

**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, September 12th, 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
Stephen Dexter, City Attorney
Tony Gray, Police Chief
Ken Pflug, Fire Chief
Earl Coffey, City Engineer
Joyce Collins, Secretary
Bridgette Lester, Codes Director
Michele Gosser, CFO
Alex Carney, IT Tech
Tom Byerly, Public Works Director
Kerry Steinhofner, Advocate Messenger
Rachel White, Housing Authority
John Drake, Parks & Recreation Director
Roger Ross, Parks & Recreation
Ashley Raider, Admin. Asst.
Milton Reigleman
Mary Beth Touchstone
Janet Hamner
Susan Nimocks
Jane Dewey
Jeff Thornton
Niki Kincade
Paul Smiley
Pat Smiley
Ernie Moore
Jane Dewey
Wilma Brown
Ernie Holman
Jennifer Kirchner
James Hunn
Others

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

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

HEAR THE PUBLIC:

Paul Smiley addressed the Commission in regards to item #12 (the draft fireworks ordinance). Mr. Smiley thanked the Commission and City Attorney for taking their time to develop the proposed ordinance and for putting great thought into the process. He added that he believes the community will be thankful when the ordinance is in place and feels that they will support it.

Ernie Holman addressed the Commission in regards to the fireworks draft. He said he does not have a dog in the hunt currently, but added that he sets off fireworks at the ballgames. He said he disagrees with the ordinance, the new permit fee and the regulation of sound levels. He added that fireworks go boom and feels that the City and police have bigger fish to fry. Mr. Holman said that fireworks are part of America and he feels the City is bent on getting rid of tradition. Mr. Holman added that his idea would be to limit vendors to Danville vendors only and exempt all educational systems from the ordinance.

1. APPROVAL OF PREVIOUS MINUTES:

Commissioner Caudill made a motion to approve the minutes of 08/22/2016 as presented. The motion was seconded by Commissioner Atkins and unanimously approved upon voice vote.

2. PARKS & RECREATION BOARD APPOINTMENT:

Commissioner Terry made a motion to approve the appointment of Jeff Thornton as presented to the Parks and recreation board for a term of four years, expiring 1/1/2020. The motion was seconded by Commissioner Serres and unanimously approved upon voice vote.

Commissioner Serres added that he feels Mr. Thornton will be a great asset to the Parks and Recreation board.

3. SISTER CITIES COMMISSION UPDATE:

Milton Reigleman addressed the Commission and presented an update of the Sister Cities committee activities. He thanked the Mayor, Commission and City Manager for the welcome that was given to the Mayor of Carrickfergus during his visit. He also informed the Commission that a group of 17 individuals will be traveling to Carrickfergus soon. Mr. Reigleman also said the 2nd artists' exchange will take place this year.

4. HOUSING AUTHORITY ANNUAL REPORT:

Rachel White, Housing Authority Director presented her annual report to the Commission. No action needed.

5. COMMUNITY ARTS CENTER UPDATE:

Mary Beth Touchstone addressed the Commission and presented an update of the Danville Creative district. No action needed.

6. PROCLAMATION – ARTS IN EDUCATION WEEK:

Mayor Perros read a proclamation naming the week of September 11-17 as Arts in Education week. Commissioner Caudill made a motion to approve the proclamation as presented. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote.

7. CITY MANAGER REPORT

City Manager Ron Scott addressed the Commission and presented his report. He said that Harshaw Trane has invited the Commission to go to Fort Knox, to see the changes made after their energy audit was performed. Mr. Scott asked that the Commission let staff know if they plan on attending.

HEAR THE PUBLIC:

Ernie Moore addressed the Commission regarding the Code enforcement process. He said that he learned at the special called meeting, that the City doesn't have to enforce codes if it doesn't want to. He added that in his opinion, code enforcement does not enforce the codes currently. Mr. Moore added that if the City is not going to enforce the ordinances, then why have them in place. Mr. Moore also said he is against the fireworks ordinance.

Jennifer Kirchner addressed the Commission and said Weisiger Park looks really nice. She said that the sound was wonderful during a recent event and added that she knows money is tight, but was looking forward to the shade that will be added to the park and stage area.

Mr. Hunn said that he was not really opposed to the fireworks ordinance, but added that there are a lot of veterans that are affected by them especially if they have PTSD.

COMMISSIONER COMMENTS:

Mayor Perros thanked Commissioner Serres for his part in the Smoking Butt Bike ride that was held during the BBQ festival.

Commissioner Serres thanked the Mayor for participating and added that the festival was very successful this year and thanked City staff, public works and the police department for everything they did to make the festival a success.

Mayor Perros announced that the Park and Rec Ad Hoc committee will be meeting on Monday, October 19th at 1:30 and will be held at City Hall. He also added that he, the City Manager and Jennifer Kirchner would be traveling to Elizabethtown to attend a meeting regarding a possible restaurant tax on the 23rd of September.

Commissioner Caudill announced the grand opening of the Danville Boyle Co. Humane Society – and added that the new facility is really nice.

Commissioner Terry reminded everyone of the Run for the Arts that will have its 38th annual event on Saturday.

Commissioner Atkins added that Frank X Walker will be at Danville High School speaking to the 8th and 11th graders in Danville and Boyle County. Commissioner Atkins also asked if the City could recognize the month of October as Fire prevention month and recognize those currently serving and those that have lost their lives in the line of duty.

8. PAYMENT OF THE BILLS:

Commissioner Caudill made a motion to approve the bills in the amount of \$628468.31 as presented. The motion was seconded by Commissioner Serres and unanimously approved upon voice vote. A breakdown of departments is as follows: General fund - \$57,209.30; Utility Fund – \$185,858.22; Parking fund - \$1,097.24; Non-departmental fund -\$60,470.21; Capital - \$6,840.11; Cemetery fund - \$5,846.73; Stormwater - \$6,213.74; Museum fund - \$2,264.00; Debts and disbursements - \$284,667.73; and water refunds in the amount of \$788.31.

9. BUDGET REPORT:

Michele Gosser, CFO presented the 6/30/2016 financial report to the Commission. No action needed.

10. RESOLUTION #2016-09-12-01 – CEMETERY LOT BUYBACK - LUTTRELL:

Commissioner Caudill made a motion to approve Resolution #2016-09-12-01 as presented. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote.

This resolution approves the buyback of cemetery lots as presented.

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

11. RESOLUTION #2016-09-12-02 – HDR CONTRACT AMENDMENT:

Commissioner Atkins made a motion to approve Resolution #2016-09-12-02 as presented. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote.

This resolution approves a contract amendment with HDR.

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

12. DRAFT FIREWORKS ORDINANCE DISCUSSION:

City Attorney Stephen Dexter addressed the Commission in regards to the draft fireworks ordinance. He discussed the specific prohibitions currently in the draft and exemptions from the ordinance. He also discussed the permits, fees, hours and dates. Mr. Dexter added that the draft ordinance is not a recommendation from him but a compilation of the wishes of the Commission and a discussion point.

The Commission discussed the draft ordinance and presented several questions for the City Attorney and City Manager to research. Mr. Dexter added that he would like for the Commission to let staff know exactly what they would like in the ordinance.

Commissioner Caudill asked if the current version of the ordinance addresses Mr. Holman's concerns. Mayor Perros asked Mr. Holman about the loud bang that occurs currently at the ballgames when the team scores – and asked if that could be toned down.

Mr. Holman responded to the Commission and said that the sound could not be toned down. He added that he is currently using the smallest shell possible for the area and moved to the smaller shell this year. Mr. Holman said that he always stops shooting off the shells if the games go past 10:00 p.m.

Commissioner Atkins said that the ordinance should not be centered around Boyle County football. He added that the request was originally brought to the Commission from a group of neighbors concerned about the fireworks being shot off all hours of the night and for weeks or days leading up to July fourth and for several days after.

Commissioner Caudill added that Mr. Dexter and Commissioner Atkins brought up good points. He added that the majority of complaints received by the Commission were more about the times and days that fireworks were being shot off.

Commissioner Terry added that she spoke with Chief Gray and believes the police department has more important issues to address.

Commissioner Atkins added that the citizens need closure to this subject.

City Manager Ron Scott said he and the City Attorney will bring back an ordinance to a future meeting for further review.

Paul Smiley added that the neighborhood would like to see the ordinance define times and set dates that fireworks can be legally shot off in Danville.

13. 2nd READING – ORDINANCE #1887 – TOTAL CART MANAGEMENT INCENTIVE:

Commissioner Serres made a motion to approve the 2nd Reading of Ordinance #1887 as presented. The motion was seconded by Commissioner Atkins and was approved upon roll call. Mayor Perros voted no.

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:

Commissioner Serres made a motion to move into executive session pursuant to KRS 61.810 1(B). The motion was seconded by Commissioner Terry and unanimously approved upon voice vote. The time was 7:30 p.m.

REGULAR SESSION:

Commissioner Caudill made a motion to move back into regular session at 8:10 p.m. The motion was seconded by Commissioner Terry and unanimously approved upon voice vote.

No action taken

ADJOURN:

Commissioner Terry made a motion to adjourn at 8:11 p.m. The motion was seconded by Commissioner Caudill and unanimously approved upon voice vote.

APPROVED:

MAYOR G. MICHAEL PERROS

ATTEST:

DONNA PEEK, CITY CLERK