

**MINUTES OF THE  
DANVILLE CITY COMMISSION**

The Board of Commissioners of the City of Danville, Kentucky convened in a Regular Commission Meeting in the Public Meeting room at City Hall/Police Station on Monday, August 8, 2016 at 5:30 p.m.

**COMMISSIONERS PRESENT:**

Mayor Perros  
Commissioner Terry  
Commissioner Serres  
Commissioner Atkins  
Commissioner Caudill

**OTHERS PRESENT:**

Ron Scott, City Manager  
Donna Peek, City Clerk  
Tony Gray, Police Chief  
Ken Pflug, Fire Chief  
Earl Coffey, Engineer  
Tom Byerly, Public Works Director  
Joyce Collins, Secretary  
Ashley Raider, Administrative Asst.  
Bridgette Lester, Codes Director  
Michele Gosser, CFO  
Alex Carney, IT Tech  
Kenly Smallwood, Water Dist.  
Andy Tompkins, Water Plant  
Chris Scheffler, Asst. Water Dist.  
Ben Kleppinger, Advocate Messenger  
Jennifer Kirchner  
Bethany Rogers  
James Hunn  
Janis Scott  
Jody Lassiter  
Ben Nelson  
Erin Tipton  
John Albright  
Wilma Brown  
Carolyn Gulley  
Ernie Moore  
Jane Brantley  
J.P. Brantley  
Paul Lewis  
Gloria Lewis  
Others

Mayor Perros announced that a quorum was present and called the meeting to order the time being 5:33 p.m.

Commissioner Caudill presented a prayer and Water Distribution Superintendent, Kenly Smallwood led the Commission in the pledge of allegiance.

**HEAR THE PUBLIC:**

No public comment

**1. APPROVAL OF PREVIOUS MINUTES:**

Commissioner Terry made a motion to approve the minutes of 07/25/2016 as presented. The motion was seconded by Commissioner Atkins and unanimously approved upon voice vote.

**2. RECOGNITION OF KENLY SMALLWOOD, WATER DISTRIBUTION SUPERINTENDENT - RETIREMENT:**

Mayor Perros addressed the Commission and presented a plaque to Kenly Smallwood, Water Distribution Superintendent. Mr. Smallwood has been with the City of Danville for thirty years. He began his career with the City in 1986. Earl Coffey added that Kenly was an outstanding employee and that he will be missed.

Kenly thanked the current Commission and former Commissions that he has worked with. He thanked City Manager Ron Scott and City Manager Ed Music for him allowing to work for the City of Danville. He added that he will miss the staff that he has worked with over the years.

Mayor Perros and the Commission thanked Kenly for everything he has done for the City over the years.

**3. TOURISM COMMISSION REAPPOINTMENT:**

Jennifer Kirchner addressed the Commission and requested that Jerry Houck be reappointed to the Tourism Commission as the restaurant representative. Commissioner Serres made a motion to approve the reappointment as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote.

**4. BCTC EXPANSION PROJECT:**

Erin Tipton addressed the Commission and discussed the possible expansion of the BCTC campus in Danville. She requested that the City of Danville support the efforts of BCTC as they apply for a grant with the State of Kentucky. Ms. Tipton requested that the City of Danville allocate \$50,000 in the 2017-2018 budget for the project. Commissioner Caudill made a motion that city staff attempt to allocate, in the 2017-2018 budget \$50,000 for the BCTC project as requested. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote.

**5. PLANNING & ZONING COMMISSION APPOINTMENT:**

Mayor Perros made the recommendation that Vince. DiMartino be appointed to the Planning and Zoning Commission as presented. Mayor Perros stated that when submitting a name to the Commission, he looks for someone who is vested in the community, someone who is committed to the community, 3 – someone who has an understanding and appreciation of what makes the community, number four - someone who is objective and does not have an ax to grind, number five someone who is open minded and his last criteria is someone who understands the inherent struggle between preservation and growth in the community. He added that he believes that Mr. DiMartino has all of the qualities. The Commission discussed the appointment process at length. After discussion, Commissioner Atkins made a motion to table the item until the next meeting so that the Commission can have further time to ponder the appointment. The motion to table was seconded by Commissioner Terry and upon roll call the motion passed 3-2. Commissioner Atkins, Commissioner Terry and Commissioner Caudill voted to table, while Commissioner Serres and Mayor Perros voted no.

**6. RESOLUTION #2016-08-08-01 – ECONOMIC DEVELOPMENT CONSULTING FIRM APPROVAL:**

Commissioner Caudill made a motion to approve Resolution #2016-08-08-01 as presented. The motion was seconded by Commissioner Terry. The Commission had discussion about the agreement and funding of the plan.

Mayor Perros thanked the working group for the job they did arriving at the end result and for the manner in which they performed from the beginning to the end of the process.

Commissioner Terry asked why the City contribution was so much more than the county contribution.

After discussion, the motion passed unanimously upon voice vote.

Resolution #2016-08-08-01 approves the consultant proposal from RKG Associates, Inc., in the amount of \$83,795., with the City contribution not to exceed \$65,000.

**\*To read Resolution #2016-08-08-01 in its entirety please go to our website: [www.danvilleky.org](http://www.danvilleky.org) and search resolutions.**

## **7. CITY MANAGER REPORT:**

City Manager Ron Scott addressed the Commission and asked the Commission if they wanted to hold the first special called working session on Thursday, August 18<sup>th</sup>, to discuss 911 funding. Mr. Scott also added that he would be hosting a meeting of City Managers from the region on Friday afternoon.

## **HEAR THE PUBLIC:**

No comments.

## **COMMISSIONER COMMENTS:**

Commissioner Terry reminded everyone of the “Soul of Second Street” festival that will take place on Saturday, August 13<sup>th</sup>.

Commissioner Atkins wished the people of Western Kentucky, Happy Independence Day today, 8/8/2016. He added that since there was no cell phone communications back in 1863 – it took from January 1<sup>st</sup> – August 8, 1963 for President Lincoln's Emancipation Proclamation to reach Western Kentucky, so that is why they are celebrating today.

Mayor Perros mentioned that on Monday, the 15<sup>th</sup> at 1:30 p.m. the Parks and Recreation ad-hoc meeting will be held at fiscal court. Mayor Perros also added that he was asked to speak to Rotary two weeks ago and during his research he discovered some interesting facts about the growth of Danville. From 1990 – 2015 the growth rate in Danville was 13.8% - this is over a twenty four year period.

Commissioner Caudill thanked the folks at the State for painting the downtown striping on Fourth Street to help with pedestrian safety.

Mayor Perros added that the lighting at Weisiger Park looks good.

Commissioner Terry asked if any of the electric downtown will be placed underground at any time in the future.

Earl Coffey said he was continuing to working on Weisiger Park, the water wall, the stain, etc. – He added that the electric could be underground, given the money for the project.

Commissioner Atkins asked Mr. Coffey about the land use plan and if he had completed that for Planning & Zoning adding that individuals keep calling for it.

Earl Coffey said that he was working on that currently.

Commissioner Atkins encouraged everyone to sign up and attend the “Statement for Peace” on September 4<sup>th</sup>, at Pioneer Playhouse beginning at 5:30 p.m. which will be sponsored by the CCHR.

City Manager Ron Scott added that if anyone wants to use Weisiger Park for an event – they will need to run the request through the City Manager’s office. Please go to the website – [www.danvilleky.org](http://www.danvilleky.org) and fill out an application for use.

**8. PAYMENT OF THE BILLS:**

Commissioner Atkins made a motion to approve the bills in the amount of \$611,551.05 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote. A breakdown of departments is as follows: General fund - \$92,243.92; Utility Fund – \$111,031.34; Parking fund - \$266.64; garbage fund -\$76,083.14; Streetscape fund -\$9,648.37; Capital - \$29,252.20; Cemetery fund – \$5,660.00; Stormwater fund - \$1,196.21; Museum fund - \$682.68; debts and disbursements in the amount of \$284,667.73 and water refund in the amount of - \$818.82.

**9. RESOLUTION #2016-08-08-02 – TIME WARNER INTERNET AGREEMENT:**

Commissioner Caudill made a motion to approve Resolution #2016-08-08-02 as presented. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote.

Resolution #2016-08-08-02 approves an agreement with Time Warner for internet service in City buildings

**\*To read Resolution #2016-08-08-02 in its entirety please go to our website: [www.danvilleky.org](http://www.danvilleky.org) and search resolutions.**

**10. RESOLUTION #2016-08-08-03 – JOURNAL COMMUNICATIONS CONTRACT:**

Commissioner Serres made a motion to approve Resolution #2016-08-08-03 as presented. The motion was seconded by Commissioner Atkins and unanimously approved upon voice vote.

Resolution #2016-08-08-03 approves an agreement with Journal Communications for the production of Livability magazine.

**\*To read Resolution #2016-08-08-03 in its entirety please go to our website: [www.danvilleky.org](http://www.danvilleky.org) and search resolutions.**

**11. 1<sup>ST</sup> READING – ORDINANCE #1885 – REAL-TANGIBLE-MOTOR VEHICLE TAX:**

Commissioner Terry made a motion to approve the 1<sup>st</sup> Reading of Ordinance #1885 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon roll call.

Ordinance #1883 – “An ordinance establishing ad valorem tax rates for fiscal year 2016-2017 and penalties for non-payment.” The Commission took the compensating rate, not increasing the tax rate.

**12. PERRYVILLE STREET TRAFFIC CHANGE DISCUSSION:**

Police Chief Tony Gray addressed the Commission and informed them of a traffic flow change for Perryville Street. Beginning on Wednesday, August 10<sup>th</sup> – traffic will be one-way for a period of six months at the request of Toliver and Danville Schools to help with traffic flow in the area. The traffic flow will be reassessed after the six month period.

**13. 1<sup>ST</sup> READING – ORDINANCE #1886 – PAWNBROKERS AND PRECIOUS METALS:**

Commissioner Atkins made a motion to approve the 1<sup>st</sup> Reading of Ordinance #1886 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon roll call.

Ordinance #1886 – “An ordinance enacted by the Board of Commissioners of the City of Danville, Kentucky, relating to the duties of pawnbrokers and precious metal dealers and for the reporting of transactions involving them.”

#### **14. FIREWORKS ORDINANCE – DRAFT:**

City Manager Ron Scott addressed the Commission and reviewed the draft fireworks ordinance. He said that the proposed ordinance sets forth the ideas he and the City Attorney had in regards to what the Commission wanted in place in order to protect the citizens safety. Adding that it utilizes state law to distinguish between display fireworks and others. He added that the ordinance in front of them is a beginning point for discussion as it limits the times fireworks can be sold and types of fireworks to be sold. The ordinance also addresses the public display of fireworks and authorizes other entities in town to have fireworks displays put on by those that are professionally trained by following the permit requirements in the ordinance.

Commissioner Serres said he believes the draft looks good.

Mayor Perros asked if the ordinance addresses the Friday night cannon blasts. Mayor Perros added that the City has had several complaints about the Friday night cannon blasts.

City Manager Ron Scott said that he believes the cannons are covered in the ordinance, through a permit and steps outlined in the ordinance. The question, perhaps for the attorney is how do you write an ordinance that is not discriminatory? Adding you may need to either remove the allowance or make the criteria guidelines stricter.

Mayor Perros said that one of the criteria should be a listed decibel level. Mayor Perros added that he recently attended a Cincinnati Reds ballgame and they had fireworks but the loud booms were not shaking the windows.

City Manager Ron Scott added that perhaps staff could research displays that are possible in the 70-100 decibel range. Perhaps the high schools could use the ground fireworks instead of the display fireworks.

Commissioner Atkins said the other issue is the perhaps the little league soccer games on Thursday night – the booms may not be on Friday night only and I get a permit for the season. He added that the City should give both school districts a heads up on this.

Mayor Perros said he believes Danville no longer uses the cannons on Friday nights.

Commissioner Terry said she believes that we should bring this back to the next meeting when the City Attorney is present. Commissioner Terry also said that if we are splitting hairs, maybe Danville doesn't use fireworks or cannons, but they do use sirens. Adding – are we going to eliminate all noise? And said that the person at Boyle County is a permitted individual.

Chief Pflug added that he has already approved the permit for Boyle County for the upcoming season.

Commissioner Atkins also added that Centre College needs to be informed of the fireworks discussion and proposed ordinance.

#### **EXECUTIVE SESSION:**

Commissioner Atkins made a motion to move into executive session pursuant to KRS 61.810 1(f) for discussion of personnel action. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote. The time was 7:15 p.m.

#### **BACK IN SESSION:**

Commissioner Caudill made a motion to move back into regular session at 7:28 p.m. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote.

**ACTION:**

Commissioner Terry made a motion to approve staff's recommendation to extend a contingent job offer to Tanner Abbott, Jacob Ruhe and Timothy Bocoock for the position of police officer with the usual probationary measures. The motion was seconded by Commissioner Atkins and unanimously approved upon voice vote.

**ADJOURN:**

Commissioner Caudill made a motion to adjourn at 7:30 p.m. The motion was seconded by Commissioner Serres and unanimously approved upon voice vote.

APPROVED:

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MAYOR G. MICHAEL PERROS

ATTEST:

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DONNA PEEK, CITY CLERK