

The regular meeting of the Brandenburg City Council was held November 13, 2023 at Brandenburg City Hall.

PRESENT:

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

COUNCILMEMBERS

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

VISITORS: Gene Webster-WVIH, Rodney Ford, Matt Sibole, James McAdams, David Pace, Thomas Owen, Rylan tomes Benjamin Holtzclaw

PLEDGE OF ALLEGIANCE & PRAYER:

The meeting was called to order @ 7:00pm and opened with the Pledge of Allegiance and a prayer led by Bruce Fackler, followed by a roll call by City Clerk Amy Haynes.

APPROVAL OF MINUTES:

A motion was made by Bill Basham, seconded by Bradley Johnston, to approve the minutes from the October 9, 2023 meeting. Vote of motion was unanimous.

BUSINESS LICENSES:

Owen Trucking

Address: 1040 Bypass Road
Type of Business: Shipping Container Sales
Applicant: Thomas E. Owen

A motion was made by Bill Basham seconded by Charlotte Ford, to approve the business license for Owen Trucking. Vote of motion was unanimous.

BRIDGEPOINT PLAZA ROAD UPDATE:

The original Resolution (2023-05) which was read previously needed to be re-addressed with the new Resolution overriding the original. This change is due to changes in mapping, road names, etc... The Mayor read aloud a letter by Tim Smith, City Engineer, verifying that he believed all finishing work on the roadways appears to comply with City standards. The Council reviewed the plat, and Councilperson Fackler addressed TJ Hughes, Public Works Director, to verify that he had also reviewed the work and plans. Mr. Hughes stated that to his knowledge the streets do meet the City's requirements. The Mayor then pointed out that some clarification was needed on the limits, and stated that David Pace, Ind. Auth., would address those. Mr. Pace stated that all holes have been repaired, and that any new issues were resolved after the initial paving. Mayor Claycomb then thanked all involved in the process. A motion was made by Bradley Johnston, seconded by Bruce Fackler, to approve the reading of the amended Resolution 2023-05. Vote of motion was unanimous.

Mr. pace then directed the Council to review the actual length of the roadway near the FastPace Urgent Care entrance. His suggestion that going beyond the original easement listed, to include the FastPace entrance would be beneficial to the City, as it is already up to the City's specifications. The request

would be that the City Council also approve taking in the additional road surface footage, and that it would just be a continuation of Hartlage Way. City Attorney Jessica Brown Roberts then noted that should the Council agree, the Resolution would again have to be amended.

A motion was made by Bill Basham, seconded by Mark Spry, to accept the additional footage. Vote of motion was unanimous.

NEWCOMB OIL SEWER LINE EXTENSION PROJECT:

Mayor Claycomb gave a brief description of the scope of the project to extend sewer service to the Newcomb Oil project now that the proposed site has been annexed. It was noted that in the December meeting it will be addressed as to Newcomb Oil paying for the project for the extension to handle both the waste of his business, as well as that of the businesses of Mike Jones. The Mayor suggests that we look into resizing the line to increase it to at least a 4 or 6 inch sewer line at the City's expense. He feels that this will allow for future growth, rather than limiting what the line can handle down the road. He noted that Smith Eng. Is working on the project with Newcomb Oil and hopes to have figures/estimates at the December meeting. Mayor Claycomb, and previous Mayor Ronnie Joyner, want to honor the original agreement with Newcomb Oil, but allow for future growth.

MEAL PROGRAM AT MEADE COUNTY SENIOR CITIZENS CENTER:

The Mayor gave an update on the meal program. He stated that on the first date 60 meals were served, and the second date yielded a crowd of 80. He reminded the Council that this happened in part due to the commitment of the City Council to get the program back on track. He stated that there are small bumps to still be figured out, but the program is already considered to be a potential success. He wanted to thank Bill Basham for working both for the City Council, and as a board member of the Center, to get the program going. Claycomb then explained that the meals are prepared off-site and brought here at the appropriate temperature to be served. The Mayor then thanked also the Judge Executive Troy Kok and the Meade County Magistrates. He stated that in the next phase they hope to have vans in order to help transport those who cannot make it into the Center for the hot meals.

TRANSFERS:

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

INTERLOCAL AGREEMENT / MEADE COUNTY RECYCLE CENTER:

A brief description was given by City Attorney Roberts stating that it was mostly just a "housekeeping" measure on the County's part. It clarifies that residents have the availability to utilize the center without cost. A motion was made by Bill Basham, seconded by Ginger Coomes, to approve the interlocal agreement. Vote of motion was unanimous.

RESOLUTION 2023-07 / WWTP SCADA:

The resolution was read aloud by City Clerk Amy Haynes. A motion was made by Bruce Fackler, seconded by Bradley Johnston, to approve the resolution. The Mayor then discussed with the Council the need for these resolutions for grants, as well as the use of SCADA, which is the technology needed to run the plant. Councilperson Spry then asked why Lincoln Trail ADD District was handling/ helping with these grants, when the City had agreed to pay a portion of a grant writer salary in conjunction with the County. The Mayor explained that the grant writer in the courthouse was for all future grant applications. After the discussion, vote of motion was unanimous.

RESOLUTION 2023-08 / WATER PLANT UPGRADE GRANT:

At the advice of City Attorney Roberts, City Clerk Amy Haynes did not read the entire resolution, just noted that the only changes was this grant is for the water plant upgrade as opposed to the WWTP. A motion was made by Mark Spry, seconded by Bill Basham to approve Resolution 2023-08. Vote of motion was unanimous.

ORDINANCE #622 – TIM JACKSON REZONING:

The ordinance was read aloud by City Attorney Roberts. A motion was made by Bradley Johnston, seconded by Charlotte Ford, to approve the rezoning. Councilman Fackler then asked whether the City still had any existing I2 areas for industrial development. Industrial Authority Chairman David Pace said that yes there were still some small locations in the City. Mayor Claycomb then noted that he was in attendance at the P&Z meeting, and that the administrator, Lee Klockow, did not feel like this lot was an integral I2 plot. The council then voted Ford, Basham, Spry, Coomes, & Johnston for the rezoning, and Fackler voting against. The Ordinance was approved with the majority vote.

ORDINANCE #623 – WCM LAND, LLC REZONING:

The ordinance was read aloud by City Attorney Roberts. A motion was made by Coomes, seconded by Basham to approve the rezoning ordinance. A discussion was opened by the Mayor as he wanted to address that he had indeed changed the original agreement with WCM Land, LLC, in his opinion to be to the betterment of the City. He reiterated that traffic county is less than half at that end of the Bypass. He also noted that in the new Miller Woods subdivision not a single lot is zoned R1, but yet several single family homes are still being built. He stated that choosing the R2 zoning does not compromise the availability of single family home lots, but does not limit a developer to just single family homes and allows the possibility of townhomes, condos, etc... Claycomb said that he feels that the Planning and Zoning Commission did review the findings of fact and made their recommendation based on such. Councilman Fackler stated that in the original agreement, the Council agreed the money to extend the water and sewer lines under the assumption that there would be 30 R1 lots, and that is the real issue in his opinion. Mayor Claycomb stated that he used his authority to change the agreement for more opportunity for future growth. Councilman Fackler stated that he believes that the P&Z could not see that the findings (if they exist) were legitimate. Councilman Johnston asked if Mayor Claycomb had brought the contract changes to Chris McGehee, or vice versa. Mayor Claycomb stated that he brought it to McGehee based on future opportunities. City Attorney Roberts then informed the Council that they can come to their own findings and therefore go against the P&Z recommendation if they chose to do so. Mayor Claycomb stated that all of the adjoining property owners were notified and only 2 attended the meeting to voice their opinions. Councilman Johnston stated the he doesn't believe that the adjoining owners realize the impact of what could be put on the property. Matt Sibole, visitor, asked to address the Council on behalf of the property owner, Chris McGehee. He stated that Mr. McGehee opted for the rezoning changes. He also reiterated that the 2 previous property owners who attended did not have any comments after viewing the map. The reasoning for R2 & R3 is to allow for smaller lot sizes, giving more opportunities for buyers at cheaper lot prices, etc... similar to Doe Valley. The Council then voted in favor of the change, Ford, Basham, and Coomes, and against the change Fackler, Johnston, and Spry. The Mayor broke the tie by voting for the zoning change and the motion carried.

ORDINANCE #624 – ST. JOHNS REZONING:

The ordinance was read aloud by the City Attorney. A motion was made by Councilperson Coomes, seconded by Councilman Basham to approve the rezoning. A discussion was opened by Fackler asking if the rezoning was just for the convent building and it's lot, or the entire 19 acres of the plat. Mayor

Claycomb stated that he believed it was for the structure and lot only. The City Attorney agreed to look further into the plans and mapping before the next meeting. A motion was made by Bruce Fackler, seconded by Bill Basham, to table the Ordinance until the December meeting.

OFFICE REPORT:

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

POLICE REPORT:

The Chief reviewed the report for both the police department as well as the Citizens on Patrol for October. Sgt. Yocom then introduced 2 new candidates for the Citizens on Patrol – Rylan Tomes & Benjamin Holtzclaw. The Chief then stated that the current calls for service had shown a decline, but expected those to increase as the Holidays neared. He also noted that Halloween details were a success and that there were no incidents to report.

Chief Haag then reported that Walmart had approved a donation of \$1500.00 to the Shop with Heroes program, which will be filtered through the City for the program.

The next item addressed was the purchase of a new police vehicle which the department was looking to acquire. He stated that the vehicle order was originally placed prior to the Durango being delivered, but when the Durango arrived first, the department opted to go that route. He stated that now the Dodge Ram is in, and that due to mechanical or electrical issues with other vehicles in the fleet he would like to ask for approval to purchase the truck. He noted that the pricing would be \$39,885.00 for the vehicle, and \$9757.95 to upfit the truck. Mayor Claycomb admitted that he had contributed to the original confusion, as we thought that we had enough money allocated in debt service to allow for the purchase of the truck, and that it was approved at a previous meeting. City Clerk Haynes pointed out by reading an excerpt from the previous minutes, that this particular truck was not mentioned for purchase.

Councilman Spry asked for clarification as to which vehicles we still had in our fleet. Chief Haag provided a rundown. Mayor Claycomb then told the Council that the only option for purchasing the vehicle would be to use some of the remaining ARPA funds. After more discussion, a motion was made by Bill Basham, seconded by Charlotte Ford, to purchase the vehicle with ARPA funds. Council votes were as follows: for – Ford, Basham, Spry, Johnston, & Coomes. Councilman Fackler voted against. The motion carried.

WATER/SEWER DEPARTMENT:

Public Works Director TJ Hughes read aloud his report for October 2023. He noted that the water plant is due to be started up after Thanksgiving week, thru the first week of December. Councilman Fackler then asked TJ why his vehicle did not have a City of Brandenburg decal on the side. TJ stated that the Chief also did not have decals, and the Mayor spoke up and said that he was responsible for those decisions and did not see an issue with the truck being unmarked. Councilwoman Ford reminded TJ again to remind his guys to wear the seatbelts. TJ assured her he would remind them again.

Councilman Johnston asked if a backwash pump was going to be required at the water plant, TJ informed him that no because the raw water line controls that.

Mayor Claycomb then discussed that after our June outage, it was brought to his attention that we did not have a backup plan in place in case of a catastrophic failure of our water system. He stated that he could bring details on a back up plan where the City would have access to water from other systems like the Meade County Water District. The Mayor stated that he feels that the City should definitely stay in the water business but this would be an answer in case of an emergency. He asked if the Council was interested in hearing other options at a cost of roughly \$200,000 which could be paid for with future grant money. Councilman Johnston stated that it comes back to opening a valve and he was against it. Mayor Claycomb stated he considers it to be a mutual aid agreement where both parties could

potentially benefit. Public Works Director TJ Hughes stated that in 24 years the City has only been out of water twice, and both times it was a main break, and for a very limited time. He doesn't believe that the City is the "sinking ship" that others, including the Water District would have us believe. Questions were then asked about the treatment with chloramines which would allow us to receive water in emergencies. It was noted that Brandenburg is not a surface water plant like all of the surrounding areas. Councilman Johnston stated that the City treats with chlorine, and chlorine and chloramines do not mix. He also stated that he believed the benefits of us changing to a more expensive treatment option will not directly benefit the City, but would more likely benefit Hardin County and Louisville Water companies.

Parks: Reminder that Christmas by the River opening day is on November 25th from 2:00pm-6:00pm, and that the campground will be closing on November 30, 2023.

Streetlights: Mayor Claycomb noted that streetlights were in the process of being repaired or replaced on Lawrence Street that were missing or not working.

Streets: Councilman Fackler asked when Main Street was going to be paved. The Mayor stated that the plan was the following week.

OTHER BUSINESS:

One Time Salary Adjustments were discussed. A motion was made by Bruce Fackler, seconded by Bradley Johnston, to keep the same adjustments as last year, which were \$1000 for full-time, \$500 for part-time, and \$200 for Citizens on Patrol members. Vote of motion was unanimous.

The Council was reminded that the annual City Christmas dinner would be held on December 5th at 6:00pm. And the Mayor wanted to congratulate Shannon and all of the City workers for their hard work on the upcoming Christmas by the River festivities and drive thru.

It was noted that all council members had received the resignation letter of Mayor Bryan Claycomb effective December 31, 2023. Councilperson Coomes asked if when the voting for the replacement of the Mayor came about, would the voting be held in closed session or open meeting? It was explained that all voting or action taken by the Council had to be done in the open meeting. City Attorney Roberts explained that at the December meeting the Council could go ahead and make their appointment of the replacement to be effective upon the resignation date, and that it could be done either in that meeting in December, or at a special called meeting of the Council. All the Councilmembers agreed that the appointment of the new Mayor should be placed on the agenda for the regular December meeting.

A motion was then made by Bill Basham, seconded by Mark Spry, to adjourn the meeting. Vote of motion was unanimous.

Bryan Claycomb, Mayor

Amy Haynes, City Clerk/ Treasurer