

MAY 7, 2018

The regular monthly meeting of the New Castle City Commission was held on Monday, May 7, 2018 at 7pm at City Hall. Present were Mayor Dennis Benham, Commissioners Thompson, Mitchell, Kurtz and Gatewood. Also present was City Clerk Lynn Adams, City Attorney Josh Clubb, Public Works Director Scot Treece, Economic Development Coordinator Jeff Thoke, Joe Durbin Code Enforcement Officer, Jeremy Rumpke and Chris Pierce of Rumpke Sanitation, Tammy Shaw of Landmark Newspapers, Magistrate Terri Cummings, Hugh McBurney and citizens Tommy and Debbie Pollard and Sein Davis.

Mayor Benham called the meeting to order.

The minutes from the March meeting (there was no meeting held in the month of April due to many conflicts and a death) and the disbursements for March and April were reviewed. Commissioner Gatewood made a motion to approve the minutes and disbursements as recorded. Commissioner Thompson seconded the motion. It carried unanimously.

There were no deputies present to give a report.

Commissioner Thompson made the motion to have second reading of Ordinance #18-01, AN ORDINANCE AMENDING THE TRAFFIC CODE OF THE NEW CASTLE CITY CODE OF ORDINANCES. Commissioner Kurtz seconded the motion which did carry unanimously.

Attorney Clubb gave second reading of Ordinance #18-01.

Commissioner Gatewood made the motion to adopt Ordinance #18-01. Commissioner Thompson seconded the motion. It did carry unanimously.

There was review of an ordinance amending the city code regarding dogs.

Commissioner Kurtz made the motion to have first reading of Ordinance 18-02, AN ORDINANCE REGARDING THE CONTROL OF DOGS WITHIN THE CITY OF NEW CASTLE, KENTUCKY AND REPEALING PRIOR INCONSISTENT ORDINANCES. Commissioner Gatewood seconded the motion. The motion carried unanimously.

Attorney Clubb gave first reading of Ordinance #18-02, by summary.

The City Clerk advised the commission that there were ten properties that did not pay their 2017 ad valorem taxes. The base amount of the ten properties total \$859.75.

Commissioner Gatewood authorized the City Clerk to file liens on the properties with delinquent 2017 taxes. Commissioner Kurtz seconded the motion which carried unanimously.

There was one bid received in response to the City's ad for bids regarding a franchise for the collection and disposal of garbage, trash and debris within the City of New Castle. The bid was received from Rumpke and was reviewed. The rates for residential and commercial customers receiving curb-side pickup was bid as follows:

7/1/18 to 6/30/19	\$19.63
7/1/19 to 6/30/20	\$19.63
7/1/20 to 6/30/21	\$20.22
7/1/21 to 6/30/22	\$20.22

There was brief discussion.

Mayor Benham made the motion to award the garbage franchise to Rumpke. Commissioner Gatewood seconded the motion and it did carry unanimously.

Commissioner Thompson made the motion to have first reading of Ordinance #18-03, AN ORDINANCE RELATING TO SOLID WASTE PICKUP AND DISPOSAL SERVICES FIXING CHARGES, RATES AND REGULATIONS. Commissioner Kurtz seconded the motion. It carried unanimously.

Attorney Clubb gave first reading of Ordinance #18-03.

The tower rental lease agreement with Shelby Broadband has expired. There was brief discussion regarding this matter. It was the desire of the Commission to continue this lease.

Commissioner Kurtz made the motion that the City of New Castle enter into a five year lease with Shelby Broadband Ventures, LLC allowing them to place an antenna on our water tower and to pay \$200 per month for said lease. Commissioner Thompson seconded the motion. The motion carried unanimously.

There was brief review and discussion of an ordinance increasing water rates by 2%.

Mayor Benham made the motion to have first reading of Ordinance #18-04, AN ORDINANCE OF THE CITY OF NEW CASTLE, KENTUCKY INCREASING THE RATE WATER SERVICE. Commissioner Gatewood seconded the motion which carried unanimously.

Mayor Benham gave first reading of Ordinance #18-04.

There was review of the 2017/2018 amended budget.

Commissioner Thompson made the motion to have first reading of Ordinance #18-05, FISCAL YEAR 2017-2018 AMENDED BUDGET FOR THE CITY OF NEW CASTLE, KENTUCKY. Commissioner Mitchell seconded the motion. It carried unanimously.

The City Clerk gave first reading of Ordinance #18-05.

There was review of the 2018/2019 fiscal budget which does include use of Municipal Road Aid Funds of \$19,425.00 for the paving of 5 city streets in part or in whole. There was a public hearing held this date at 6:45pm regarding this proposed budget and use of Road Aid Funds. Minutes from that public hearing are recorded separately.

Commissioner Kurtz made the motion to have first reading of Ordinance #18-06, FISCAL YEAR 2018-2019 BUDGET ORDINANCE FOR THE CITY OF NEW CASTLE, KENTUCKY. Mayor Benham seconded the motion which did carry unanimously.

The City Clerk gave first reading of Ordinance #18-06.

In this year's renewal package for all but worker's compensation insurance there is an option to include privacy liability and network security coverage at a cost of \$750. There was brief discussion.

Commissioner Thompson made the motion to add this coverage at the cost of \$750. Commissioner Gatewood seconded the motion. It carried unanimously.

There is a two day course being offered by Kentucky League of Cities entitled "Bad Property Conference" that Joe Durbin would like to attend. The City of Pleasureville advised that they would pay half of the cost if New Castle will also pay half. There was brief discussion.

Commissioner Mitchell made the motion that the City pay up to \$200 for Mr. Durbin to attend. Commissioner Kurtz seconded the motion. It did carry unanimously.

Jeff Thoke advised that the City is now in the Preserve America Program and no longer in the Main Street Program and that latter requires an enormous amount of time and offers nothing in return. The PAP is much more feasible for us at this time.

He is also checking into creating a business association and he stated that the Oddfellows clean-up (behind building) will begin soon.

Joe Durbin reported that grass cutting is the biggest issue being addressed at this time. He addressed about 30 issues with that in the last week. The first properties that refuse to comply with various ordinances will be in court on May 18th. One property owner has successfully been dodging being served. Mr. Durbin also advised that he has visited the KSP Post twice in order to arrange for him to be able to run car tags. He will visit post one more time before he has to take this matter to a higher authority in Frankfort.

Scot advised that the rehab project is 95% complete. They should be finished with all clean-up and paving by June 1st.

Lorry will deliver the monthly financial report to Lynn tomorrow.

Commissioner Kurtz wants to see monthly reports from the deputies. The Mayor advised that he would also and he will address this issue with them.

Mr. McBurney introduced himself and briefly addressed the Commission. He is a candidate for Magistrate of the 4th district.

Mr. Pollard came tonight with several complaints he wants noted. First he stated that he has called 911 numerous times about 4wheelers being ridden on property around him. He does not like the way it was handled and he does not like the way the sheriff deputies patrol. He said he called the DOW about sewer smell and an overflow that occurred in a manhole behind his property during a flood event. Limbs from a fallen tree are on a property next to his. He wanted the City to remove it and that has not been done and he had some complaints about several of his neighbor's properties having different issues and that the City was not addressing their violations.

Scot removed part of the limbs on Mr. Mason's property (our easement) before he was made aware of the city ordinance mandating easement maintenance is the property owners responsibility. Scot also advised that he did turn in the overflow to the DOW at the time he was notified that it had occurred. The DOW did come and conduct an investigation. Mr. Treece read the official letter he received from the DOW out loud to all in attendance. Their conclusion was that there was no further investigation warranted.

Mr. Durbin stated that he read to Mr. Pollard the ordinance that states that the property owner is responsible for the maintenance of all easements. Also, Mr. Durbin advised that he does not reveal to whom he has issued any citations to anyone except the Mayor and legal personnel. Just because a property does not seem to be taking steps towards compliance does not mean that nothing is being done legally to gain compliance.

Sean Davis advised that the lid to her water meter keeps getting washed off by run-off coming from the elementary school. She would like an iron lid or something that will stay put. Scot advised that he will take care of this.

As there was no further business to be addressed, Commissioner Thompson made the motion to adjourn. Commissioner Kurtz seconded the motion. The motion carried unanimously.

We adjourned at 8:15pm