

**City of Crittenden**  
**City Council Meeting**  
**May 10th, 2022 @ 7pm**  
**Meeting Minutes**

**Call to Order** - Mayor Purcell

**Pledge of Allegiance to the U.S flag**

**Invocation**

**Welcome Guest**

Attendees:	
Mayor Jim Purcell	Councilperson Joe Dusing
Councilperson: Bobby Tanner	Councilperson: Bobby Newman
Councilperson: Michelle Bohman	Councilperson Greg Livingood
City Clerk / Treasurer Shawn McHolland	Guest: Sheriff Brian Maines
Guest: Chief Lee Burton	Guest: Michelle Tanner
Absent	
Councilperson Jennifer Thurman-Humphrey (Called Into Meeting)	

**Agenda** - Approval, subject to additions or deletions.

- Old Business:
  - None
- New Business:
  - CMZ Recognizing Students - Bohman

May 10th, 2022 Agenda Approval	
Motion: Councilperson Livingood	Second: Councilperson: Bohman
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

**Minutes:** To be Approved

- M-4-26-22 – April 26th, 2022

Corrections / Additions:

- None

<b>Meeting Minutes 4/26/22 Approval</b>	
Motion: Councilperson Livingood	Seconded: Councilperson Bohman
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

**Treasurers Report** - April 2022 to be approved.

Discussion:

- Bohman: Did property tax revenue exceed the amended budget amounts?
  - McHolland: Yes, in certain categories (Revenue - Sheet 2):
    - Real Estate taxes: No, not at this point
    - Motor Vehicle & Franchise Taxes: Yes, both categories have exceeded the amended budget amounts.

<b>April 2022 Treasurer's Report Approval</b>	
Motion: Councilperson Bohman	Seconded: Councilperson Newman
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

**Order of New Business:**

1. Law Enforcement Report
  - a. Report was provided to all Council members prior to the meeting.
  - b. No questions were brought to the floor for Sheriff Maines.
2. Fire Department Report
  - a. Report was provided to all Council members prior to the meeting.
  - b. Bohman: Opioid overdoses rose / nearly doubled.
  - c. Livingood: Monthly runs reduced greatly in April.
    - i. Fire Chief Burton: Yes, April was a very wet (rain fall) month.
3. Municipal Road Aid Cooperative Program Agreement / Resolution – Purcell / McHolland
  - a. Purcell introduced and read the Resolution

<b>Approval To Enter Into The Municipal Road Aid Cooperative Program – FY22-23</b>	
Motion: Councilperson Newman	Seconded: Councilperson Dusing
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

- b. Clerk / Treasurer McHolland will submit the approved Resolution to the Commonwealth of Kentucky on Wednesday, May 11<sup>th</sup>, 2022.
4. Noise Ordinance – Humphrey
- a. Purcell: Mrs. Humphrey wanted us to look at Dry Ridge’s noise ordinance.
    - i. A noise ordinance has to be enforced by a decibel level. The City of Crittenden does not have the proper equipment.
    - ii. Does the Sheriff’s department have the equipment?
      - 1. Sheriff Maines: No, Grant County does not have this technology.
    - iii. I cannot speak for the county attorney and his opinion on the matter.
  - b. Maines: The existing Grant County noise ordinance does work for other enterprises within the county; Moon Bird and the Fairgrounds. Both locations cut off operations / noise at the appropriate time each evening.
  - c. Purcell: We do have a nuisance law, but it is difficult to enforce.
  - d. Humphrey: The City of Crittenden must contain the level of noise.
  - e. Livingood: What is the response from the Sheriff’s dept?
    - i. Maines: We normally give them July 4<sup>th</sup> holiday – weekend before and weekend after. If it is getting too late, then we shut it down.
  - f. Maines: Hispanic Family Outing / Dance in the City of Crittenden takes place every couple of weeks at the Dalton Plaza location.
  - g. Burton: Do we have a curfew in the City of Crittenden?
    - i. Purcell: Yes, we do have a curfew.
  - h. Maines: Boone County has a timing / curfew for the Speedway to shutdown at a certain time.
  - i. Humphrey: The events at Dalton Plaza can go until 1:30 to 2:00am in the morning.
  - j. Burton: First step we should follow the 911 call process and allow the Sheriff’s dept to contain the issue.
  - k. Bohman: Should we talk to the business owner of the property?
  - l. Humphrey: Roger Humphrey (Magistrate) called the owner about the issue. No resolution came from this conversation.
  - m. Purcell: Sheriff Maines, please obtain this noise ordinance and send it to us for review.
    - i. Maines: I will deliver the ordinance to the Mayor for review.
5. Post Office Dock – Purcell
- a. I talked to the employees at the Post Office and the issue.
  - b. We are researching the issue. The Mayor is trying to talk with the former post master.
  - c. We are talking with the contractors that have exclusive contracts with the USPS.
  - d. Dusing: When I looked at the situation it looked like an accident and was hit by a truck.
  - e. Purcell: We will keep the Council informed of any updates to this matter.
6. Report on Capacity of Grant County Sanitary & Sewer District – Humphrey
- a. Bohman: Sewer capacity is a concern. The overall capacity was reported at the ~ 80% level. Expansion is needed to cover our current requirements not to mention our growth needs.
    - i. A meeting was held on May 5<sup>th</sup>, 2022. The meeting included the City of Crittenden and Grant County Fiscal Court members:
      - 1. City of Crittenden:
        - a. Mayor Purcell
        - b. Councilperson Humphrey
        - c. Councilperson Bohman

2. Grant County Fiscal Court:
    - a. Magistrate Roger Humphrey
    - b. Executive Judge Chuck Dills
    - c. County Attorney Stephen Bates
  - ii. Grant County Sanitary and Sewer requires a \$1.4 million investment to increase the holding capacity. This investment would lower containment level to approximately 60%.
  - iii. The Sanitary & Sewer District is run by the board. Grant County Fiscal Court controls the board nominations.
  - iv. Can the Sanitary & Sewer District be moved back to the City of Crittenden? This would allow the City of Crittenden to invest in the district and expand / maintain a vital piece of infrastructure that is necessary to not only maintain the system, but allow growth – commercial / industrial / residential.
  - v. PSC (Public Service Commission) must approve rate increases for any district not controlled by a municipality.
  - vi. The Sanitary & Sewer district can only over build 10% capacity.
  - vii. Can we use ARPA funds? About 10% of the sewer district is outside the city limits. We cannot use funds per Mayor Purcell.
  - viii. Grant County Judge Executive Chuck Dills will contact PSC to request a waiver of PSC oversight.
  - ix. Purcell: Judge Executive Dills will report back to the City of Crittenden within 7 days. The City of Crittenden will receive feedback by May 13<sup>th</sup>, 2022.
  - x. Livingood: How would this affect the City of Crittenden?
    1. Purcell: Day to day activities would not change. The City of Crittenden just wants to ensure we can maintain our existing infrastructure as well as increase our capacity for future growth and development.
  - xi. Dusing: Did the group discuss a possibility of a large industrial company installing a package plant for its standalone business?
    1. Purcell: This topic was not discussed in the meeting.
  - xii. Purcell: Decision makers should talk to Crittenden Mt. Zion (CMZ) Elementary about the foul smell / stench the plant has created from the plant for years.
  - xiii. Purcell: I had a previous conversation with Executive Judge Dills, where he mentioned to me, if you want the Sanitary & Sewer District, then the City of Crittenden can have it. This action was not offered in the meeting that took place on May 5<sup>th</sup>, 2022.
  - xiv. The City Council will be updated once the Mayor receives feedback from Grant County Fiscal Court.
7. Doyle Cain: Requesting approval from City Council to amend the A1 zoning to included short term rental properties (Airbnb and VRBO as examples).
    - a. Mr. Cain lives on Lebanon Road and has an Airbnb on his property. He just sold the house / property. He has the land adjacent to the 491 Corporation LLC – 1.5 acres. I want to build another AirBnB on the open lot, but I need City Council permission. Current zoning is A1.
    - b. Size of the property will be under 2500 SF.
    - c. City Council questions:
      - i. Dusing: This same type of question came up a couple of years ago – Shady Lane.
      - ii. Newman: The current house is a very nice place. We should help this resident.
      - iii. Purcell: We need a uniform zoning plan in place for the City of Crittenden.

1. Spot Zoning is the issue at hand. We cannot approve spot zoning. The comprehensive plan is still not complete.
- iv. Newman: I believe we should take care of this long-term resident.
- v. Dusing: The adjacent property is going to Highway Commercial from A1 – what happens if a company like Amazon is coming next door?
- vi. Bohman: We as a council need to correct our current zoning to the comprehensive plan.
- vii. Motion: To Amend the planning / zoning ordinance to allow A1 zoning to include Airbnb's

<b>Approval To Amend A1 Zoning To Include Short Term Rentals</b>	
Motion: Councilperson Newman	Seconded: Councilperson Bohman
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

### **Order of Old Business:**

1. Oakwood Drive Project:
  - a. Bid Analysis / Discussion – Purcell
  - b. Purcell – Status:
    - i. The City of Crittenden reached out to Eaton Asphalt & Lonkard Construction.
    - ii. Both companies rejected the opportunity to adjust / lower their bids to fit into the city budget.
    - iii. The Non-award letter was sent to both contractors.
    - iv. A new contractor / bidder: Must be prequalified with the State of Kentucky
    - v. One new bidder provided cost breakdown for the city council.
    - vi. LPA – The City of Crittenden will report it on a weekly / monthly basis. The city will not hold the docs for 5 years.

<b>Approval To Proceed With A New Bid From Kyle Beach</b>	
Motion: Councilperson Newman	Seconded: Councilperson Dusing
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

- c. Discussion:
      - i. Dusing: we just need to ensure District 6 will approve the contractor.
      - ii. Purcell: I will be calling Robert Yeager to discuss the approval of this contractor.
      - iii. Bohman: Concerned about the L.F. cost for the 12" storm sewer pipe is much lower than the other 2 bids. Mayor Purcell will follow up w/ the contractor.
2. RFP for Snow / De-ice Coverage for the City of Crittenden – Purcell
  - a. Purcell: Is the Council ok w/ the RFP how it is written?

- i. Council: No concerns were provided.
  - b. Pre-bid meeting will take place on Thursday, May 19<sup>th</sup>, 2022 at 10am.
    - i. Council is invited to attend. Must have 3 or less attendees from council.
    - ii. Bohman may be able to attend. Mrs. Bohman has experience is snow removal contracts – private sector.
3. 34 Pinhook Place Project Estimate – Purcell
- a. Mayor Purcell provided the history of the issue.
  - b. The city must fix the line from the street to the connection on the private property.

<b>Approval To Proceed With The 34 Pinhook Place Storm Water Project</b>	
Motion: Councilperson Bohman	Seconded: Councilperson Newman
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes
Motion carried	

- c. Clerk / Treasurer McHolland will send a notice to proceed letter to Eric Walters Services on May 11<sup>th</sup>, 2022.
4. City of Crittenden Zoning Update – Dusing
- a. Dusing: The MoU for Main / Violet and Case 25 LLC will be heard at the P&Z meeting on May 12<sup>th</sup> @ 7pm.
    - i. Also working on the 491 LLC zoning change from A1 to Highway Commercial is in the works with the city attorney.
5. CMZ recognizing students:
- a. The recognition proceedings will be conducted on June 14<sup>th</sup> at 6:30pm at the city building.
  - b. David Bortin is the family resource coordinator in charge of the event.
  - c. Invitation to all Council Members & Mayor.
6. City Council chose to cancel the meeting scheduled for May 24<sup>th</sup>, 2022.
- a. Motion to cancel the City Council meeting for May 24<sup>th</sup>, 2022 – Bohman
  - b. Seconded – Newman
  - c. All 5 Councilpersons voted yes.

**Adjournment of meeting**

<b>Motion To Adjournment</b>	
Motion: Councilperson Livingood	Seconded: Councilperson Tanner
Roll Call	
Councilperson Bohman: Yes	Councilperson Thurman-Humphrey: Absent
Councilperson Dusing: Yes	Councilperson Tanner: Yes
Councilperson Newman: Yes	Councilperson Livingood: Yes

**Next City Council Meeting June 14th, 2022 @ 7pm**

**Respectfully, Mayor Purcell**

**Minutes created and distributed for approval by City Clerk / Treasurer: Shawn McHolland**