

**JULY 19, 2022
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MINUTES OF REGULAR COUNCIL MEETING
VERSAILLES MUNICIPAL BUILDING/5:30 P.M.**

ROLL CALL: MAYOR BRIAN TRAU GOTT PRESIDED OVER THE MEETING. ALSO PRESENT WERE COUNCIL MEMBERS MARY BRADLEY, LISA JOHNSON, KEN KERKHOFF, FRED SIEGELMAN, AND AARON SMITHER. COUNCIL MEMBER LAURA DAKE WAS ABSENT. ATTORNEY ELLEN MOORE WAS ALSO PRESENT.

DEPT. HEADS: BRANDON BROWN, BART MILLER, MIKE MURRAY, AND ELIZABETH REYNOLDS WERE PRESENT REPRESENTING THEIR RESPECTIVE DEPARTMENTS.

PUBLIC COMMENT

Pattie Wilson, Planning Director for Versailles-Midway-Woodford County Planning and Zoning, was present to introduce her successor, Steve Hunter. Ms. Wilson will be retiring August 1st after twenty-eight years of service. Mr. Hunter was recently hired by the Commission, having served as Planning Director for Danville-Boyle County for five years and Bowling Green-Warren County prior to that. He stated that he is excited to get started and he has been working three days a week with Ms. Wilson to get acclimated. Mayor Traugott praised Ms. Wilson and her work as Planning Director, noting that he worked with her as a Planning Commissioner, Council member, and now Mayor.

MOTION BY SIEGELMAN, SECONDED BY KERKHOFF TO APPROVE AND ADOPT THE MINUTES OF THE JULY 5, 2022 REGULAR MEETING OF THE COUNCIL.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Mayor Traugott noted that Mary Yohon with Bluegrass Care Navigators will be here at the next regular council meeting on August 2nd.

Sherri McDaniel, Director of Woodford County Recycling, addressed the Council regarding Woodford County's Solid Waste Management Plan which is in the process of a five year update. She asked for the City's support and participation.

MOTION BY SIEGELMAN, SECONDED BY KERKHOFF TO APPROVE THE CITY OF VERSAILLES' PARTICIPATION IN THE WOODFORD COUNTY SOLID WASTE MANAGEMENT PLAN FIVE YEAR UPDATE.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Ms. McDaniel also noted that the annual Household Hazardous Waste Day will be held on September 17, 2022.

At the request of Council member Bradley, Attorney Ellen Moore provided second reading of Ordinance 2022-28 Authorizing the Issuance of the City of Versailles, Kentucky General Obligation Bond Anticipation Notes, Series 2022 in the Approximate Aggregate Principal Amount of \$9,195,000, as follows:

**CITY OF VERSAILLES
ORDINANCE 2022-8
(SUMMARY OF ORDINANCE)**

AN ORDINANCE OF THE CITY OF VERSAILLES, KENTUCKY AUTHORIZING THE ISSUANCE OF ITS CITY OF VERSAILLES, KENTUCKY GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES 2022 IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$9,195,000 (WHICH AMOUNT MAY BE INCREASED BY UP TO \$805,000 OR DECREASED BY ANY AMOUNT) FOR THE PURPOSES OF (I) FINANCING A PORTION OF THE COSTS OF THE ACQUISITION, CONSTRUCTION, INSTALLATION, AND EQUIPPING OF (A) CAPITAL IMPROVEMENTS TO EDGEWOOD INDUSTRIAL PARK, (B) A MAINTENANCE GARAGE TO BE USED BY THE CITY FOR MUNICIPAL PURPOSES, (C) IMPROVEMENTS TO THE VERSAILLES FIRE STATION, AND (D) VARIOUS OTHER COMMUNITY DEVELOPMENT PROJECTS, (II) PAYING THE COSTS OF CREDIT ENHANCEMENT, IF ANY,

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AND (III) PAYING THE COSTS OF ISSUANCE OF THE NOTES; APPROVING THE FORMS OF THE NOTES; AUTHORIZING DESIGNATED OFFICERS TO EXECUTE AND DELIVER THE NOTES; AUTHORIZING AND DIRECTING THE FILING OF A NOTICE OR NOTICES WITH THE STATE LOCAL DEBT OFFICER; PROVIDING FOR THE PAYMENT AND SECURITY OF THE NOTES; ESTABLISHING A NOTE PAYMENT FUND FOR THE NOTES; AFFIRMING THE EXISTING SINKING FUND; AUTHORIZING ACCEPTANCE OF THE BID OF THE PURCHASER FOR THE NOTES; AND REPEALING INCONSISTENT ORDINANCES.

This Ordinance authorizes the issuance of a series of general obligation bond anticipation notes designated as “General Obligation Bond Anticipation Notes, Series 2022” (the “Notes”) by the City of Versailles, Kentucky (the “City”) issued in anticipation of the future issuance of a series of the City’s general obligation bonds (the “Bonds”) for the purpose of (i) financing a portion of the costs of the acquisition, construction, installation, and equipping of (a) capital improvements to Edgewood Industrial Park, (b) a maintenance garage to be used by the City for municipal purposes, (c) capital improvements to the Versailles Fire Station, and (d) various other community development projects (collectively, the “Project”); (ii) paying the costs of credit enhancement, if any; and (iii) paying the costs of issuance of the Notes. Provisions are made in the Ordinance for the payment of the Notes and the security therefor, for the application of the proceeds of the Notes, for the establishment of a note payment fund for the continuation of the City’s previously established sinking fund, and for certain covenants of the City with respect to the Notes. The Notes are to be sold at public, competitive sale, and shall mature, or be subject to mandatory sinking fund redemption, in varying amounts on August 15, 2023 and each August 15 thereafter through August 15, 2026. The Notes pledge the full faith, credit, and taxing power of the City and the proceeds of the Bonds, and provision is made for the collection of a tax to pay the principal of and interest on the Notes, subject to certain credits, as provided in Section 7 of the Ordinance. As required by Section 83A.060 of the Kentucky Revised Statutes, the following Section 7 of the Ordinance is set forth in its entirety:

“Section 7. General Obligation. The Notes shall be full general obligations of the City and, for the payment of the Notes, and the interest thereon, the full faith, credit, and taxing power of the City are hereby pledged for the prompt payment thereof. During the period the Notes are outstanding, there shall be and there hereby is levied on all the taxable property in the City, in addition to all other taxes, without limitation as to rate, a direct tax annually in an amount sufficient to pay the principal of and interest on the Notes when and as due, it being hereby found and determined that current tax rates are within all applicable limitations. The tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers in the same manner and at the same time that taxes for general purposes for each of the years are certified, extended, and collected. The tax shall be placed before and in preference to all other items and for the full amount thereof; provided, however, that in each year, to the extent that the other lawfully available funds of the City are available for the payment of the Notes and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the City shall be reduced by the amount of such other funds so available and appropriated.”

INTRODUCED AND PUBLICLY READ ON FIRST READING on July 5, 2022. PUBLICLY READ, ADOPTED, AND APPROVED ON SECOND READING, this July 19, 2022.

**CITY OF VERSAILLES, KENTUCKY
By: _____
BRIAN TRAUGOTT, MAYOR**

**Attest:
By: _____
Elizabeth Reynolds, City Clerk**

MOTION BY SIEGELMAN, SECONDED BY KERKHOFF TO APPROVE AND ADOPT ORDINANCE 2022-28 AUTHORIZING THE ISSUANCE OF ITS CITY OF VERSAILLES, KENTUCKY GENERAL OBLIGATION BOND NOTES, SERIES 2022 IN THE APPROXIMATE AGGREGATE PRINCIPAL AMOUNT OF \$9,195,000.

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Stan Kramer with First Kentucky Securities stated that the City has an AA3 bond rating which is a very high score with low credit risk. He noted that the City's MIG rating (short term debt rating) was very positive with a score of MIG1 which is the highest possible rating. Mr. Kramer stated that the bonds will sell on the 27th and close approximately two weeks later. The funds will be available following the closing and will be deposited into Citizens Commerce Bank. He stated that he expects to receive 3-7 bids.

Council member Siegelman praised Mr. Kramer's work on behalf of the City, and as a resident of Versailles, for the last 25+ years.

Council member Kerkhoff praised Mayor Traugott for working to get these projects off the ground and securing funding and noted that he is excited to get started on these projects.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

At the request of Council member Bradley, Attorney Ellen Moore provided first reading of Ordinance 2022-29 Rezoning .306 Acres Designated as 155 Frankfort Street from the R-3 Zone Designation to the B-4 Zone Designation.

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO APPROVE AND ADOPT MUNICIPAL ORDER 2022-8 AMENDING THE PERSONNEL POLICY REGARDING MILITARY LEAVE.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Public Works Director Bart Miller presented the following quotes for an Air Scrubber at the Flint Ridge Sewer Lift Station:

J. Dwight Thompson Co.	\$9,531.60
BL Anderson	\$11,615.00

MOTION BY BRADLEY, SECONDED BY SIEGELMAN TO APPROVE AND ACCEPT THE QUOTE AS PRESENTED BY J. DWIGHT THOMPSON CO. IN THE AMOUNT OF \$9,531.60 FOR AN AIR SCRUBBER AT THE FLINT RIDGE SEWER LIFT STATION.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Mr. Miller also presented quotes for the removal of five large trees at the Versailles Cemetery. He noted that he had contacted several companies and they either were not interested or they did not return his call. Council member Johnson asked if there are plans to replace the trees that are going to be removed. Mr. Miller responded that they had not discussed it or gotten that far in their process, but it is definitely something they can do. The quotes were as follows:

Bailey & Sons (Wilmore)	\$20,000.00
Estate Tree Service (Frankfort)	\$23,000.00
Lexington Tree Service (Lexington)	\$35,550.00

MOTION BY SIEGELMAN, SECONDED BY JOHNSON TO APPROVE AND ACCEPT THE QUOTE AS PRESENTED BY BAILEY & SONS IN THE AMOUNT OF \$20,000.00 FOR THE REMOVAL OF FIVE TREES AT VERSAILLES CEMETERY.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Mayor Traugott opened the discussion for the Fiscal Year 2023 Road Paving Projects to be paid using Municipal Aid Road Funds. He noted that the state legislature had recently changed the laws requiring a public hearing and it is no longer required. The City can now simply hold a discussion during an open meeting. He provided the following list of projects to be completed:

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Roads

**Fieldview Drive
Industry Road
Marsailles Road
Minary Avenue
Wilson Avenue
Highview**

Large Patches

**Morgan Street
Crabapple Road
Montgomery Avenue (3 separate areas)**

Mr. Miller stated that he and Dan Knight, Assistant Public Works Director, have driven several streets and roads throughout the city limits and rated each road on a grading scale. Council member Bradley requested to have Martin Luther King Jr. Blvd added to the roads to be completely paved due to several patches. Mr. Miller stated that he may have a solution to that, outside of the city repaving it, and that he would like to consider that before making a final decision. Mayor Traugott suggested they add it to the list and it can be removed at a later date if needed. He noted that streets can be removed after today but they cannot be added. There was no further comment from the public.

MOTION BY BRADLEY, SECONDED BY SIEGELMAN TO APPROVE THE FISCAL YEAR 2023 ROAD FUND PROJECT LIST AS PRESENTED, WITH THE ADDITION OF MARTIN LUTHER KING JR. BLVD, AND PROCEED WITH ADVERTISING FOR BIDS.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Mayor Traugott presented an Economic Development Consulting Agreement between MWM Consulting LLC and Woodford County, City of Versailles, and City of Midway for August 1, 2022 through July 31, 2024. He noted that there were a few changes, including an early termination provision for all parties in the contract and a slight increase in the compensation. Council member Johnson asked if each party's portion of the total compensation increased by the same percentage and Mayor Traugott responded that it did.

MOTION BY SIEGELMAN, SECONDED BY SMITHER TO APPROVE THE ECONOMIC DEVELOPMENT CONSULTING AGREEMENT BETWEEN MWM CONSULTING LLC AND WOODFORD COUNTY, CITY OF VERSAILLES, AND CITY OF MIDWAY FOR AUGUST 1, 2022 THROUGH JULY 31, 2024.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Mayor Traugott presented the Rose Ridge Neighborhood Grant application for the purchase, planting, mulching, and watering of 30 trees in a 6 acre flood plain area. He noted that he has been working with the Project Coordinator, Brittany Gavenonis, and with Assistant Public Works Director Dan Knight to insure that the correct trees are chosen as to not interfere with the primary purpose of the flood plain.

MOTION BY SIEGELMAN, SECONDED BY JOHNSON TO APPROVE THE NEIGHBORHOOD GRANT APPLICATION AS PRESENTED BY ROSE RIDGE NEIGHBORHOOD IN THE AMOUNT OF \$7,500.00 ON THE CONDITION OF IT BEING SIGNED OFF BY DAN KNIGHT, ASSISTANT PUBLIC WORKS DIRECTOR.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

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Mayor Traugott distributed a sample ordinance from the City of Carrollton as well as the Kentucky Revised Statutes related to the Landlord and Tenant Act. He noted that the Act can only be adopted as “all or nothing” but the City also has the option to create their own ordinance. Attorney Moore stated that if the City adopts the Act then it puts the enforcement in the hands of the court system – the landlord or tenant would have to bring a suit against the other. Mayor Traugott stated that the Act includes requirements for the landlord to meet basic standards and requires a tenant to notify the landlord if they will be gone for more than 7 days. Council member Kerkhoff recommended it be on the August Work Session agenda and everyone agreed.

Mayor Miscellaneous

Mayor Traugott stated that the final totals for the COVID Individual Assistance grants show that the City provided assistance totaling \$210,023.75.

He announced that Strengthening Transformations will be holding a Back to School event 2:00pm – 6:00pm on July 30th at the Woodford County Park.

On August 5, 2022 at 6:00pm there will be a Unity in the Community event also at the County Park.

Mayor Traugott explained that he has received several phone calls and messages regarding the high gas prices, especially here in Versailles and Woodford County. He stated that he had mailed a letter to the owners of all of the gas stations here in Versailles and asked for them to explain their pricing structure and how they determine what price to place on the gasoline and diesel fuel. He noted that he has no expectation of receiving a response but if he does, he will share that information.

Council Miscellaneous/ Committee Reports

Council member Siegelman praised the City and County for working together to acquire state funding for the Big Sink Sidewalk Project.

Council member Johnson stated that on August 30th at BSADD Committee will be holding a Downtown Stakeholders Summit. She invited everyone to attend including downtown owners, renters, citizens, and elected officials. The Summit will be 5:30pm – 7:30pm and discussions will include the challenges and plans for downtown.

Council member Smither noted that the Water and Sewer Committee met prior to tonight’s council meeting and recommended three adjustments.

MOTION BY KERKHOFF, SECONDED BY SMITHER TO APPROVE THE SOD ADJUSTMENT FOR 340 MORGAN STREET IN THE AMOUNT OF \$232.44.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

MOTION BY SIEGELMAN, SECONDED BY KERKHOFF TO APPROVE THE POOL ADJUSTMENT FOR 116 BRAMPTON PLACE IN THE AMOUNT OF \$333.64.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

MOTION BY KERKHOFF, SECONDED BY SMITHER TO APPROVE THE SEWER ADJUSTMENT FOR 120 SHERMAN’S CRESCENT IN THE AMOUNT OF \$387.40.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Department Directors

Mr. Miller stated that staff can approve adjustments, meeting certain criteria, up to \$300.00. Other adjustment requests must go before the Water and Sewer Committee.

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Drew Chandler, Director of Emergency Management, provided information regarding a recent FEMA grant application process that they have completed on behalf of the City for the Water Treatment Plant. If awarded, the total grant amount would be approximately \$3.6 million with the City's cost being roughly \$18,000.

Assistant Fire Chief Brandon Brown stated that they had received the final payment on the FEMA grant that they were awarded in the previous fiscal year. He also thanked the Mayor and Council for their support in budgeting repairs to Station 1 in the new bond issue.

MOTION BY SIEGELMAN, SECONDED BY SMITHER TO ENTER INTO EXECUTIVE SESSION PURSUANT TO KRS 61.810(1)(C) TO DISCUSS PROPOSED OR PENDING LITIGATION AGAINST OR ON BEHALF OF THE CITY OF VERSAILLES.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

Mayor Traugott did not enter into Executive Session with the Council and Attorney Moore.

MOTION BY SIEGELMAN, SECONDED BY BRADLEY TO RETURN FROM EXECUTIVE SESSION, TO THE REGULAR MEETING OF THE COUNCIL, WITH NO ACTION TAKEN.

The vote was as follows: Bradley, Johnson, Kerkhoff, Siegelman and Smither voting aye.

MOTION BY SIEGELMAN, SECONDED BY SMITHER TO APPROVE THE AGREED ORDER, AS PRESENTED, BETWEEN 2101, LLC AND THE VERSAILLES CITY COUNCIL, ET AL. IN RELATION TO CIVIL ACTION NO. 19-CI-00073.

Council member Johnson vehemently opposed the Agreed Order noting that the Executive Session was not listed on the agenda, the Council were not given copies of the proposed Agreed Order, and the City Attorney is absent tonight.

Mayor Traugott stated that the legal aspect of the Civil Action states that the Council did not act within 90 days. He noted that the Council passed a motion unanimously on February 19, 2019 (68 days) which denied the zone change request. Mayor Traugott stated that while the second part of the motion, rezoning a portion of the acreage, was determined unlawful, the first part of the motion denying the request stands.

Mayor Traugott went on to state that, the procedural issues and litigation aside, it is a terrible development that although complies with the comp plan is too dense for the city boundary. He noted that elected officials, by statute, never have a say in the comp plan. Mayor Traugott explained the role of Planning Commission is much different than that of the Council, with the Commission doing a lot of work to make sure the development meets all of the rules and plans. Mayor Traugott stated that he agrees the property is suited for development, but not for 520 multi-family units. He stressed that a development of that density will bring with it additional traffic lights on Lexington Road.

City Attorney Bill Moore joined the discussion by speakerphone at 6:32pm.

Council members Kerkhoff and Siegelman expressed concern regarding continued lawsuits. Mr. Moore noted that there is no guarantee of what the court will do, but the fear of a lawsuit should not affect the Council's decision.

Council member Siegelman agreed with the concern of additional traffic lights in the area, but noted that the buildout is proposed to be 10-15 years.

Council member Johnson stated that we can limit the density by not approving this Agreed Order.

Council member Smither noted that two traffic studies were done, and this development while not ideal, does address a need in the community.

The vote was as follows: Bradley, Kerkhoff, Siegelman and Smither voting aye. Council member Johnson voted nay.

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Mayor Traugott adjourned the meeting without objections.

APPROVED:

BRIAN TRAUGOTT, MAYOR

ATTEST:

ELIZABETH C. REYNOLDS, CITY CLERK