

**CITY OF CARROLLTON  
COUNCIL MEETING  
CITY HALL**

**OCTOBER 10, 2016  
7:00 P.M.**

**PRESENT**

**MAYOR: ROBB ADAMS**

**COUNCIL: KEVIN CRAIG  
JEFF DICKOW .  
HAYLEY FRANKLIN  
MIKE GORDON  
DOUG HILL  
DWIGHT LOUDEN  
TEEN COUNCIL: JENAH ROBERTS**

**ATTORNEY FOR CITY: AMY EVERSOLE**

**CITY CLERK-TREASURER: LEATHA GRIMES**

**FIRE CHIEF: MIKE TERRELL**

**POLICE CHIEF: MIKE WILLHOITE**

**CODE ENFORCEMENT: JOHN WELCH**

**CCDC: GARY MATHIS**

**TOURISM: MISTY WHEELER**

**MAIN ST. DIRECTOR: SAM BURGESS**

**UTILITIES: BILL OSBORNE**

**PRESS: NEWS DEMOCRAT/KRISTIN BECK**

**CALL TO ORDER**

THE MEETING WAS CALLED TO ORDER AT THE HOUR OF 7:02 P.M. BY MAYOR ADAMS. MAYOR ADAMS LED THE PLEDGE OF ALLEGIANCE. CHAPLAIN TIM POLLEY OFFERED THE INVOCATION.

**RECOGNITION OF GUESTS:**

TOM & BRENDA MONTGOMERY  
DAVE EBERENZ - HERITAGE ENGINEERING  
KENNETH OTT - AMERICAN ENGINEERS, INC.  
LISA WILSON-PLAJER - AMERICAN ENGINEERS, INC.

KEITH DAMRON - AMERICAN ENGINEERS, INC.

GARY MATHIS INTRODUCED THE GROUP FROM AMERICAN ENGINEERS AS THE ENGINEERING FIRM HIRED FOR THE PROJECT ON THE RIVER AS THEY WERE ON THE STATE APPROVED LIST. THEY HAD MET LAST WEEK AND LOOKED AT THE SITE. THEY HAD DEVELOPED A PROPOSAL WHICH WAS PASSED OUT TO COUNCIL. THEIR MAIN FOCUS NOW IS THE BOW BRIDGE. COUNCILMAN GORDON ASKED WHAT KIND OF TIMEFRAME THEY WERE TALKING ABOUT. MR. DAMRON SAID THEY SHOULD BE READY TO ADVERTISE FOR BIDS FOR THE BOW BRIDGE BY THE END OF NOVEMBER. THE OTHER PROJECTS WOULD BE BY SPRING.

**THE MOTION WAS MADE BY COUNCILMAN CRAIG AND SECONDED BY COUNCILMAN GORDON AND DULY CARRIED TO APPROVE THE COST OF THE ENGINEERING PLAN FROM AMERICAN ENGINEERS, INC. FOR THE BOW BRIDGE PROJECT.**

**AYES 6 NAYS 0**

**APPROVAL OF MINUTES: REGULAR MEETING: 9/26/2016**

**THE MOTION WAS MADE BY COUNCILMAN GORDON AND SECONDED BY COUNCILWOMAN FRANKLIN AND DULY CARRIED TO ACCEPT THE MINUTES AS PRESENTED FOR THE REGULAR MEETING OF 9/26/16.**

**AYES 6 NAYS 0**

**1ST READING: ORDINANCE #2016-15: REPEALING THE ORDINANCE FOR IMPLEMENTING CLASSIFICATION PLAN, AND POLICIES AND PROCEDURES**

**THE MOTION WAS MADE BY COUNCILMAN LOUDEN AND SECONDED BY COUNCILWOMAN FRANKLIN AND DULY CARRIED TO HAVE THE 1ST READING OF ORDINANCE #2016-15: REPEALING THE ORDINANCE FOR IMPLEMENTING CLASSIFICATION PLAN, AND POLICIES AND PROCEDURES.**

**AYES 6 NAYS 0**

ATTORNEY FOR THE CITY, AMY EVERSOLE, READ THE ORDINANCE.

2ND READING WILL BE 10/25/16.

COUNCILMAN LOUDEN ASKED IF THIS ORDINANCE WAS PASSED WOULDN'T THAT LEAVE THE CITY WITHOUT ANY EMPLOYEE POLICIES AND PROCEDURES. MS. EVERSOLE SAID THAT THE PLAN IS TO PASS A NEW EMPLOYEE POLICIES AND PROCEDURES BEFORE THIS ORDINANCE IS PASSED AND PUBLISHED. SINCE IT CAN NOW BE DONE BY MUNICIPAL ORDER AFTER PASSAGE OF THIS ORDINANCE, IT IS A SHORT PROCEDURE.

**RESOLUTION #R2016-14: AUTHORIZING MAYOR TO SIGN CONTRACT WITH SWEEP ALL INC. FOR STREET SWEEPING PURPOSES**

ATTORNEY, AMY EVERSOLE, READ THE RESOLUTION.

**THE MOTION WAS MADE BY COUNCILMAN HILL AND SECONDED BY COUNCILWOMAN FRANKLIN AND DULY CARRIED TO ADOPT RESOLUTION #2016-14: AUTHORIZING MAYOR TO SIGN CONTRACT WITH SWEEP ALL INC. FOR STREET SWEEPING PURPOSES.**

COUNCILMAN GORDON SAID HE WOULD LIKE TO KNOW WHEN THEY ARE SCHEDULED TO BE IN TOWN SO THAT THEY COULD INSPECT THEIR WORK AFTERWARDS. HE FELT IF IT WAS NOT SATISFACTORY THEN THEY SHOULD COME BACK FOR FREE. COUNCILMAN CRAIG SAID HE THOUGHT THEY WERE MISSING A LOT OF DEBRIS ON HIGHLAND NEAR THE CURBS. COUNCILMAN DICKOW SAID HE HAD HEARD A LOT OF NEGATIVE COMMENTS TOO. GARY MATHIS SAID THERE MAY BE A GRANT AVAILABLE THAT MIGHT BE ABLE TO BE APPLIED TO STREET SWEEPING. HE WAS GOING TO LOOK INTO IT. COUNCILMAN CRAIG SAID WE DEFINITELY NEED SOMEONE SINCE THE CITY STREET SWEEPER IS NOT WORKING WELL. COUNCILWOMAN FRANKLIN AND COUNCILMAN HILL WITHDREW THEIR MOTIONS. IT WAS DECIDED TO PROCEED WITHOUT A CONTRACT AND JUST HAVE SWEEP ALL SWEEP WHEN THE CITY FELT IT WAS NECESSARY IF THAT WAS ACCEPTABLE. THEY HAVE ALREADY COMPLETED ONE SWEEP IN SEPTEMBER SO THEY AGREED TO PAY FOR THAT. THE MAYOR SAID HE WOULD CONTACT THEM AND SEE IF THIS WAS AGREEABLE.

**NEW BUSINESS:**

THERE WAS A PRE-BID MEETING TODAY FOR THE 2ND REQUEST FOR BIDS FOR THE SIDEWALK PROJECT. PREVIOUSLY WHEN THE SIDEWALKS WERE BID THERE WAS SOME CONFUSION ON THE WIDTHS OF THE SIDEWALKS. THE MAYOR FELT THAT THIS TIME THE BIDS WILL BE MUCH BETTER BECAUSE THERE IS ONE SECTION THAT THE CONTRACTORS THOUGHT HAD TO BE MUCH LONGER THAN IT WAS. ALSO PUBLIC WORKS WILL BE DOING THE DEMO WORK TO SAVE MONEY. THERE WILL BE A SPECIAL MEETING THURSDAY, 10/13 AT 3:00 P.M. AT CITY HALL TO OPEN THE BIDS.

**OLD BUSINESS:**

THERE WAS NO OLD BUSINESS TO DISCUSS.

**DEPARTMENT REPORTS:**

**TEEN COUNCIL** – JENAH ROBERTS SAID TONIGHT WAS THE INDUCTION CEREMONY FOR THE NATIONAL HONOR SOCIETY. 10/14 MARKS THE END OF THE 1ST NINE WEEKS. 11/23-11/25 IS THANKSGIVING BREAK.

**B. PUBLIC WORKS** – RON KNIGHT WAS NOT PRESENT.

**C. UTILITIES** – BILL OSBORNE, UTILITIES SUPERVISOR, SAID THE U.S. 42 PROJECT IS PROCEEDING. THEY ARE WORKING ON THE JCTC GAS LINE EXTENDING SERVICE TO

THEM. THEY HAVE INSTALLED A NEW PHONE SYSTEM IN THEIR OFFICES. CUSTOMER APPRECIATION DAY WAS ATTENDED BY ABOUT 900 PEOPLE.

**D. CCCDC** – GARY MATHIS, CCCDC EXECUTIVE DIRECTOR, SAID THEY ARE STILL WAITING TO HEAR FROM THE BLOCK GRANT FOR THE FOOD PANTRY. HE ALSO MENTIONED AGAIN THE ANTI-LITTERING GRANT RELATED TO LITTER PREVENTION THAT HE THOUGHT MIGHT BE USED FOR THE CONTRACT STREET SWEEPING.

**E. TOURISM** – MISTY WHEELER, TOURISM DIRECTOR SAID ATTENDANCE WAS UP AT THIS YEAR'S BANDS & BBQ. SHE THANKED RON KNIGHT AND HIS CREW AND FIRE CHIEF MIKE TERRELL FOR THEIR ASSISTANCE. THE TBF SEMI NATIONAL BASS TOURNAMENT WILL BE THIS WEEKEND AT POINT PARK. THERE ARE AROUND 65 BOATS SIGNED UP FOR IT. THIS YEAR TOURISM IS TRYING TO START A CHRISTMAS TOUR OF HOMES. THEY WOULD LIKE TO HAVE TEN HOMES AND CURRENTLY HAVE FIVE SCHEDULED.

**F. POLICE DEPARTMENT** – CHIEF MIKE WILLHOITE, REPORTED THAT THE TRANSITION OF OFFICER TIM GIVIDEN TO CODE ENFORCEMENT HAS BEEN MADE. THE BI-ANNUAL QUALIFICATION OF THE DEPARTMENT WITH THEIR WEAPONS WILL BE THIS WEEK AT THE OLD SEWER PLANT. THEY WILL BE CONDUCTED BETWEEN THE HOURS OF 4:00 P.M. AND 10:00 P.M. TRICK OR TREAT THIS YEAR WILL BE ON MONDAY, 10/31, HALLOWEEN, FROM 6:00 - 8:00 P.M. HE ALSO MENTIONED THAT THERE HAD BEEN SOME CONCERN ABOUT RECENT NEWS ARTICLES REPORTING K9 DOGS LEFT IN POLICE VEHICLES AND SUFFERING FROM THE HEAT. HE WANTED TO ASSURE COUNCIL AND THE PUBLIC THAT SAFEGUARDS HAD BEEN INSTALLED ON THE VEHICLE HE WOULD BE IN TO PREVENT THAT FROM HAPPENING. ALSO THE POLICY IS THAT THE CAR IS LEFT RUNNING WHEN HE IS LEFT IN IT. BUT JUST IN CASE OF A MALFUNCTION THERE ARE THE SAFEGUARDS TO KEEP HIM SAFE. HANK, THE CITY'S NEW K9, IN THE FEW SHORT WEEKS HE HAS BEEN HERE HAS ASSISTED IN 10 FELONY ARRESTS. WITH HIS ASSISTANCE 4-1/2 - 5 POUNDS OF MARIJUANA HAS BEEN CONFISCATED. APPROXIMATELY 50 GRAMS OF METH, COUNTLESS PILLS AND \$600 CASH HAVE ALSO BEEN TAKEN OFF THE STREETS. HE ALSO SAID THAT HANK IS SO POPULAR THAT MINI HANKS (STUFFED ANIMALS) HAVE BEEN ORDERED AND ARE AVAILABLE FOR PURCHASE FOR \$10.00 WITH THE PROCEEDS GOING TO SHOP WITH A COP. THESE WERE PURCHASED BY FIRST NATIONAL BANK. CHAPLAIN POLLEY SAID THERE ARE EVEN REQUESTS FOR THEM FROM OUT-OF-STATE. THERE WILL BE TRADING CARDS WITH HIS PICTURE AVAILABLE SHORTLY FOR PURCHASE.

**G. FIRE DEPARTMENT** – MIKE TERRELL, FIRE CHIEF, SAID THAT LISA KYLE IS CURRENTLY PUTTING THE NEW LETTERING ON THE NEW LADDER TRUCK. J&N WILL BE INSTALLING THE RADIOS AND IT SHOULD BE IN SERVICE BY THE END OF THE WEEK. THE VENDOR DAY THAT WAS HELD SATURDAY BROUGHT IN \$750 - \$800 FOR THE CRUSADE FOR CHILDREN. THE WHITE CASTLE CRAVEMOBILE WILL BE AT THE KROGER PARKING LOT SAT., 10/29 AS A FUNDRAISER FOR CRUSADE FOR CHILDREN. CHIEF TERRELL WILL AGAIN BE PARTICIPATING IN THE 6TH GRADE CAREER DAY AT THE SCHOOL.

**H. CODE ENFORCEMENT** – JOHN WELCH SAID THE HOUSE ON 7TH STREET OWNED BY THE STROUDS HAD BEEN DEMOLISHED AND THEY WERE GOING TO FINISH CLEANING IT UP. THE CODE ENFORCEMENT/NUISANCE BOARD HAS ISSUED NUMEROUS CITATIONS TO THE MONTGOMERY PROPERTY AT 3RD & HIGHLAND AVE. THEY ARE NOW RECOMMENDING TO COUNCIL THAT IT BE ABATED BY THE CITY. BEFORE CONSIDERING THAT, BRENDA AND TOM MONTGOMERY ASKED COUNCIL IF THEY WOULD CONSIDER PAYING FOR LABOR AND MATERIAL TO REPLACE A DRAINAGE PIPE. MAYOR ADAMS SAID HE WAS NOT INCLINED TO DO SO AS THERE WAS NOT A DRAINAGE PROBLEM THERE THAT WAS A CONCERN.

**THE MOTION WAS MADE BY COUNCILMAN GORDON AND SECONDED BY COUNCILMAN CRAIG AND DULY CARRIED TO ACCEPT THE RECOMMENDATION OF THE CODE ENFORCEMENT/NUISANCE BOARD AND ABATE THE MONTGOMERY PROPERTY AT THIRD AND HIGHLAND AVE.**

**AYES                                  6                                  NAYS                                  0**

**I. CLERK –TREASURER – NOTHING TO REPORT**

**J. MAIN STREET** – SAM BURGESS SAID THAT THE TREE TRIMMING AND TOBACCO FESTIVAL HAD NOT DAMAGED THE BUMPOUTS TOO MUCH. ON SAT., 10/15 THE CHALK ART CONTEST WILL BE HELD. REGISTRATION WILL BE FROM 9:00 - 10:00 A.M. PRE-REGISTRATION WILL BE HELD AT CARROLLTON OFFICE SUPPLY. THERE WILL BE A 1ST PLACE TROPHY IN EACH CATEGORY AND RIBBONS. MARK LOUDEN WILL BE PLAYING MUSIC FROM 10:00 A.M. TILL NOON. ON SAT., 11/5 MOST OF THE CITY RETAIL BUSINESSES WILL BE HAVING CHRISTMAS OPEN HOUSE. ANOTHER REASON TO BE THANKFUL WILL BE HELD ON 11/19, AND 11/26 WILL BE SMALL BUSINESS SATURDAY SPONSORED BY AMERICAN EXPRESS.

**K. ATTORNEY - NOTHING TO REPORT.**

**MAYOR’S REPORTS**

DAVE EBERENZ OF HERITAGE ENGINEERING WAS PRESENT TO DISCUSS THE STREETScape PROJECT. HE HAD BROUGHT THE PUNCHLIST TO DISCUSS. THE PROJECT IS COMPLETE. THE MAYOR SAID THE FIRST TWO PAY REQUESTS HAD BEEN PAID. APPROXIMATELY \$13,000 TO \$14,000 WAS WITHHELD PENDING SATISFACTION OF SOME PUNCH LIST ITEMS. THE CONTRACT COMPLETION DATE WAS 7/8 AND THEY ASKED FOR A 30 DAY EXTENSION WHICH WAS 8/8. THE ACTUAL COMPLETION DATE WAS 8/31. THAT WAS 53 DAYS OVER AT \$250 PER DAY. THAT AMOUNT IS \$13,250. DAVE EBERENZE, PROJECT ENGINEER, SAID THERE WERE SOME RAIN DAYS AND THE SIDEWALK IN FRONT OF DOWN ON MAIN RESTAURANT COULD ONLY BE POURED ON SATURDAY, AND DUE TO RAIN GOT DELAYED SEVERAL WEEKS. HE FELT LIKE 4 OR 5 DAYS TO LIQUIDATE DAMAGES WOULD BE FAIR. ALSO BROUGHT UP WAS DAMAGES TO THE RESTAURANT'S FRONT ENTRANCE OF TILE. THE CITY HAD REIMBURSED THE OWNERS \$750 FOR THE MATERIALS AND LABOR TO REPAIR. IT WAS DECIDED NOT TO SEEK REIMBURSEMENT FROM SEDAM FOR THAT AND CHARGE THEM FOR 8 DAYS OF LIQUIDATED DAMAGES. MR. EBERENZ SAID

THAT THE CONTRACTOR HAD DONE SOME TUCK POINTING AND OTHER THINGS AND HAD NOT ASKED FOR COMPENSATION. IT WAS ALSO POINTED OUT THAT HE STILL NEEDS TO MATCH THE PAINT COLOR BETTER ON AN AREA ON HAZEL RAY'S BUILDING THAT HE HAD REPAIRED.

**EXECUTIVE SESSION: PER KRS 61.810: PROPERTY ACQUISITION/DISPOSITION/ LITIGATION**

**THE MOTION WAS MADE BY COUNCILMAN LOUDEN AND SECONDED BY COUNCILMAN CRAIG AND DULY CARRIED TO GO INTO EXECUTIVE SESSION TO DISCUSS PROPOSED OR PENDING LITIGATION ON BEHALF OF THE CITY PURSUANT TO KRS 61.810(1) (C) BECAUSE OF ATTORNEY CLIENT PRIVILEGE AT THE HOUR OF 8:55 P.M.**

**AYES                                  6                                  NAYS                                  0**

**THE MOTION WAS MADE BY COUNCILWOMAN FRANKLIN AND SECONDED BY COUNCILMAN DICKOW AND DULY CARRIED TO RETURN FROM EXECUTIVE SESSION AT THE HOUR OF 9:10 P.M.**

**AYES                                  6                                  NAYS                                  0**

**THE MOTION WAS MADE BY COUNCILMAN DICKOW AND SECONDED BY COUNCILMAN LOUDEN AND DULY CARRIED TO FILE SUIT AGAINST AMANDA WEBSTER.**

**AYES                                  6                                  NAYS                                  0**

**THE MOTION WAS MADE BY COUNCILMAN GORDON AND SECONDED BY COUNCILMAN CRAIG AND DULY CARRIED TO ALLOW THE MAYOR TO ACT ON BEHALF OF THE CITY IN ARBITRATION WITH LEISURE INTERACTIVE.**

**AYES                                  6                                  NAYS                                  0**

**APPROVAL OF FINANCIAL STATEMENT**

**THE MOTION WAS MADE BY COUNCILWOMAN FRANKLIN AND SECONDED BY COUNCILMAN CRAIG AND DULY CARRIED TO APPROVE THE FINANCIAL STATEMENT.**

**AYES                                  6                                  NAYS                                  0**

**APPROVAL OF ACCOUNTS PAID/PAYABLE 9/28/16 –10/11/16**

**THE MOTION WAS MADE BY COUNCILMAN LOUDEN AND SECONDED BY COUNCILMAN GORDON AND DULY CARRIED TO APPROVE THE ACCOUNTS PAID/PAYABLE 9/28/16 THROUGH 10/11/16.**

**AYES                                  6                                  NAYS                                  0**

**COMMENTS:**

**COUNCILMAN CRAIG:** THE DEMO DERBY WILL BE 10/16. HE ASKED THE CARROLLTON POLICE DEPT. IF THEY COULD RESPOND CALLS IF NEEDED, AND POLICE CHIEF WILLHOITE SAID YES.

**COUNCILWOMAN FRANKLIN:** SAID SHE HAD SOME COMPLAINTS. ONE WAS CONCERNING TREES ON THE CORNER OF 9TH ST & MASON ST. ALSO A STREETLIGHT WAS OUT AT WELTY PARK AND A PICNIC TABLE WAS DAMAGED. THE MAYOR SAID HE WOULD PASS THIS ON TO PUBLIC WORKS.

**MAYOR ADAMS:** REMINDED COUNCIL OF THE SPECIAL COUNCIL MEETING THURSDAY, 10/13 AT 3:00 FOR THE BID OPENING ON THE SIDEWALKS. ALSO THE CHAMBER BANQUET IS 10/24.

**COUNCILMAN GORDON:** SAID THAT THERE IS A HOUSE ON MAIN STREET THAT THE CODE ENFORCEMENT BOARD HAS GIVEN AN EXTENSION OF 10/24 TO GET THE HOUSE TORN DOWN. HE SUGGESTED THAT IF IT IS NOT DOWN BY 10/24 THEN THE CITY SHOULD BE PREPARED TO GO IN ON 10/25 AND TEAR IT DOWN.

**COUNCILMAN LOUDEN:** SAID HE HAD BEEN RECEIVING COMPLAINTS THAT TEENAGERS ARE HANGING OUT AT WELTY PARK AT NIGHT CAUSING SOME PROBLEMS.

**COUNCILMAN HILL:** SAID HE HAD A COMPLAINT ABOUT THE CORNER OF 5TH STREET AND WINSLOW ABOUT A TREE BLOCKING THE VIEW.

**ADJOURNMENT**

**THE MOTION WAS MADE BY COUNCILMAN LOUDEN AND SECONDED BY COUNCILMAN GORDON AND DULY CARRIED TO STAND IN ADJOURNMENT AT THE HOUR OF 9:20 P.M.**

**AYES                      6                      NAYS                      0**

**ATTEST:**

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**ROBB W. ADAMS, MAYOR**

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**LEATHA S. GRIMES, CITY CLERK-TREASURER**