

The regular meeting of the Brandenburg City Council was held July 10, 2023 at the Meade County Fairgrounds Home & Garden Building.

PRESENT:

Bryan Claycomb, Mayor
Amy Haynes, City Clerk
Brian Haag, Police Chief
T.J. Hughes, Public Works Dir.
Jessica Brown Roberts, Atty
Tim Hendley, Sergeant

COUNCILMEMBERS

Charlotte Ford
Bruce Fackler
Mark Spry
Bill Basham
Bradley Johnston
Ginger Coomes

VISITORS: Oliver Barber, Christy Hill, Bruce Costantine, Bev Morrison, Beau Powers, April Powers, Yolanda Clark, Bryan Clark, D.Shacklette, Ronnie Creech, Whitney Fore, Chris Stith, Geraldine Stith, Margaret Benham, Sherry Cart, Steve Cart, Adam Cart, Jim Melton, Rex Tanner, Keith Smith, Jeffrey Shouldice, Lori Chism, David Chism, Quin Lynch, Mallory Lynch, Gene Webster – WVIH, Julia Youles – Meade Co. Messenger

YARD OF THE MONTH:

Yard of the Month for July 2023 was awarded to Rhonda Allen 106 Donna Drive. Ms. Brown was not present at the meeting, but the sign will be placed in her yard and a certificate mailed to her.

APPROVAL OF MINUTES:

A motion was made by Bill Basham, seconded by Charlotte Ford, to approve the minutes from the June 12th, 2023 regular monthly meeting. Vote of motion was unanimous.

PLANNING & ZONING:

Rezoning: Discussion regarding the rezoning request from R1 to R3 submitted by Bruce Costantine regarding his property on Hillcrest Drive. Mayor Claycomb pointed out that the Planning & Zoning Commission had recommended the rezoning at their hearing / meeting. The Mayor then noted to all that were present regarding this change that they would have the opportunity to state their names, addresses, and either yes or no as to whether they were in agreement with the change. The votes went as follows: Beau Powers – No, April Powers – No, Bryan Clark – No, Jeff Shouldice – No, D. Shacklette – No, Yolanda Clark – No, Rex Tanner – No, Steve Cart – No, Sherry Cart – No, Margaret Benham – No, Geraldine Stith – No, Chris Stith – No, Keith Smith – No, Adam Cart – No. The Mayor asked for a motion to approve the rezoning as suggested by the Planning & Zoning. No motion was made. Councilperson Johnston made a motion to reject the rezoning request, the motion was seconded by Councilperson Spry – a discussion was then opened by the Mayor. He started with the fact that it had been told that he perhaps had an interest in the property or was considered a partner, and he in fact had no interest in the property at any way. Mayor Claycomb stated that he would agree with the rezoning if it is indeed limited to duplexes and an adequate buffer zone was established. He then listed several locations in the City, included the street his home is located on, that had duplexes on the same street, or within sight. He doesn't think that duplexes have any negative effects on property values. He advised the council that he felt it was fair and equitable to approve the rezoning if it was indeed limited to duplexes only. Councilperson Johnston then asked that the Council be polled as to their vote on denying the rezoning. Amy Haynes, City Clerk polled the Council individually with the following results: Spry – Yes, Coomes –

Yes, Johnston – Yes, Basham – Yes, Fackler – Yes, and Ford – Yes. The request for rezoning was unanimously denied by the Council. The Council made the following findings of fact: that the map amendment was not in agreement with the adopted comprehensive plan, that the existing zoning classification given to the property was not inappropriate and that the proposed zoning classification was not appropriate, and that there have been no major changes of economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

Rezoning: Discussion regarding the rezoning request of Redhead LLC and B & M Development LLC to rezone their parcel of land along Bypass Road. It was noted that the Planning & Zoning Commission was recommending the rezoning from C2 & Ag, to all C2. Councilman Fackler asked if there was a commercial development plan for the property. Ronnie Creech from the P&Z Commission stated that until the land was completely cleared, there was no way to know the viability of the land. City Attorney Jessica Brown Roberts clarified that the first 10 acres of the property are already zoned Commercial, and they only want to match the zoning. Councilman Fackler stated that he feels like commercial development plans should be looked at prior to the rezoning. Mayor Claycomb noted that the developers do not have to tell us what will be on the property, but will have to submit a commercial development before any building permits are issued. He said this is how the P&Z Commission can ensure that the development is suitable for the property. Per the P&Z Administrator Lee Klockow, most people when presenting a zoning change do not have an official plan in place for the exact development, but the need for the plan is enforced once the zoning is changed. P & Z commission member Creech stated that had the front portion not have already been C2, a development plan would have been asked for before the vote. Mayor Claycomb pointed out that the standard is already set with other businesses and commercial properties along the Bypass. Concerned citizen, Bev Morrison, stated that she would vote No as an adjoining property owner to the property in question. Ordinance 617 was then read aloud by City Attorney Jessica Roberts. The second reading will take place at the August meeting. A motion was made by Ginger Coomes, seconded by Bruce Fackler to approve the first reading of the ordinance. Vote of motion was unanimous.

Ordinance #618:

Attorney Roberts read aloud for the first reading a summary of the ordinance adopting or amending City streets. A motion was made by Bruce Fackler, seconded by Mark Spry, to approve the first reading. Vote of motion was unanimous. A discussion was opened regarding the City street Oaklawn by Councilman Fackler, stating that there was also an Oaklawn in the County street system. The Mayor informed that Bethany Carr would communicate with the County's mapping department to look into the matter.

RESOLUTION 2023-06:

Resolution 2023-06 was read aloud by City Clerk Amy Haynes. A motion was made by Mark Spry, seconded by Bruce Fackler, to approve the resolution. Vote of motion was unanimous.

TRANSFERS:

A motion was made by Bradley Johnston, seconded by Bruce Fackler, to approve the monthly transfers as read. Vote of motion was unanimous.

OFFICE REPORT:

City Clerk Amy Haynes presented the monthly office report for June 2023.

POLICE REPORT:

Chief Haag reviewed the monthly reports for the Police Department and Citizens on Patrol. He also mentioned that the surplus auction had begun online with Barr Realty and would be over on July 18th at 6:00pm. It was then distributed to the Council that 3 more items had been added which needed to be deemed surplus property. An air compressor, a t-mag mini truck, and an 88 diesel truck. A motion was made by Bill Basham, seconded by Charlotte Ford, to deem the additional items surplus. Vote of motion was unanimous.

Chief Haag then updated the Council that the Shield 616 campaign was going very well and would result in funds to purchase rifle-rated vests for all officers.

Next, the subject of speed limits in neighborhoods was discussed. Chief Haag stated that he was working with the Mayor to get some consistency with speed limits in different neighborhoods according to the needs. The Mayor suggested to the Council that they drive through the subdivisions and note their opinions of speed limits and safety throughout the City.

Finally, Chief Haag asked the Council for support as he starts to explore the possibility of a canine unit in his department. He stated that he would be looking into grants and funding opportunities. He stated it would not require an additional officer to be hired, as the canine would be assigned to an existing officer. Bill Basham stated that he would like to go on record as supporting this cause. Bruce Fackler noted that he would like to know cost to the City. Haag approximated \$10,000.00. The Council was in agreement that the Chief proceed with gathering facts.

WATER/SEWER DEPARTMENT:

Public Works Director TJ Hughes read aloud his report for June 2023. He mentioned that we were still gathering facts on a possible splash pad, and that the new one in Vine Grove averages a daily usage of 58,000 gallons a day. Mayor Claycomb noted that Amy and TJ would continue to do research on the subject.

WWTP Update: TJ noted that we are in compliance now on the influent and effluent at the new sewer plant. Mayor Claycomb updated that we are still in talks with the contractor regarding the outstanding invoice discrepancy for the sludge removal. TJ also stated that there were some communication errors between the control panel and the device receiving the signal that was being ironed out, as well as multiple water leaks which GRW has informed the contractor should bring up to the bid specifications.

Water Plant Update: TJ informed the Council that the Herrick group had mobilized on the meeting date, July 10, and they plan to have the filters and contact tank removed by next week.

BUSINESS LICENSE:

Flaherty Chevrolet

Address: Meade County Fairgrounds

Type of Business: Off-site Display

Applicant: Travis Flaherty

A motion was made by Bill Basham, seconded by Bruce Fackler, to approve the off-site display license for Flaherty Chevrolet. Vote of motion was unanimous.

Ray's Ford

Address: Meade County Fairgrounds

Type of Business: Off-site Display

Applicant: Ray Cottrell, Jr.

A motion was made by Bruce Fackler, seconded by Charlotte Ford, to approve the off-site display license for Ray's Ford. Vote of motion was unanimous.

Doggz & More

Address: Inside City Limits
Type of Business: Food Truck
Applicant: William Keen Jr.

A motion was made by Mark Spry, seconded by Bruce Fackler, to approve the business license for Doggz & More. Vote of motion was unanimous.

Jack's Wings

Address: Inside City Limits
Type of Business: Food Truck
Applicant: Melissa Jackson

A motion was made by Bill Basham, seconded by Bruce Fackler, to approve the business license for Jack's Wings. Vote of motion was unanimous.

OTHER BUSINESS:

Councilperson Spry asked if the downtown sidewalk was complete. Mayor Claycomb informed there were a few cosmetic issues to be looked into, as well as handrails, and water drainage issues. He also noted that the next project for the sidewalk would be looking into the possibility of solar lighting. Councilman Spry then asked that the trees be looked at around the Gazebo in the park where poison ivy roots were growing.

Councilman Basham wanted to thank all of the City employees for a job well done.

A motion was made by Bill Basham, seconded by Bradley Johnston, to adjourn the regular monthly meeting. Vote of motion was unanimous.

Bryan Claycomb, Mayor

Amy Haynes, City Clerk/ Treasurer