. Councilwoman Sykes said she was stepping down from the Fire Department Board.

Council member, Donnie Arflack inquired about the street paving project. Council member Donnie Arflack asked the city administrator to go ahead and put out for bids for the roads that were approved by the council. The city administrator explained a \$350,000 application will be submitted to the State for further paving projects as well. The city administrator stated there would be couple of parking spaces removed from North Main Street, to make a turning lane into McDonalds.

Council member Donnie Arflack asked the city administrator for an update on a sound system for the council chamber. The city administrator said quotes were in hand, but cost was still an issue.

Council member Arflack asked about the fire hydrant map. The city administrator said he had given the map to the fire chief. Council member, Donnie Arflack wanted to make sure the guys at city maintenance were also checking the generators on the hill.

Councilman Dwight Sherer request to know if the City of Marion still gave the EDC \$10,000 a year. City Administrator, Adam Ledford, advised yes we will give them that money.

Council member D'Anna Browning asked if the Chamber of Commerce has an office in City Hall now. The city administrator stated the Chamber of Commerce office is now in city hall. He stated Main Street and Tourism are still located in the Welcome Center. Councilwoman Browning also asked what steps needed to be taken in order to get the speed limit changed in from of Siemens' on South Main.

Council member Donnie Arflack asked about an ordinance for water drainage issues.

Jeremiah Walston said he was having some draining issues at his residence.

Code Enforcement Officer, Terri Hart, inquired about how to collect back taxes on a house sold at the court house square that hadn't paid taxes since 2004.

Council member Mike Byford asked about the house on Poplar Street that Tourism bought.

ADJOURMENT

There being no further business to come before the council, meeting was adjourned at 6:12 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

**Special called Meeting of the Marion City Council
August 29, 2019**

Pursuant to KRS 132.027, the City of Marion held a public hearing on Thursday, August 29, 2019 at 4:45 p.m. to hear comments from the public regarding proposed 2019 tax rates on real property. The public hearing was closed at 4:46 p.m.

The Marion City Council met in special session on August 29, 2019 at 4:46 p.m. with Mayor Jared Byford presiding. Council members present were: Darrin Tabor, Phyllis, D'Anna Browning, and Mike Byford. Council member Donnie Arflack was absent. City employees in attendance were as follows: Adam Ledford, Pam Enoch, and Terri Hart. A public sign-in sheet is attached and made part of these minutes.

Each council member was provided with a summary of the ordinance #19-09, entitled, "An Ordinance relating to the tax levy for the year of 2019, City of Marion, Kentucky. Motion by Phyllis Sykes, second by Mike Byford to adopt said ordinance with the vote being as follows: Darrin Tabor no, Phyllis Sykes yes, D'Anna Browning yes, and Mike Byford yes. Motion carried.

Council member Dwight Sherer enters the meeting.

Motion by D'Anna Browning, second by Phyllis Sykes to appoint Paja Crider, Michael Crabtree, and Julie Tinsley to the Board of Adjustment Board. All voted yes.

Motion by Darrin Tabor, second by Phyllis Sykes to appoint Eddie Lee Belt, and Jim Estes to the Code Board for three year terms. All voted yes.

Motion by D'Anna Browning, second by Darrin Tabor to appoint Natalie Morrison to the Code Board for two year term. All voted yes.

Motion by Darrin Tabor, second by Mike to appoint Joe Hunt and Gary Baulos to the Planning Board for two year terms. All voted yes.

Motion by Dwight Sherer, second by D'Anna Browning to appoint William Frazer and Randy Dunn to the Planning Board for two year terms. All voted yes.

Motion by Darrin Tabor, second by Phyllis Sykes to appoint Ray Agent and Paul Belt to the Planning Board for one year terms. All voted yes.

ADJOURNMENT

There being no more items on special agenda; meeting was adjourned at 4:50 p.m.

JARED BYFORD, MAYOR

ATTEST:

PAM ENOCH, CITY CLERK

**CITY OF MARION, KENTUCKY
ORDINANCE NO. 19-10**

**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 October 31, 2019, until amended by ordinance.

Section Two: That all part time employees working between 30 and 39 hours per week are entitled to benefits as provided in Chapter 35 of the Marion Code of Ordinances.

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 Browning	_____	_____

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

EXHIBIT A
CITY OF MARION - EMPLOYEE PAY PLAN (AMENDED)
October 31, 2019 - June 30, 2020

<u>Position</u>	<u>Current Pay</u>	<u>New Pay</u>	<u>\$ Increase</u>	<u>% Increase</u>
<i>City Hall</i>				
City Administrator	\$ 62,000	\$ 62,000	\$ -	0.0%
City Treasurer	36,000	36,000	-	0.0%
City Attorney	12,360	12,360	-	0.0%
<i>Planning & Zoning</i>				
Planning/Zoning Coordinator	\$ 28,858	\$ 28,858	-	0.0%
<i>Police & 911</i>				
Police Chief	\$ 45,080	\$ 45,080	-	0.0%
Assistant Chief	42,084	42,084	-	0.0%
Sergeant	40,915	40,915	-	0.0%
Senior Officer	-	-	-	-
Officer	38,597	38,597	-	0.0%
911 Coordinator	29,768	29,768	-	0.0%
FT Dispatcher	27,509	27,509	-	0.0%
<i>Fire</i>				
Chief	\$ 3,018	\$ 3,018	-	0.0%
Assistant Chief	1,030	1,030	-	0.0%
Fire Fighters (23 total)	\$38.70 per run	\$38.70 per run	-	0%
<i>Water & Sewer</i>				
Utilities Director	\$ 55,817	\$ 55,817	-	0.0%
Maintenance Supervisor	\$ -	\$ 38,763	38,763	
City Clerk	32,304	32,304	-	0.0%
Lead Operator (Wastewater)	41,671	41,671	43,671	104.8%
Lead Operator (Water)	37,696	37,696	39,696	105.3%
Operator (Wastewater)	36,421	36,421	-	0.0%
Foreman	33,763	-	(33,763)	-100.0%
Operator (Water)	33,148	33,148	-	0.0%
Operator (Water)	33,148	33,148	-	0.0%
Equipment Operator	28,858	28,858	-	0.0%
Laborer (Wastewater)	23,518	23,518	-	0.0%
Meter Reader	22,880	23,518	638	2.8%
Distribution & Collection Certification Adjustment	-	-	500	
Operator (Water - Part Time)	\$16.87 per hour	\$16.87 per hour	-	0.0%

Maintenance Supervisor

General Purpose

Performs a variety of supervisory, administrative, skilled, technical, and maintenance work in the planning, construction, operation, repair, maintenance, and replacement of City water distribution, sanitary sewer distribution, storm sewer distribution, streets & alleys, and parks.

Supervision Received

Works under the general supervision of the City Administrator.

Supervision Exercised

Exercises close supervision over assigned maintenance workers and equipment operators.

Essential Duties and Responsibilities

Plans, schedules and implements construction, maintenance and operation, and construction activities designed to provide quality water, sewer, street, and drainage service for the City; oversees construction and maintenance work to determine acceptability and conformance to standards.

Trains, supervises, and disciplines employees performing the duties of maintenance, construction and repair of water, sewer, street, and storm drainage facilities.

Supervises the control and use of, and assumes responsibility for all materials, supplies, and equipment used in the maintenance, construction, and repair of streets, water systems, sewer collection, and storm drainage systems and other department facilities.

Inspects and supervises the repair of meters, streets, drainage systems, and sewer system at frequent intervals to insure that all aspects of the systems are functioning properly.

Requisitions needed supplies for the department and maintains a variety of records relating to personnel, equipment, supplies, and reports.

Advises the City Administrator in matters relating to department activities; provides information to various civic, school, public groups, and individuals regarding street, water, sewer, and drainage problems and services.

Supervises, instructs, and assists assigned crews in installing new water and sewer lines, installing and relocating fire hydrants and meters, and maintaining the existing water supply, distribution, and sewer collection systems.

Insures that all necessary materials, supplies, and equipment are available by maintaining an inventory of parts and materials and obtaining necessary parts, tools, and supplies from the store room.

Supervises the location of gas, telephone, power, television, water, and sewer lines from the appropriate sources prior to excavation and informs crew of such locations.

Responds to complaints regarding water leaks, pressure loss, or no water, evaluates situation, determines if liability rest with the City or the property owner; explains findings to property owners and notifies appropriate water and sewer crew if necessary.

Contacts residents and business owners in area where services will be discontinued and explains when services will be shut off and how soon it will be turned back on.

Insures the proper maintenance of equipment and tools by supervising and participating in cleaning and checking equipment and tools after use.

Oversees the safety of assigned maintenance workers and equipment operators by instructing individuals in proper safety procedures and monitoring work in progress.

Assists in motivating and evaluating personnel by acting as a liaison between crew members and other City supervisors.

Inspects and assists in the control and use of supplies and equipment used in the maintenance, construction, and repair of water lines, sewer lines, streets, drainage systems, and other department facilities to insure that all equipment is in proper working order.

Analyzes annual operating costs and makes recommendations for the department budget.

Analyzes and projects the needs of the City for equipment, roads, sidewalks, and materials for completion of the same.

Provides operation guidance for construction of buildings, sidewalks, drainpipe installations, culvert installations, and road construction.

Provides recommendations regarding heavy equipment purchases and requisitions all supplies and materials needed for effective department operation.

Peripheral Duties

Operates a variety of power construction and maintenance equipment used in supervised departments.

Serves on various employee or other committees as assigned.

Performs related work as assigned.

Desired Minimum Qualifications

Education and Experience:

- (A) Graduation from a two year college with a degree in civil engineering, public administration or a closely related field; and
- (B) Minimum of four years previous public works experience including at least two years of experience relating to the construction, repair, and maintenance of water, sanitary sewer, street, or storm drainage systems including the operation of related maintenance equipment, or utilities; or
- (C) Any equivalent combination of education and experience.

Necessary Knowledge, Skills, and Abilities:

- (A) Thorough knowledge of equipment, facilities, materials, methods, and procedures used in public water supply and distribution systems, sewer collection systems, storm drainage systems, and street systems; Thorough knowledge of pipe installation, connection, and repair; Thorough knowledge of road construction and maintenance.
- (B) Skill in operation of the listed tools and equipment.
- (C) Ability to guide, direct, and motivate employees; ability to operate and maintain various equipment used in water maintenance and repair such as backhoe, dump trucks and sewer cleaners; ability to organize and supervise the activities of various crews performing construction and maintenance work; ability to communicate effectively, verbally and in writing; ability to establish and maintain effective working relationships with employees, other departments, and the public.

Special Requirements

- (A) Valid Kentucky Driver's License.
- (B) CDL certification with appropriate endorsements, or ability to obtain one within three months after start of employment.

Tools and Equipment Used

Knowledge of operation and use of motorized vehicles and equipment, including dump truck, pickup truck, utility truck, street sweeper, jetter/inductor truck, street roller, backhoe, manlift, tamper, plate compactor, saws, pumps, aeroil propane kettle, compressors, sanders, generators, trencher, common hand and power tools, shovels, wrenches. Skill in use of detection devices, mobile radio, phone, personal computer including word processing and other software, copy, and fax machine.

Physical Demands

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to smell, stand, and talk or hear. The employee is occasionally required to wait, sit, climb, balance, stoop, kneel, crouch, or crawl.

The employee must frequently lift and/or move up to 50 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

Work Environment

The work environment characteristics described here are representative of those and employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works in outside weather conditions. The employee is occasionally works near moving mechanical parts and is occasionally exposed to wet and/or humid conditions and vibration. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic, or caustic chemicals, and risk of electrical shock.

The noise level in the work environment is usually moderate while in the office, and loud when in the field.

Selection Guidelines

Formal application, rating of education and experience; oral interview, background check, driving record check, and reference check; job related tests may be required.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Signatures

I have read the above job description and accept the terms.

Maintenance Supervisor

Date

Mayor

Date

Ordinance 2019- 11

**AN ORDINANCE ANNEXING TERRITORY BY THE CITY OF
MARION, KENTUCKY, A CITY OF HOME CLASS RULE, OF 17.03
ACRES ALONG U.S. 641 SOUTH**

WHEREAS, the territory annexed, approximately 17.03 acres of land adjacent to U.S. Hwy 641 and being about 1.42 miles south of the center of Marion, said tract being contiguous to the City of Marion and of urban character or suitable for urban development without unreasonable delay; and,

WHEREAS on September 12, 2019, the fee simple owners of the subject real property, the Charles K. Travis and John Travis and respective spouses, gave written consent for the annexation by the City of Marion, Kentucky pursuant to KRS 81A.412; and,

WHEREAS, the City of Marion has not otherwise been challenged in a court of law in proceeding with annexing the below described territory.

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

1. The territory described below, PVA Map of which is attached to this ordinance as Exhibit A and is fully incorporated into this ordinance, is hereby annexed into the City of Marion:

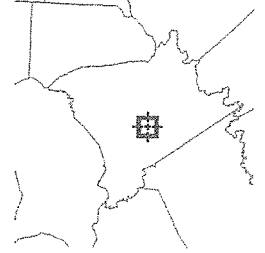
Beginning at an iron pin on the east side of U.S. 641 and Ky. 91, being 30 ft. from the center of the highway, at approximate Ky. Coordinates (south zone) North 364,200 East 1,321,450, about 1.5 miles south of the center of Marion and corner to Winn; thence with his line N. 62° 32' E. 920.5 ft. to an iron pipe on top of a bluff and corner to Winn, Cruce and Ray James (now or formerly); thence with James line S. 15° 52' E. 1008.2 ft. to an iron pin by a fence corner post, corner to English; thence with his line S. 69° 48' W. 671.4 ft. to an iron pin on the east side of said highway; thence with the meanders of the east side of the highway N. 27° 20' W. 113.4 ft., N. 29° 08' W. 498.5 ft., N. 32° 58' W. 150.0 ft., N. 36° 44' W. 143.6 ft. to the beginning, containing 17.03 acres by survey.

SOURCE OF TITLE: This being the same property conveyed to Charles K. Travis by Mildred Mae Tatum by Deed dated March 14, 2008 and recorded in Deed Book 211, at Page 14. Crittenden County Court Clerk's Office.

2. 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.
3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.



Overview



Legend

□ Parcels

Map Number 058-00-00-079.00
Property US 641
Address
District 01

Class	n/a	Owner	TRAVIS CHARLES K &
Acreage	17.03	Address	JOHN C
			191 LARPING SPRINGS
			RD
			FREDONIA KY 42411

Date created: 9/11/2019
 Last Data Uploaded: 9/10/2019 8:52:05 PM

Developed by  Schneider
 GEOSPATIAL

4. This ordinance shall take full force and effect upon publication as required by KRS Chapter 424 and other applicable law.

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

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 _____, 2019, 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

Dated: _____, 2019