

**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 22, 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
Vince Pennington, Asst. City Attorney
Glenn Doan, Police Captain
Ken Pflug, Fire Chief
Earl Coffey, City Engineer
Joyce Collins, Secretary
Bridgette Lester, Codes Director
Michele Gosser, CFO
Alex Carney, IT Tech
Ben Kleppinger, Advocate Messenger
Monica Sumner, Brandstetter Carroll
Jennifer Kirchner
Bethany Rogers
James Hunn
Janis Scott
Jody Lassiter
Wilma Brown
Carolyn Gulley
Ernie Moore
Jane Brantley
J.P. Brantley
Sarah Vahlkamp
Shawn Green
Ernie Holman
Wendy White
Others

Mayor Perros announced that a quorum was present and called the meeting to order the time being 5:30 p.m.

Commissioner Terry presented a prayer and Commissioner Caudill led the Commission in the pledge of allegiance.

HEAR THE PUBLIC:

Sarah Vahlkamp addressed the Commission and thanked them for the thought they have given the Planning & Zoning Commission appointment - she said she would support any choice the Commission makes. Shawn Green addressed the Commission regarding the 2nd reading of the proposed pawnbroker and precious metal dealer ordinance. He told the Commission that he feels the pawn shops are getting a bad rap in the community. He thanked City Manager Ron Scott for meeting with him and thanked the Commission for tabling this item. He added that he will be sitting down with the City Manager and Police department in

the next few weeks and hopes everyone can come to a middle ground. He thanked the Commission for listening to the owners and said he would rather talk this out before it becomes law.

Ernie Moore addressed the Commission about the draft fireworks ordinance and said he is totally opposed to any ordinance that would ban fireworks in Danville. He asked how many individuals were over 80 in the audience and said he feels shooting fireworks off is just part of growing up. He added that usually, the older folks get what they want in Danville, but said that he is also an older person and wants the Commission to know to eliminate fireworks all together, is foolish.

Ernie Holman addressed the Commission in regards to the fireworks draft. He addressed items mentioned at the last meeting. He asked who would regulate a decibel limit and how would anyone ever enforce. He asked if everyone would be held to the same standard – including Centre College. He asked if the City has received any complaints on Centre College. He also asked how the City arrived at the 250.00 fee and inquired if the fee would be per game or blanket for the season. He asked why the City will now impose a permit fee stating he feels the fee would be another revenue source. Mr. Holman then asked if the City has received any complaints on Danville community fireworks, Centre College fireworks, or are the only complaints the City has received on Boyle Co. football. He added that where Boyle county football is located, directly west of downtown Danville everyone would feel the booms a little more. Low noise fireworks, are just not an option. Fireworks just go boom. He proposed that if the City insists on proceeding with this type of ordinance that they exempt Boyle County High School, Danville High School, Centre College and DCA from the ordinance. He added that if the City exempts itself then why not exempt all educational institutions.

Ms. Nimocks addressed the Commission as a residence of Danville. She said she was one of the individuals that spoke earlier about the fireworks and asked for an ordinance to address them. She added that the fireworks start mid-June and go through July - start early in the day and end way past midnight. She also said the fireworks were extremely loud in Danville this year and they lasted until at least 2 a.m. Ms. Nimocks said that children did not sleep, and a dog jumped through a screen door. She said she is very much in favor of a fireworks ordinance.

William Boone thanked the commission for allowing discussion on the fireworks subject and said he sells class c fireworks. He said that he is allowed to sell twice a year by state law, adding that the City can put an ordinance in place, ban fireworks and the sale of – but added that fireworks will still be in Danville. Mr. Boone said the City could add restrictions to the vendors and not allow out of state vendors. He said that his business always donates to the Fire department toy drive and donated over 1000.00 in 2015. He added that the Danville police department does a great job of protecting the community and said they have enough to do without having to enforce complaints on fireworks. He said he would hate to see the festivities in Danville that celebrate our freedoms stopped. He added that the Commission can restrict and make laws, but fireworks will be in Danville. Individuals will just go outside the county line – purchase them and come back into Danville. He also said that the Commission should keep the money in Danville, allowing vendors to place money back into the community. He then thanked the Commission for listening to his comments.

1. APPROVAL OF PREVIOUS MINUTES:

Commissioner Atkins made a motion to approve the minutes of 08/08/2016 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote.

2. TOURISM COMMISSION REAPPOINTMENT:

Jennifer Kirchner addressed the Commission and requested that Wendy White be appointed to the Tourism Commission as the City appointment. Commissioner Serres made a motion to approve the appointment as presented. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote. Ms. White will replace Brandon Long as the City appointment and the term will be for a three year period expiring 8/30/2019.

3. PLANNING & ZONING COMMISSION APPOINTMENT:

Mayor Perros made the recommendation that Vince. DiMartino be appointed to the Planning and Zoning Commission as presented. Commissioner Atkins made a motion to take this item off of the table. The motion was seconded by Commissioner Serres and unanimously approved upon voice vote. Next, Commissioner Atkins made a motion to approve the appointment of V. DeMartino as presented. The motion was seconded by Commissioner Caudill. The floor was then open for discussion. Commissioner Terry opened the discussion and said that her concerns are not about the person, it is about the process. My main point is the diversity of committees, the background of the applicants, the training of the members, She added that she would like to see a database where all of the Commission can view all of the committees, how long they have served,. I would like to see term limits for committees and board members. I would like criteria to be said and the person should fit appointment instead of fitting the candidate or name into the committee.

Commissioner Serres said he would like to see a workshop on committees, criteria and other issues related to boards and committees. Commissioner Atkins said he would also like to see a workshop on the committees and boards.

Commissioner Terry said she feels Mr. DiMartino is not the best candidate for the appointment and she will vote no on the motion.

Commissioner Caudill said that he did not disagree with anything that Commissioner Terry said. He added that to be honest, this would not be the person he would pick for this committee, but because this is one of the few things the Mayor gets to do he would support the recommendation.

Mayor Perros called for the vote and upon voice vote the motion passed 4-1. Commissioner Terry voted no.

Mayor Perros said that he wanted to assure the Commission that he takes great pains to evaluate what the best fit will be for each committee appointment based on the committee requirements, the knowledge of the individual and the committee strengths and weaknesses.

4. CITY MANAGER REPORT

City Manager Ron Scott addressed the Commission and announced the special called meeting on September 8th from 2 – 5 p.m. that will be held at City Hall regarding code enforcement. He also said that the meeting on September 15th that is currently set for 5:30-7 p.m. will address the energy audit. He also asked that the Commission consider tabling items 7 & 10 tonight. This will allow him time to meet with the pawnbrokers in Danville and the City Attorney. A little more time is requested on these items.

HEAR THE PUBLIC:

Jane Brantley addressed the Commission and thanked the Mayor for attending the recent meeting at the health department regarding drug abuse in Danville and asked that others attend the next meeting. She also said that the new lighting in Weisiger Park is very nice but added that third and Main Street is very very dark and at least three bulbs are out in that area and she would like to see those repaired.

Jennifer Kirchner addressed the Commission and asked for volunteers for several events coming up. The BBQ festival, the State fair and other upcoming festivals. Individuals need to contact the CVB to volunteer.

COMMISSIONER COMMENTS:

Commissioner Serres reminded everyone of the upcoming BBQ Festival annual run that will be held at Millennium Park beginning at 3 p.m. He also reminded everyone of the annual smokin' butt bike ride in Danville on Saturday, September 10th.

Commissioner Terry reminded everyone of luminosity which is coming up on Saturday and on Saturday September 3rd the run for addiction at Millennium Park.

Commissioner Atkins invited everyone to attend the CCHR potluck on September 4th at 5:30 p.m. The event will be at Pioneer playhouse and CCHR will provide the meat. Individuals are asked to bring a salad, dessert and vegetable to share. Mr. Atkins also welcomed the new reporter to Danville.

Mayor Perros said that everyone needs to acknowledge the problems going on in our community related to drug use. He added that five or ten years ago no one would speak about the dark things happening in other areas of the United States, because it wasn't in Danville, it was in other communities. He finished by saying that the darkness has now come to Danville and everyone needs to roll up their sleeves and discuss this issue. It cannot be ignored.

5. PAYMENT OF THE BILLS:

Commissioner Terry made a motion to approve the bills in the amount of \$170,096.68 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote. A breakdown of departments is as follows: General fund - \$57,209.30; Utility Fund – \$75,019.03; Parking fund - \$1,722.33; garbage fund -\$4,050.00; Capital - \$30,791.02; and Cemetery fund in the amount of \$1,305.00.

6. 2nd READING – ORDINANCE #1885 – REAL-TANGIBLE-MOTOR VEHICLE TAX:

Commissioner Atkins made a motion to approve the 2nd Reading of Ordinance #1885 as presented. The motion was seconded by Commissioner Terry and unanimously approved upon roll call.

Ordinance #1885 – “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.

7. WEISIGER PARK DISCUSSION:

City Engineer Earl Coffey presented the Commission an update of the Weisiger park project. Monica Sumner with Brandstetter Carroll also discussed the progress of the park.

8. RESOLUTION #2016-08-22-01 – FALL PAVING LIST:

Commissioner Serres made a motion to approve Resolution #2016-08-22-01 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote.

This resolution approves the 2015 fall paving list.

To view this resolution in its entirety please visit our website at www.danvilleky.org and search for resolutions.

9. RESOLUTION #2016-08-22-02 – CATERPILLAR TAX WAIVER:

Commissioner Caudill made a motion to approve Resolution #2016-08-22-02 as presented. The motion was seconded by Commissioner Terry. The resolution passed upon voice vote with Commissioner Serres and Mayor Perros voting no.

This resolution approves a tax waiver for the employees of Caterpillar who will receive a severance check due to the closing of the plant.

To view this resolution in its entirety please visit our website at www.danvilleky.org and search for resolutions.

10. 1ST READING – ORDINANCE #1887 – TOTAL CART MANAGEMENT INCENTIVE:

Commissioner Caudill made a motion to approve the 1st Reading of Ordinance #1887 as presented. The motion was seconded by Commissioner Serres and unanimously approved upon voice vote.

Ordinance #1887 – “An ordinance pursuant to the Kentucky Business investment Act (KRS-154.32—010 – 154.32 – 100) granting Total Cart Management USA, Inc., a wage assessment; granting certain employees of Company a partial credit against City of Danville occupational license tax; and providing provisions for recapture of these benefits in certain events.”

EXECUTIVE SESSION:

No executive session

ADJOURN:

Commissioner Terry made a motion to adjourn at 6:50 p.m. The motion was seconded by Commissioner Atkins and unanimously approved upon voice vote.

APPROVED:

MAYOR G. MICHAEL PERROS

ATTEST:

DONNA PEEK, CITY CLERK