

**City of Morehead
Minutes of
Regular Meeting of Board of City Council
September 13, 2021 6:00 PM**

The Board of City Council of the City of Morehead, Kentucky met in regular session on September 13, 2021, at 6:00 PM

1. Call to Order

Mayor Laura White-Brown called to order the September 13, 2021, regular meeting of the Board of City Council at 6:00pm.

2. Pledge of Allegiance

Attendees recited the Pledge of Allegiance.

3. Attendance

Present Council Members:

Ms. Jan Bishop
Mr. Mike Kash
Ms. Beth Ousley
Mr. David Perkins
Mr. Glen Teager
Mr. Jim Tom Trent

4. Minutes of Previous Meeting: August 9, 2021

Motion Passed: Motion to approve the regular meeting minutes from August 9, 2021, passed with a motion by Mr. Mike Kash and a second by Mr. Glen Teager.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

5. Public Comments

5.a. Caleb Burger-Red Cross

Mr. Caleb Burger was present to represent the Red Cross. Mr. Burger discussed that the Red Cross was doing its annual National Campaign for volunteers and that they were not comfortable with the numbers they saw for Morehead. He also briefly went over the goals of the Red Cross and discussed that he had had several meetings with different groups in our area to help build a base in Morehead. Mr. Burger explained that local people are more familiar with the area and would be a great asset in a disaster.

5.b. Other Public Comments

Angie Stevens and Nancy Graham were here for an update on Pine Hill Drive. After complimenting the city for gravel on Cemetery Road they asked for a report on the Speed/ Traffic Count. Mr. Greg Jones responded with the average daily count. Discussion regarding the continuation of monitoring traffic on Pine Hill Drive followed.

6. Mayor's Report

Mayor Laura White-Brown advised she included department reports in the packet. She also reported that she was working on identifying priorities for the American Rescue Funds and that there would be training with Kentucky League of Cities on Wednesday for usage of funds. Mayor White-Brown then updated council that Morehead State University has offered usage of the bowling alley to the city.

7. Quarterly Reports: Downtown Morehead, Inc.

Mr. Tony Pence was present to report for Downtown Morehead, Inc. He reported that White-Stone Holdings requested to be put on October meeting to discuss the hotel. Mr. Pence also reported that Four Sea Innovations has purchased the old Eagle Chevrolet used car lot. He then discussed upcoming events such as the OcTUBAfest on October 2, Big Band Concert on October 15 with the MSU Jazz Ensemble. Mr. Pence further discussed that there would be something planned for Veterans Day on November 11th and the Battle of the Bands in April 2022 and Memorial Day weekend would be the Blues and Jazz Festival downtown.

8. Morehead Utility Plant Board Report

Ms. Holly Rosas was present to report for the Morehead Utility Plant Board. She discussed that they had come in under budget for the year, and that the board voted to refinance current debt with R J Palmer. Ms. Rosas also discussed some valve replacements being done and some main water breaks, and sewer repairs being done. She also reported that they had 100% collection and a yearly loss of 6.99%.

Motion by Mr. Teager and Second by Mr. Kash to move item **11.b.13. A Resolution to initiate condemnation action against Hallwood Development, LLC for the purpose of acquiring a**

construction easement and a permanent easement related to sanitary sewer collection facilities for discussion. All being in favor, discussion was had.

Mr. Larry Breeze requested that approval of condemnation be postponed for thirty days. He stated that there was conflicting information. Mr. Breeze stated that he was offered \$10,000 and that this was his retirement and that he could not accept this amount. Mr. Teager reported that Mr. Earl Rogers said that he had met multiple times with Mr. Breeze. Thereafter, Councilman Teager asked Ms. Rosas to report. Ms. Rosas reported about the project and that discussions and negotiations have gone on for a year now. Ms. Rosas also advised that there have been numerous meetings and that Morehead Utility Plant Board was not opposed to working with Mr. Breeze but that they must move forward with the project which requires passage of the condemnation resolution. She also stated that they were bidding in 3 days. There was further discussion including Mr. Trent asking how many offers were made.

11.b.13. A Resolution to initiate condemnation action against Hallwood Development, LLC for the purpose of acquiring a construction easement and a permanent easement related to sanitary sewer collection facilities

Motion Passed: Motion to approve a Resolution to initiate condemnation action against Hallwood Development, LLC for the purpose of acquiring a construction easement and a permanent easement related to sanitary sewer collection facilities with a motion from Mr. Teager and a second by Mr. David Perkins.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

9. Future Growth/Development/Projects for The City

Mr. Rodney Fouch reported via Zoom. He reported that the report shows all the projects. He also reported that the department completed all the ABC permits for the year. Mr. Fouch reported that the Viking Drive area was exploding with developments, and that the urgent care center is doing footers. He also reported that a preliminary development plan was approved for a Tumbleweed and T-Mobile store and another white box store at that location. Also, reported that final approval for a Cattleman’s at the Polo One property on the North end.

9.a. Packs + Walker Update - Police/911 Facility

Mr. Bill Barker reported via Zoom. He reported that it was a disastrous month with Covid outbreak on the site and at a very critical time. He reported that the crane was onsite and that we should see a second floor by next week. Mr. Perkins inquired about the architect issues. Mr. Rodney Fouch explained that the issues have been resolved. Mrs. Ousley expressed concern about the room that

was out of square. Mr. Barker responded that based on measurements Friday, everything was square now. Mr. Teager asked if we would be charged extra and Mr. Fouch told that there would be no additional charges to the city.

9.b. Approval of Payment #8

Motion Passed: Motion to approve payment #8 on the Police/911 Project passed with a motion by Mr. Teager and second by Ms. Ousley.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

10. Ratification of Payment of Monthly Bills/Statements

Motion Passed: Motion to ratify the monthly bills and statements passed with a motion by Mr. Kash and a second by Ms. Jan Bishop.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

11. General Business Agenda

11.a. Unfinished Business

11.a.1. Entertainment Destination Center (EDC) & Battson Oates Update/Discussion

Mayor White-Brown opened discussions for the use of plan for the \$25,000.00 dedicated to the Music promotion of the Entertainment District. Mr. Glen Teager responded asking if there was a motion needed. Mayor White-Brown responded that this had already been voted on and it would be in the next budget amendment.

11.a.1.A. Discussion of use/plan for \$25k dedicated to Promotions/Entertainment

Mr. Glen Teager discussed if Downtown Morehead, Inc. would be doing the bookings and then submitting the bills to the city to pay. He also, recommended that the Tourism look at this to see if they would be willing to match. There was discussion between Mr. Pence and the Council regarding the contracts for the bands on Battson Oates

11.a.2. Discussion of Morehead-Rowan County Tourism

Mayor White-Brown reported that she had sent an email setting up a meeting with council members that expressed interest and the Chair of Tourism, and the judge for the first week in October.

11.a.3. 2nd Reading of an Ordinance Enacting and Adopting the S-45 Supplement to the Code of Ordinances of the City of Morehead, Kentucky

Motion Passed: Motion to approve 2nd Reading of an Ordinance Enacting and Adopting the S-45 Supplement to the Code of Ordinances of the City of Morehead, Kentucky passed with a motion from Ms. Beth Ousley and second by Ms. Jan Bishop.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

11.b. New Business

11.b.1. Discussion/Approval of Job Description and grades for Communications Director position and Event Staff Personnel

Mayor White-Brown gave some back ground information regarding these positions. She reported that while networking at the Governors Local Issues conference she found that there are a number of other cities who have positions like this in their employee base. Mayor White-Brown reported that as the city grows it will need more feet on the ground. She added that she is not recommending that we pass this and hire tomorrow; but that we have these positions created and are ready when the time comes. Mr. Matthew Hamilton reported regarding the Event Staff Personnel. Mr. Hamilton reported that as the city grows, there will be a need for someone on-site at Battson-Oates for these events as well as Laughlin for the purpose of security, cleanliness, safety. Mr. Glen Teager asked for clarification on whether it was part time. Mayor White-Brown clarified that it would be a part-time position.

Motion Passed: Motion to Approve job Description for Communications Director position and Event Staff Personnel passed with a motion from Ms. Beth Ousley and second by Ms. Jan Bishop.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

Motion Passed: Motion to Approve job grade 27 for Communications Director position and 19 for Event Staff Personnel passed with a motion from Ms. Beth Ousley and second by Ms. Jan Bishop.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

11.b.2. Discussion/Approval of Providing Covid-19 Leave Time for City Employees

Mayor White-Brown gave an update regarding the effects of Covid-19. She made the recommendation that 80 hours of Covid time be reinstated for full-time employees who are required to quarantine and/or stay home to care for a member of their household required to quarantine.

Motion Passed: Motion to approve providing Covid-19 leave time for City Employees was passed with a motion from Mr. David Perkins and second by Mr. Mike Kash.

Mr. Glen Teager asked about the discretion and who would make that decision. Mayor White-Brown responded that in the past we have gone with the guidelines of the Health Department. Mr. Jim Tom Trent asked if there could be something put in there regarding “deemed by the health department or as determined by the health department.

Motion Passed: Motion to approve providing Covid-19 leave time for City Employees was passed as amended to provide as required by the Health Department and/or CDC with a motion by Mr. David Perkins and second by Mr. Mike Kash.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

11.b.3. Discussion/Approval of Rental Fees for the Moonlight Stage and/or the new APEX Stage

Mayor White-Brown opened discussions regarding the fees for the Moonlight Stage and the new Apex Stage. It was discussed that other cities have fees for private events that are not open to the public and that they do not charge a rental fee but they do charge a setup/take down fee. Mr. Glen Teager added that if the event is charging for entrance, then there should be a fee.

Mayor White-Brown recommended adopting Tourism charges for the Moonlight Stage. Mr. Tony Pence added that there should be a fee or deposit for cleanup. Ms. Jan Bishop asked if it would be refundable or non-refundable.

Mayor White-Brown stated that we would go back and rework this proposal and bring it back to the next meeting.

11.b.4. Approval of Quote for the Police Department Robot

Motion Passed: Motion to accept bid from Recon in the amount of \$16,845.00 for the Police Department Robot passed with a motion by Mr. Mike Kash and second by Ms. Jan Bishop

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

11.b.5. Approval of a Quote from Trent's Electric for labor and material for replacing lights at Morehead Fire Station #2

Motion Passed: Motion to accept the bid from Trent's Electric for labor and material for replacing lights at Morehead Fire Station #2 with a motion by Mr. Glen Teager and second by Mr. Mike Kash.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes
Mr. David Perkins	Yes
Mr. Glen Teager	Yes
Mr. Jim Tom Trent	Yes

11.b.6. 1st Reading of an Ordinance setting the 2021 Real & Personal Property Tax Rates for the City of Morehead, Kentucky & Amending Title 9 General Regulations, Chapter 94 Ad Valorem Tax, Sections 94.03 Rates & 94.05 Payment of Taxes of the City of Morehead Code of Ordinances

Motion Passed: Motion to approve 1st Reading of an Ordinance setting the 2021 Real & Personal Property Tax Rates for the City of Morehead, Kentucky & Amending Title 9 General Regulations, Chapter 94 Ad Valorem Tax, Sections 94.03 Rates & 94.05 Payment of Taxes of the City of Morehead Code of Ordinances with a motion by Mr. Glen Teager for the compensating rate of .362 for Real Property and .6433 for Personal Property and second by Mr. Mike Kash.

Ms. Jan Bishop	Yes
Mr. Mike Kash	Yes
Ms. Beth Ousley	Yes

Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

11.b.7. 1st Reading of an Ordinance Setting the 2022 Motor Vehicle & Watercraft Tax Rate for the City of Morehead, Kentucky & Amending Title 9 General Regulations, Chapter 94 Ad Valorem Tax Section 94.06, Motor Vehicle & Watercraft Tax Rate Assessment of the City of Morehead Code of Ordinances

Motion Passed: Motion to approve 1st Reading of an Ordinance Setting the 2022 Motor Vehicle & Watercraft Tax Rate for the City of Morehead, Kentucky & Amending Title 9 General Regulations, Chapter 94 Ad Valorem Tax Section 94.06, Motor Vehicle & Watercraft Tax Rate Assessment of the City of Morehead Code of Ordinances with a motion by Mr. Glen Teager \$.22 per one-hundred and second by Mr. Mike Kash.

Ms. Jan Bishop Yes
Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

11.b.8. 1st Reading of an Ordinance amending Chapter 40, Ethics code to update all sections, including the definitions to include definitions for City business, confidential information, consultant, customer or client, domestic partner, financial benefit, financial interest, household, official act, personal benefits, personal interest, social media, subordinate, and substantial debtor or creditor transaction and to add sections governing incompatible offices, withdrawal from participation, representation of interest before City government, political solicitation, patronage, post-employment restrictions, fees and honoraria, endorsements, complicity with or knowledge of others' violations, falsely impugning reputation, meeting attendance, social media, email, alternate members of the ethics board and annual reports and annual review of the ethics code by the ethics board

Motion Passed: Motion to approve with corrections 1st Reading of an Ordinance amending Chapter 40, Ethics code to update all sections, including the definitions to include definitions for City business, confidential information, consultant, customer or client, domestic partner, financial benefit, financial interest, household, official act, personal benefits, personal interest, social media, subordinate, and substantial debtor or creditor transaction and to add sections governing incompatible offices, withdrawal from participation, representation of interest before City government, political solicitation, patronage, post-employment restrictions, fees and honoraria, endorsements, complicity with or knowledge of others' violations, falsely impugning reputation, meeting attendance, social media, email, alternate members of the ethics board and annual reports and annual review of the ethics code by the ethics board passed with a motion by Ms. Beth Ousley and second by Ms. Jan Bishop.

Ms. Jan Bishop Yes

Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

11.b.9. 1st Reading of an Ordinance of the City of Morehead, Kentucky approving the execution of a second amendment to the local participation agreement relating to the Downtown Morehead Development Area (The "Development Area") within the City of Morehead, Kentucky establishing the activation date of the development area and amending the definition of new revenues

Motion Passed: Motion to approve 1st Reading of an Ordinance of the City of Morehead, Kentucky approving the execution of a second amendment to the local participation agreement relating to the Downtown Morehead Development Area (The "Development Area") within the City of Morehead, Kentucky establishing the activation date of the development area and amending the definition of new revenues passed with a motion by Mr. Glen Teager and second by Ms. Jan Bishop

Ms. Jan Bishop Yes
Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

11.b.10. A Resolution approving a Services Agreement, Terms and Conditions with Bit Source, LLC

Motion Passed: Motion to approve a Service Agreement, Terms and Conditions with Bit Source, LLC passed with a motion by Mr. Jim Tom Trent and second by Mr. Mike Kash.

Ms. Jan Bishop Yes
Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

11.b.11. A Resolution authorizing the City of Morehead to Apply for a 2020 KY CDBG Cares Act regarding the Morehead Assistance Program Project & to Authorize the Mayor to sign all required documents related to the application, administration & implementation of said project

Motion Passed: Motion to approve a Resolution authorizing the City of Morehead to Apply for a 2020 KY CDBG Cares Act regarding the Morehead Assistance Program Project & to Authorize the Mayor to sign all required documents related to the application, administration & implementation of said project passed with a motion by Mr. Glen Teager and second by Ms. Jan Bishop.

Ms. Jan Bishop Yes
Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

11.b.12. A Resolution to Designate September 2021 as "City Government Month"

Motion Passed: Motion to approve a Resolution to Designate September 2021 as "City Government Month" passed with a motion by Mr. Mike Kash and second by Ms. Jan Bishop.

Ms. Jan Bishop Yes
Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes
Mr. Jim Tom Trent Yes

12. Executive (Closed) Session per KRS 61.810(1)(b) which allows for deliberations on the future acquisition or sale of real property when publicity would be likely to affect the value of the property and per KRS 61.810(1)(f) which allows for discussions or hearings which might lead to the appointment, discipline or dismissal of an individual employee or member of a public agency without restricting that employee's or agency member's right to a public hearing, if requested & per KRS 61.810(1)(c) which allows for discussions of proposed or pending litigation against or on behalf of the public agency

Motion Passed: Motion by Mr. Glen Teager and second by Ms. Beth Ousley to go into Executive (Closed) Session per KRS 61.810(1)(b) which allows for deliberations on the future acquisition or sale of real property when publicity would be likely to affect the value of the property and per KRS 61.810(1)(f) which allows for discussions or hearings which might lead to the appointment, discipline or dismissal of an individual employee or member of a public agency without restricting that employee's or agency member's right to a public hearing, if requested & per KRS 61.810(1)(c) which allows for discussions of proposed or pending litigation against or on behalf of the public agency

Ms. Jan Bishop Yes
Mr. Mike Kash Yes
Ms. Beth Ousley Yes
Mr. David Perkins Yes
Mr. Glen Teager Yes

Mr. Jim Tom Trent Yes

Motion to come out of Executive Session by Mr. David Perkins and Second by Mr. Mike Kash to come out of Executive Session.

13. Other City Business: Old or New

Mayor White-Brown reported that Trick or Treat would be October 30th, Saturday night.

Ms. Jan Bishop asked about the garbage cans. Mr. Greg Jones reported that he had a list from Morehead Utility Plant Board.

4. Adjournment

The meeting was properly adjourned at 8:23pm.

Board of City Council
Morehead, Kentucky

Approved by City Council
on October 11, 2021
ATTEST:

Laura White-Brown, Mayor

Helen Smith, Deputy Clerk