



Tuesday November 1, 2022
Regular City Council Meeting Minutes
Oak Grove Council Chambers

The Oak Grove City Council met in Regular Session on November 1, 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, Police Chief Dennis Cunningham, Finance Director Bobbie Crawford, Public Works Director Martin Nuss, and City Clerk Lorelynn Fisher. There were approximately 15 individuals present for the meeting.

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

OPENING CEREMONIES

Pastor Dan Herbster 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 October 18, 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.

APPROVAL OF MEETING AGENDA

Automatically approved with no changes.

OPEN FORUM

There were no individuals that signed up to address council.

CONSENT CALENDAR

N/A

REPORTS OF OFFICERS AND COMMITTEES

Mayor Theresa Jarvis recognized city employee Jeff Davis for his 10 plus year of longevity to this city. She stated Mr. Davis is a hard worker and the city is lucky to have him.

Police Chief Dennis Cunningham presented a check in the amount of \$1,000.00 to the Christian County Animal Shelter for all their hard work and dedication.

Finance Director Bobbie Crawford handed out the September 2022 financials to all of council. Crawford also explained to council the "overpayment" to HWEA/Outlaw issue. Crawford stated "In an effort to dispel the continued accusations that the City of Oak Grove or the Oak Grove Utilities overpaid HWEA or Bobby Outlaw Disposal, I would like to explain how the billing, collections and remittance of sewer and trash service is recorded within the Edmunds software system. There are 2 accounts within the Edmunds system that hold the funds billed for sewer and trash. One account is called "Due to HWEA" and the other is called "Garbage Payable". Each time a billing cycle is calculated, the sewer total billed amount is added to the "Due to HWEA" account and the trash total billed amount is added to the "Garbage Payable" account. The entire balance in both of those accounts do not at any time belong to Oak Grove Utilities. A report is run in Edmunds twice a month, according to our agreements with HWEA and Outlaw Disposal/GFL Environmental that adds up how much we have actually collected from customers from previously billed amounts, and we issued checks to each vendor for the funds collected by the water department on their behalf. When those checks are issued, the total amounts payable to each vendor is reduced, meaning we owe them less of their money than we did before the check was issued. Then on the next billing date, we add the new billed amounts to those payables' accounts, which increases the amount of their money we owe them. At some point an additional box was checked in Edmunds when the collection report was run for both vendors. This additional box resulted in a small amount of additional payable funds being issued with each check to both vendors. These extra funds were mislabeled as overpayments, and this had led to the misconception that both HWEA and Bobby Outlaw needed to pay back those funds. Since the entire balance in both accounts belongs entirely to each vendor, it would not be right to ask them to pay back what is already their money. They didn't get overpaid, they got paid their own money earlier than our agreements require. The only time a payment by Oak Grove Utilities can be truly called an overpayment is if that payment amount was for more than the entire balance in each payable account. Since those balances have never been zeroed out, the City have never overpaid either HWEA or the trash vendor. This is why our yearly auditor and outside examiners have never reported a finding for this accusation. As accountants, they understand how payable accounts work and once they were shown that the payable balances were less than zero, they closed the examination or audit with no reportable findings on this matter."

UNFINISHED BUSINESS

2022-XX Proposed Ordinance by the City of Oak Grove, Kentucky Establishing a Day, Time, and Location for Regular Ethics Meetings 2nd reading: Council Member Janet Edwards asked City Attorney Mark Gilbert to read the ordinance. Council Member Jean Leavell moved to accept as read. Council Member Isaiah Spencer seconded the motion. No discussion was held. Roll call vote is as follows: Council Member Jackie Oliver-yes; Council Member Isaiah Spencer-yes; Council Member Janet Edwards-yes; Council Member Tim Johnson-yes; Council Member Jean Leavell-yes; Council Member Edward Cook-yes. The motion carried.

2022-XX Proposed Ordinance by the City of Oak Grove, Kentucky Amending Ordinance 2022-08 Establishing a classification and compensation plan for city employees-2nd reading: The ordinance was not read aloud. Council Member Janet Edwards made a motion to table this indefinitely. Council Member Isaiah Spencer seconded the motion. Council Member Jackie Oliver asked why. Council Member Janet Edwards responded that after reviewing it she found a lot of errors council should go back and correct. Council Member Edwards stated that the one of the biggest errors was that a police officer (not a sergeant, detective, or investigator) who will lose \$7,000.00 and council needs to reexamine the step program for Police Department as there are inconsistencies with that as well.

Council Member Oliver stated she does not want anyone losing any money but when the step program was done for the Police Department, she asked why it wasn't being done for everyone. It was said it was a trial with the Police Department. Council Member Oliver asked since the Police Department was segregated the first time why are they being brought in on it now. Council Member Edwards responded saying the classification on the step versus the number amounts they can make do not coincide. More discussion was held. Roll call vote is as follows: Council Member Tim Johnson-yes; Council Member Edward Cook-no; Council Member Janet Edwards-yes; Council Member Jackie Oliver-no; Council Member Jean Leavell-yes; Council Member Isaiah Spencer-yes. The motion carried.

NEW 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 Pembroke Oak Grove Rd (KY 115) approximately 1,600.00 feet south of Thompsonville Lane (KY 911) and Hugh Hunter Rd. The applicant is requesting that the property be zoned R-3 (Multi Family Residential) District: Council Member Jean Leavell asked City Attorney to read the ordinance. Council Member Jean Leavell moved to approve the ordinance. Council Member Isaiah Spencer seconded the motion. It was discussed what the time frame of this development would be, and it was questioned why this should be accepted. Roll call vote is as follows: Council Member Jean Leavell-yes; Council Member Tim Johnson-yes; Council Member Edward Cook-yes; Council Member Isaiah Spencer-yes; Council Member Jackie Oliver-no; Council Member Janet Edwards-no. The motion carried.

LEGISLATIVE BODY MEMBER COMMENTS

Hopkinsville Water Environmental Authority/Logan Todd Contracts: How much the city is paying these agencies for the loss and have City Attorney conduct research and propose reducing these fees and allocate the money towards fixing the loss: Council Member Edward Cook stated we need money to fix our meters and water system. Council Member Cook asked about the potential 35% water loss and asked how much the city is paying for that and in response Finance Director Bobbie Crawford stated that currently the city is losing about \$25,000.00 each month. Council Member Cook asked about sewer and Director Crawford stated that the city bills for sewer, but all that money goes directly to HWEA. Council Member Cook then asked how much in the sewer is the city losing and Director Crawford responded with no loss. Council Member Cook asked City Attorney if he could look into the options of having the contracts negotiated until the water loss is fixed. Public Works Director Martin Nuss stated that these contracts are not negotiated. The price for Logan Todd is dictated. City Attorney stated he does not believe Logan Todd and HWEA apply to the Public Service Commission.

Council Member Tim Johnson made a public statement expressing his opinion regarding council and the compensation plan. He stated that if city council would have done what they were supposed to, this would not be an ordeal. He stated city council messed up.

ANNOUNCEMENT

Mayor Jarvis asked council to hold a Special called Council Meeting on Thursday, November 3, 2022, at 5:30pm. She stated there is a Special Committee of the Whole Meeting at 6:00pm on November 3, 2022, and a 9:30am Special Zoning Meeting on Thursday November 3, 2022. Mayor Jarvis also announced that November 15, 2022, will be the next Regular Council Meeting.

Council Member Jackie Oliver announced for a citizen that the Sheriff's Department is holding a Paws and Claws event this Saturday November 5, 2022, from 10:00am-2:00pm. The Christian County Animal

Shelter will be microchipping and charging \$7.25 plus tax at the event at the Sheriff's office. It is an adopt-a-thon. There will be food trucks and door prizes.

Magistrate Phillip Peterson informed council that Fiscal Court is currently working on an issue with solar farms. He stated that council might want to start looking into setbacks.

ADJOURNMENT

Council Member Tim Johnson made a motion to adjourn the meeting. Council Member Isaiah Spencer seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried. Meeting was adjourned at approximately 7:11pm.

APPROVED:

Theresa Jarvis, Mayor
City of Oak Grove

DATE

ATTEST:

Lorelynn Fisher, City Clerk
City of Oak Grove

DATE

DRAFT