

Minutes of 08/14/2023 Regular Meeting

Irvine City Council met in a regularly scheduled meeting on August 14, 2023. Mayor James E. Gross called the meeting to order at 7:00 P.M. Councilman Lee led the prayer and City Clerk, Felicia Campbell, led the pledge.

Present: Mayor James Gross, Councilman Billy Arthur, Councilman Tommy Bryant, Councilman Tim Burkhart, Councilmember Karen Hensley, Councilman Kris Lee, and Councilman Aaron Raider.

Also present: Rodney Davis, City Attorney; Felicia Campbell, City Clerk; Justin Patrick, Fire Chief; and John Sturniolo, Police Chief.

Visitors Present: Cathy Dawes, Janice Bush, Josh Rison, James Woolery, Chris Flynn, and several residents from Broadway and Peyton Avenue.

Guest(s) Addressing Council:

James Woolery wanted to update the Council about the Main Street building that was sold to Bob Waun. Mr. Woolery reported the name of the business is Holla Holler. The building will be a recording studio and host musical performances. Currently, six acts have been booked. The venue will also promote local talent. The first act will be October 14th. Mr. Woolery invited the Mayor and Council to the ribbon cutting ceremony on October 13.

Old Business:

Minutes from the July 10, 2023 regular meeting were presented for review. Councilman Arthur made a motion to accept the minutes as presented. Councilmember Hensley seconded the motion. All present members voted yes. *(July 24, 2023 meeting was canceled due to lack of quorum.)*

Amended bylaws for the Planning Commission, recommended by City Attorney, Rodney Davis, were presented for second reading. The amendment will reduce the number of Planning & Zoning members from five to three. It also changes meetings to 6:30 P.M. on the second Monday of February, April, June, August, October and December of each year. Councilman Lee made a motion to approve the second reading of the recommended amendment. Councilman Burkhart seconded the motion, with all present members voting yes.

Mayor Gross informed the Council that Charlie Beech, representative of the Shumate Property, had contacted him. Mr. Beech assured the Mayor that all required signatures of heirs are attainable. The family has agreed to donate the land if the City will have two (2) certified appraisals done. A survey of the property has been completed. The property consists of 11.47 acres running behind Main Street, from Chestnut Street to Riddell Court. (See insert) Mayor Gross said the land would qualify for potential funds from River & Trails and Parks & Recreation. The Mayor also said an easement was available. Councilman Arthur made a motion to have the two appraisals completed and accept the property. Councilman Lee seconded the motion, with all present members voting yes.

New Business:

City bills dated July 6-August 10, 2023, were presented for review. Councilmember Hensley moved and Councilman Lee seconded the motion to approve the bills as presented. All present members voted to pay bills as presented.

Mayor Gross presented a letter from the Estill County Emergency Medical Services (EMS) board. The letter requested that Tom Whitaker's appointment to the EMS board be renewed. Councilman Bryant moved and Councilman Burkhart seconded the motion to reappoint Tom Whitaker to serve as the City's representative on the EMS board. All present members voted yes.

The Mayor informed the Council that complaints about stray dogs/animals have increased greatly in the last few months. Complaints range from dogs running loose, turning trash cans over, scattering trash, and fear of being bitten. Mayor Gross read a letter addressed to the County Judge Executive and Estill County Fiscal Court. The letter requested the officials, along with the animal control officer assist with these complaints and concerns. All councilmembers agreed to ask for assistance and signed the letter. (See insert)

City Attorney, Rodney Davis, had recommended the Planning and Zoning Board have a separate checking account. City Clerk, Felicia Campbell, said that Citizens Guaranty Bank required a copy of the minutes with authorized signers listed. Councilman Arthur made a motion to open the recommended account for the Planning & Zoning Board at Citizens Guaranty Bank, with authorized signers being James Gross, Mayor; Felicia Campbell, City Clerk/Treasurer; and John Sturniolo, Police Chief. Councilman Lee seconded the motion and all present members voted yes.

A Business/Privilege License application was presented for Alliance Fitness. The owner is Josh Rison and the gym will be located at 58 River Drive. Councilman Burkhart made a motion to approve the application. Councilman Lee seconded the motion and all present members voted yes.

A Business/Privilege License application was presented for WCBR, Inc. The owner is Jackie Humes. The radio station is located in Madison County. The request is to solicit advertisements in the city limits. Councilman Lee made a motion to approve the application. Councilman Bryant seconded the motion and all present members voted yes.

Several residents residing on Broadway and Peyton Avenue voiced their concerns and frustrations regarding a neighbor(s). They said the neighbor(s) called the police on the slightest parking infractions - to the point of harassment. They also had concerns with their use of security cameras, binoculars, leaving pet food out which has begun to entice racoons and rodents, as well as their rudeness. Mayor Gross said he would have the yellow curbs repainted and advised them to seek counsel from County Attorney, Jason Riley. City Attorney Davis suggested they obtain a copy of the parking ordinances. Police Chief Sturniolo said vehicles must be licensed, insured and moved every 24 hours.

Reports:

1. Mayor Gross

- a. Exploring grants and grant writers to work on a percentage basis that could be embedded in the grant applications.
- b. Storm drain at the Cantrill/Broadway alley has been repaired.
- c. Handicap parking sign on Main Street has been replaced.
- d. Owner of 612 Broadway is in the nursing home. Trying to discern who is responsible for the mowing.
- e. Has attempted to contact Hinkle Construction regarding blacktopping. Has been unsuccessful.
- f. Street signs on S. Madison and Estill Avenue are missing. Has ordered.

2. City Attorney Rodney Davis

- a. Mr. Davis requested Executive Session before the meeting adjourns.

3. City Clerk/Treasurer Felicia Campbell

- a. Audit for the year ending June 30, 2023 has begun. Should not need to file an extension request.
- b. Reported that the unpaid 2022 property tax balance is \$5,896.97. Cost of publication would be approximately \$320. Asked if Council wanted to publish delinquent tax list, realizing that several of the remaining bills belong to deceased citizens and to properties in litigation. Councilman Burkhart made a motion to publish the 2022 delinquent tax list. Councilman Bryant seconded the motion, with all present members voting yes.
- c. Explained the Basic Comp tax rate for real property would be 43.9 per \$100, which was the 2022 rate. With the 4% allowable increase the rate would be 45.6 per \$100 and would increase revenue by an estimated \$12,000. Councilman Burkhart made a motion to set the real property tax rate at 43.9 per \$100, leaving the tangible rate at 55.0 per \$100. Councilman Arthur seconded the motion, with all present members voting yes.

Mayor Gross requested that Executive Session be held prior to other reports.

At 8:15 P.M., Councilman Burkhart made a motion to go into Executive Session per KRS 61.810, Paragraph 1(c), discussions of proposed or pending litigation against or on behalf of a public agency. Councilman Raider seconded the motion and all present members voted yes.

Councilman Raider moved and Councilman Burkhart seconded the motion to return to open session at 8:32 P.M.

No action was taken.

4. Police Chief John Sturniolo

- a. Reviewed overdose numbers. Between January 1 and June 30 there were 81 overdoses, 5 fatalities and Narcan was used 31 times. A 37% increase over last year.
- b. Owner of 523 Laurel Street has been hospitalized. Daughter is trying to evict illegal occupants and is hoping to clean up the property.
- c. Reported the Police Department needs to replace the following:
 - i. Expired bullet proof vests at \$800@
 - ii. Obsolete tasers at \$2,200@
 - iii. Cruisers

Councilman Arthur suggested the Police Committee meet to look at needs/funding. Councilman Bryant expressed vests and tasers were a priority over cruisers. Councilmember Hensley said the occupational tax should be a consideration.

5. Fire Chief Justin Patrick

- a. Reported the ladder truck had passed inspection. Inspectors complimented the department on their vehicle maintenance.

6. Councilman Arthur

- a. Inquired about one-way signs on Broadway. Mayor Gross said the State had installed the signs and had cut weeds at the guardrail on Rice Street. However, more trimming needs to be done and he will call this week.

7. Councilman Bryant

- a. Reported a hole at the Main Street crosswalk.

8. Councilman Burkhart

- a. Asked about garbage trucks. Mayor Gross said Randy Rison was working on repairs to both trucks. Hydraulic cylinders needed to be replaced.

9. Councilmember Hensley

- a. Asked the status of the website. Clerk Campbell reported she was working on information to include in the website and would report back in 4-6 weeks.
- b. Asked if the Mayor had spoken to the Health Department regarding needle give aways under the bridge. Mayor Gross said he would have a conversation with them.

08/14/2023

10. Councilman Lee

- a. Nothing.

11. Councilman Raider

- a. Had been told the Stevens/Powell alley needed work.

Councilman Arthur moved and Councilman Burkhart seconded the motion to adjourn the meeting at 9:00 P.M. All present members voted yes.

Mayor, James E. Gross

City Clerk/Treasurer, Felicia F. Campbell

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