



**Tuesday December 6, 2022
Regular City Council Meeting Minutes
Oak Grove Council Chambers**

The Oak Grove City Council met in Regular Session on December 6, 2022, at 6:00 p.m. The meeting was held in the Oak Grove Council Chambers located at 8505 Pembroke Oak Grove Road Oak Grove, Kentucky. Present for the meeting were: Mayor Theresa Jarvis, Council Member Janet Edwards, Council Member Isaiah Spencer, Council Member Jean Leavell, Council Member Tim Johnson, Council Member Jackie Oliver, and Council Member Edward Cook. Also present for the meeting was City Attorney Mark Gilbert, Lt Richard McCormack, Public Works Director Martin Nuss, and City Clerk Lorelynn Fisher. There were approximately 17 individuals present for the meeting.

Mayor Theresa Jarvis called the meeting to order at 6:00pm.

OPENING CEREMONIES

Pastor Austin Weist led those present in the Invocation and Pledge of Allegiance

ROLL CALL OF ATTENDANCE

Council Member Janet Edwards, Council Member Isaiah Spencer, Council Member Jean Leavell, Council Member Tim Johnson, Council Member Jackie Oliver, and Council Member Edward Cook were in attendance. A quorum of the city council was present.

REVIEW OF MINUTES

Mayor Jarvis asked City Council to make a motion to approve the minutes from the regular council meeting on November 1, 2022. Council Member Jean Leavell moved to approve the minutes. Council Member Tim Johnson seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

Mayor Jarvis asked City Council to make a motion to approve the minutes from the special council meeting on November 3, 2022. Council Member Isaiah Spencer made a motion to approve the minutes. Council Member Edward Cook seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

APPROVAL OF MEETING AGENDA

Council Member Jean Leavell made a motion to approve the agenda. Council Member Isaiah Spencer seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

OPEN FORUM

Richard Lestienne spoke before Council regarding the casino and bonding. As a resident and taxpayer, he does not believe the bonding would be in the city's best interest fiscally. If the city is considering bonding the casino, he believes it would be more fiscally responsible to renegotiate to have an annual reassessment of their taxable value and what that payment would have been and get the city a payment in lieu of taxes equal to that assessment. Mr. Lestienne also spoke before Council regarding unaddressed complaints. He stated he has filed several complaints and has never received a follow up. He would like to see more accountability from the city.

Bogertey and Andy presented an award to the City of Oak Grove/Martin Nuss for allowing the Screaming Eagles football team to utilize Wades Way Park. They thanked several departments for their cooperation.

Joe Belew spoke before council regarding electrical permits. He stated the city is now requiring proof of ownership before an electrical permit will be permitted. He does not understand why this is being done. Alex Velazquez spoke before council asking them to consider modifying the Animal Control Ordinance to allow roosters.

CONSENT CALENDAR

N/A

REPORTS OF OFFICERS AND COMMITTEES

Mayor Jarvis congratulated everyone that won in the election. She is proud for all the work that has been done the last four years. Mayor Jarvis stated she will still be around as a resident as she has a lot invested into this city.

UNFINISHED BUSINESS

2022-XX Proposed Ordinance by the City of Oak Grove, Kentucky approving the rezoning of a parcel totaling 9.99 acres (+or-) in the City of Oak Grove, Kentucky and amending the current zoning map Ordinance No. 2021-11. The property is located on the Pembroke-Oak Grove Road (KY 115) approximately 1,600 feet south of Thompsonville Lane (KY 911) and Hugh Hunter Road. The applicant is requesting that the property be zoned R-3 (Multi-Family Residential) District-2nd reading: Council Member Janet Edwards asked City Attorney Mark Gilbert to read the ordinance. Council Member Janet Edwards made a motion to approve the ordinance. Council Member Jean Leavell seconded the motion. Discussion was held. Roll call vote was as follows: Council Member Edward Cook-yes; Council Member Jean Leavell-yes; Council Member Tim Johnson-no; Council Member Jackie Oliver-yes; Council Member Isaiah Spencer-yes; Council Member Janet Edwards-no. Motion passed with 4 in favor and 2 opposed.

NEW BUSINESS

2022-XX An Ordinance by the City of Oak Grove, Kentucky repealing Ordinances 2001-18, 2020-05, 2021-04, 2021-05 and providing for the control of animals within the City of Oak Grove for protection of the public and the animals therein and providing penalties for the violations of the provisions set forth-1st reading: Discussion was held. Council Member Janet Edwards asked City Attorney Mark Gilbert to read a summary of this ordinance. Council Member Janet Edwards made a motion to accept this ordinance. Council Member Tim Johnson seconded the motion. Discussion was held. Roll call vote was as follows: Council Member Jackie Oliver-yes; Council Member Isaiah Spencer-yes; Council Member Jean Leavell-no; Council Member Janet Edwards-yes; Council Member Edward Cook-yes; Council Member Tim Johnson-yes. Motion passed with 5 in favor and 1 opposed.

LEGISLATIVE BODY MEMBER COMMENTS

Council Member Tim Johnson let John Campbell and Richard Baker know that if they need any assistance or help while on Council, he would be more than glad to help them.

Resignation of J. Hurst and statement that was provided to council for possible investigation: Council Member Edward Cook stated that a couple people have asked Mr. Hurst not to resign at this time. Council Member Edward Cook stated that he is concerned about some matters from a statement Chairman of the Ethics Board James Hurst put out. He believes the statement should be investigated independently to see if there are any violations. Chairman of Ethics James Hurst spoke before council and apologized to council for making statements regarding ethics on Facebook. Mr. Hurst stated he was extremely irritated because he has been hearing from citizens how the Ethics Board has been dropping the ball. Mr. Hurst informed council that at this time, he will not be tendering his resignation. Mr. Hurst stated that the board's hand was tied when they had several issues getting meeting scheduled for ethics. Mr. Hurst informed council that the Ethic's Board had previously requested alternates. Mayor Jarvis informed him that the Ethics Board currently has an alternate. Mr. Hurst stated that he requested help with the annual report the board is responsible for, and the other two members did not want to do it, so he reached out to the Ethic's Attorney Mr. Willen. Mayor Jarvis requested that Mr. Hurst attend the executive session.

Council Member Edward Cook spoke about solar farms. He stated that Hopkinsville and the County has created ordinances for solar farms and asked City Clerk Lorelynn Fisher to send council a copy of their ordinances. He believes the Zoning Committee should discuss this.

Failed service attempts by local law enforcement to serve paperwork on two recent lawsuits: Council Member Edward Cook asked if the city had special protocol regarding the acceptance of served documents. Mayor Jarvis responded by saying that if the city was served by someone serving papers at City Hall during office hours, anyone can accept it. She is not sure what the two failed attempts were, as they city has never denied acceptance.

EXECUTIVE SESSION

Informing Council of pending litigation-Enter Executive Session pursuant to KRS 61.810(1)(c) Discussion of proposed or pending litigation against or on behalf of the public agency: Council Member Janet Edwards made a motion to go into Executive Session per KRS 61.810(1)(c) to discuss proposed or pending litigation and personnel issues. City Attorney Mark Gilbert stated that to be more specific, it should say this specific section are in additions to pending litigation actions that affect personnel either through hiring, discipline, or termination and other things that are required to be kept confidential by other laws. Council Member Janet Edwards stated, "so moved". Council Member Jackie Oliver seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

Council Member Jean Leavell made a motion to return to open session. Council Member Jackie Oliver seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

No action was taken.

Council Member Jean Leavell made a motion to enter Executive Session pursuant to KRS 61.810(1)(b) land acquisition. Council Member Jackie Oliver seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

Council Member Jean Leavell made a motion to return to open session. Council Member Janet Edwards seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

No action was taken.

ANNOUNCEMENT

N/A

ADJOURNMENT

Council Member Janet Edwards made a motion to adjourn the meeting. Council Member Tim Johnson seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried. Meeting was adjourned at approximately 8:08pm.

APPROVED:

Theresa Jarvis, Mayor
City of Oak Grove

DATE

ATTEST:

Lorelynn Fisher, City Clerk
City of Oak Grove

DATE

DRAFT