



**Tuesday January 17, 2023
Regular City Council Meeting Minutes
Oak Grove Council Chambers**

The Oak Grove City Council met in Regular Session on January 17, 2023, 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 Jacqueline Oliver, Council Member Janet Edwards, Council Member Isaiah Spencer, Council Member Jean Leavell, Council Member John Campbell, Council Member Richard Baker, and Council Member Edward Cook. Also present for the meeting was City Attorney Mark Gilbert, Police Chief Dennis Cunningham, Fire Chief Bill Johnson, Public Works Director Martin Nuss, Code Enforcement Officer Angel Willis, and City Clerk Lorelynn Fisher. There were approximately 10 individuals present for the meeting.

Mayor Jacqueline Oliver called the meeting to order at 6:00pm.

OPENING CEREMONIES

Pastor Dan Herbster led those present in the Invocation and Pledge of Allegiance

OPEN FORUM

Chris Kuba spoke before city council regarding the Oak Grove Community Center. She stated that the Community Center was closed on Monday (January 16, 2023). Council Member Jean Leavell stated it was a Federal Holiday. Kuba stated the Community Center hours are not convenient for residents and children as it shows on the webpage, they are open from 8:00-4:30. Mayor Oliver stated the Community Center does stay open until 7:00pm. Council Member Janet Edwards stated she believes the Community Center needs to have another evaluation performed to determine what the hours of operation should be set to. She also discussed activities for children.

Christine Elledge spoke before city council regarding United States Flags. Elledge wanted to inform the new council members and remind the incumbent members that residents would like to see the flags being flown. Elledge also spoke about the flags at City Hall and Community Center needing to be illuminated.

ROLL CALL OF ATTENDANCE

Council Member Janet Edwards, Council Member Isaiah Spencer, Council Member Jean Leavell, Council Member Richard Baker, Council Member John Campbell and Council Member Edward Cook were in attendance. A quorum of the city council was present.

REVIEW OF MINUTES

Mayor Oliver asked City Council to make a motion to approve the minutes from the regular council meeting on January 3, 2022. Council Member Jean Leavell made a motion to approve the minutes. Council Member Isaiah Spencer 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

CONSENT CALENDAR

N/A

REPORTS OF OFFICERS AND COMMITTEES

Public Works Director Martin Nuss stated he believes the city is in the final stages of completing the grant paperwork for the commercial meters. Nuss introduced the new Code Enforcement Officer/Zoning Inspector Josh Ballard who is replacing Angel Willis. The Oath of Office was administered to Mr. Ballard by City Clerk Lorelynn Fisher. No other reports were given.

UNFINISHED BUSINESS

N/A

NEW BUSINESS

Appointment of Jessica Bowling to the Oak Grove Ethic's Board as an Alternate Member for a (1) one year term: Council Member Jean Leavell made a motion to accept the appointment. Council Member Edward Cook seconded the motion. Discussion was held. A voice vote was taken with all in favor; the motion carried. The Oath of Office was administered to Mrs. Bowling by City Clerk Lorelynn Fisher.

Waste Management Services GFL Presentation: Waste Management Services/GFL: Corey and Rodney spoke before Council informing them of a reroute that will be affecting 800 residents within the city. The residents affected will be the ones whose trash was originally picked up on Wednesdays which will now be changed to Fridays. Residents who originally had their trash picked up on Fridays will now have it picked up on Wednesdays. This is being done to improve the routing. GFL provided a map which will be placed on the city's website. This reroute will take place the first full week of February which will be February 8, 2023, and February 10, 2023. Each affected individual will be given a sticker on their can, if possible. Cans that are broken will be replaced with a new one. GFL would like to come before council again to speak on fees. The landfill GFL utilizes is increasing their fees. They would like to educate the residents as best as they can. City Hall will be sending out information from GFL on its webpage and media sites. More discussion was held.

Oak Grove Ethics Board Annual Report: James Hurst, Vice Chairman of the Ethic's Board, presented before Council the Annual Report for the 2022 calendar year. Hurst stated the board received 7 (seven) complaints. Of the complaints filed, all but (1) one were dismissed after preliminary inquiry, as these complaints did not set forth a minimum factual basis to constitute a violation of the Code of Ethics. (1) one complaint was referred to Oak Grove City Council for preliminary inquiry, as the board had a conflict of interest to hear said hearing. (1) one complaint was set for an evidentiary hearing before the board and the board found no violation of the Code of Ethics. During the 2022 year, there were no complaints filed that resulted in the finding of an ethical violation. Section 32 of the Code of Ethics provides for the Ethics Board to make recommendations to the city council with regard to the Code and/or procedures. Based on the activity during the 2022 year, the board makes the following recommendations to city council: 1. Alternate Members-Jessica Bowling was sworn earlier in the meeting to become an alternate member for the board. 2. Regular Quarterly Meetings-Council just recently passed an ordinance that allows Ethics Board to conduct regular scheduled meetings. 3. Frivolous Complaints: The Board has processed a number of complaints that were summarily dismissed due to lack of jurisdiction and/or failure to state claim under the code. The current code provides for criminal penalties in the event of a false complaint is filed. However, the code has no penalty for the filing of frivolous complaints and penalize those that file frivolous complaints. Hurst stated that at the last Ethics Meeting that was held, it was suggested that City Attorney and Ethics Attorney shall discuss penalties for said complaints and timelines. 4. Annual Reports- The code currently requires an annual report to be filed for the year ending August 31. The board recommends changing the annual reporting requirement to cover the calendar year and have the reports filed with council by March 1 of the following year. 5. Timelines- The code currently contains a timeline for the board to respond to complaints, notify the parties, and schedule a preliminary hearing. The board recommends including language in the code which will give the Chairman of the board the discretion to continue these deadlines as appropriate, with notice provided to the parties. Hurst then went over procedural changes-commencing in 2023, the board will maintain a log of all complaints filed, along with a timeline on each complaint. Each complaint will be given a case number, which will be referred to in order to maintain confidentiality. Hurst gave recognition to Ann Spencer (whom is the board's administration assistant) for all meetings for her hard work. Lastly, Hurst recommended the annual report be placed on the website for all residents to view. More discussion was held.

Municipal Order 2023-01-Order to provide guidance and to ensure that the legislative body meetings of the City of Oak Grove, maintain order and complete the business at hand in a professional, successful, and constructive manner, the following rules are adopted and become effective upon approval: Council Member Janet Edwards stated a couple changes were made which included the following: Municipal Order-Move Open Forum to the front/top; Municipal Order Section I subsection C-City Clerk #5 to say Read by title and summary (or in full when necessary) all ordinances, resolutions, orders, and other written items of business introduced for consideration in the absence of the City Attorney; Municipal Order Section I subsection D-Parliamentarian to change it from City Attorney to City Clerk; Municipal Order Section V subsection B strike out the wording “during open forum” and add subsection C-Public Comments for Agenda items- to say “Members of the public may comment on each agenda item once for up to two minutes. Public cannot yield their time to other members”. Change the subsection to match up after having adding one; Municipal Order Section V Subsection A(4)- Add “Public cannot yield their time other members. Council Member Janet Edwards made a motion to accept Municipal Order 2023-01. Council Member John Campbell seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

Ethics Ordinance No. 2023-XX-An Ordinance amending Ordinance 2020-14 Establishing a code of ethical conduct applicable to the officers and employees of the city and city agencies: City Attorney Mark Gilbert stated that this amendment includes language from KLC regarding social media and added language regarding executive session. Gilbert stated that if council wants to add the recommendations from the Ethic’s Board, council can discuss all at once and make one big amendment to the ordinance. Council decided to move this to a Committee of the Whole Meeting.

Resolution 2023-01-Resolution recognizing the importance of encouraging community participation during legislative body meetings: Council Member Janet Edwards read aloud Resolution 2023-01. Council Member Jean Leavell made a motion to adopt Resolution 2023-01. Council Member Edward Cook seconded the motion. Discussion was held. A voice vote was taken with all in favor; the motion carried.

LEGISLATIVE BODY MEMBER COMMENTS

Discussion for a paid fire department: Council Member John Campbell provided council with documents that Hopkinsville drafted. He believes that having a paid fire department will allow quicker response time and will provide better protection for residents. Council Member John Campbell stated it would cost approximately 1.6 million dollars for personnel expenses. He would like to see Oak Grove employees manning the trucks and the trucks staying in Oak Grove. Certificate of need was discussed, and Fire Chief Bill Johnson stated that there was no requirement to obtain one for Fire Service. Council Member John Campbell discussed annexing Idlewild Spur and Hugh Hunter to the Stateline (Allen Road), which would provide more revenue for the city to help aid in having a paid department. City Attorney Mark Gilbert stated that to annex, it would either be a consensual annexation or nonconsensual annexation and a passing of an ordinance. Council Member Janet Edwards stated there is currently a Fire Committee consisting of Edward Cook, John Campbell, and Isaiah Spencer. Council Member Janet Edwards made a motion to move this to committee. Council Member Edward Cook seconded the motion. It was agreed to include Fire Chief Bill Johnson during the committee meeting. More discussion was held. A voice vote was taken with all in favor; the motion carried.

Council Member Janet Edwards made a motion to conduct a study concerning increasing the hours at the Community Center. Council Member Edward Cook seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried.

EXECUTIVE SESSION

Council Member Janet Edwards made a motion to enter into Executive Session pursuant to KRS 61.810(1)(f) to discuss personnel appointment, discipline, or dismissal of employee, or member. Council Member Jean Leavell seconded the motion. There was no discussion. Voice vote was taken with all in favor; the motion carried.

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

ANNOUNCEMENT

Next Regular City Council Meeting is scheduled for February 7, 2023.

ADJOURNMENT

Council Member Jean Leavell made a motion to adjourn the meeting. Council Member Edward Cook seconded the motion. There was no discussion. A voice vote was taken with all in favor; the motion carried. Meeting was adjourned at approximately 7:49pm.

APPROVED:

Jacqueline Oliver, Mayor
City of Oak Grove

DATE

ATTEST:

Lorelynn Fisher, City Clerk
City of Oak Grove

DATE

DRAFT