

March 12, 2009

The Russell Springs City Council held their regular monthly meeting this date at City Hall at 6:00 p.m. In attendance were Joey Hoover, Jeramy Coffey, Richard Roy, Jeanne Hudson, Claradon Wilson, Ramie Hutchison, Janice Blair, Derek Aaron, Charles Gossett, Jacky Burton, John McGuire, Melissa Taylor, Joe Irvin, Ray Barrett, Lisa Mann, Ricky Barnes, Don Byrom, Matthew DeHart, Timmy Hudson, David Blakey, Eric Selby, Hollis DeHart and Wendy Burton.

1. Mayor Hollis DeHart called the meeting to order.
2. **Lisa Mann made the motion to accept the minutes of February 12. David Blakey seconded the motion. Motion carried 6-0.**
3. **Ray Barrett made the motion to pay the bills. Ricky Barnes seconded the motion. Motion carried 6-0.**
4. **Timmy Hudson made the motion to accept Municipal Order 2009-01 updating the Police Department Policies and Procedures. David Blakey seconded the motion. Motion carried 6-0. Ordinance 2009-01 will simply die.**
5. The City Council heard the 2<sup>nd</sup> reading of Ordinance 2009-02. **Eric Selby made the motion to accept Ordinance 2009-02 as written. Lisa Mann seconded the motion. Roll Call vote with Timmy Hudson-aye; David Blakey-aye; Eric Selby-aye; Ray Barrett-aye; Lisa Mann-aye; Ricky Barnes-aye. Motion carried.**
6. The previous City Commission had a contract with Vortex Wireless allowing them to place an antenna on one of the City's water towers, then in turn providing wireless service to the city's computers and cell phones. **Lisa Mann made the motion to enter into a contract with Vortex Wireless allowing Vortex Wireless to place an antenna on one of the city's water towers and Vortex Wireless providing services to any computers or employee cell phones. Ray Barrett seconded the motion. Motion carried 6-0.**
7. Mayor DeHart informed the Council that the State requires the City to have a contract with Mr. David Blakey of Tri-County Machine if the City does any business with Mr. Blakey. **Ray Barrett made the motion to enter into a contract with Mr. David Blakey to provide repair services to the City. Timmy Hudson seconded the motion. Motion carried 5-0 with David Blakey not voting.**
8. **David Blakey made the motion to accept Monumental Insurance for each volunteer fireman at \$112 per year. Timmy Hudson seconded the motion. Motion carried 6-0.**
9. Mayor DeHart informed the Council concerning an annexation in the area around Foley Rd., Delphia St., Old Dunnville Rd., and Campground Rd. This area, at some point in time in the far distant past was taken into the city limits. The residences knew they were in the city limits and the City of Russell Springs believed they were in the city. Most of the residences in this area already pay city taxes and receive city services. However, for


some unknown reason the Secretary of State either never received or lost the annexation. More likely, the annexation was never forwarded to the Secretary of State for recording. Therefore, when the state required an updating of all annexations and maps, this error was discovered. Incidentally, this was not unexpected since in years past annexations were handled with too much laxity. To add to the confusion the original annexation of this area cannot be found locally. Almost without doubt, we will find other areas in the same situation. However, they will be small areas. The area in question here has approximately 65-70 property owners. If these property owners after proper procedures are followed choose not to be in the city limits, we would have to remit three years of property taxes. In turn they would have to reimburse the city the difference between in-city water, sewer and garbage rates for the same three year period. After this was complete the people of this area would receive no city services such as streets, police, nor fire protection, etc. **It is in my opinion that we need a complete re-annexation of this area to remove all doubt as to its legality. I do not anticipate any problems.**

10. Mayor DeHart informed the Council that the City is working hard to revitalize downtown. Various grants have been applied for toward a face-lift to storefronts downtown. New streetlights and electrical outlets are being installed. Several people are considering locating downtown. To that end, I would ask that a tax break be considered for anyone who purchases a building and locates a business downtown. I would suggest a one or two year property tax amnesty. If we want businesses to open, we must be business friendly and begin taking some action that will demonstrate our sincerity. Possible items to discuss: #1 Consider giving a break to property owners downtown if they rent or lease to a prospective merchant who opens a business within a certain period of time. #2 Establish a definite beginning date. #3 Consider the tax break retroactive to January 1, 2009. Tax amnesty would only be given for Downtown Property owners. Mayor DeHart commended the employees who are working downtown installing the new lights. **Timmy Hudson made the motion to give a property tax break for two years for property owners on Main Street. Ricky Barnes seconded the motion. Motion carried 6-0.**
11. Mayor DeHart informed the Council of an incident that took place on the 20 of February 2009. He stated he would only use one name in all of this. A Police Officer became ill toward the end of the shift at approximately 11:00 p.m., went to the Russell County Hospital. Sometime shortly thereafter the Hospital called Chief Irvin and said the officer should not drive her vehicle home. On the same day Chief Irvin and another Officer had taken delivery of a new 6 cylinder Police Car in Lexington and drove the car home. This car was bought in July or August. When Chief Irvin received the call, he , in turn, called the same officer who had been with him to pick up the new police car, and asked that Officer to pick him up at his house. The Officer who was sick lived in Columbia and was driving an SUV and had an animal in the vehicle with her at the time. The Officer

who picked up Chief Irvin then drove the sick Officer's SUV, the Sick Officer and the dog to Columbia and they were followed by Chief Irvin in the new police car to that location. After delivering the SUV, the Officer and the animal, Chief Irvin picked up the other Officer and they began their return to Russell Springs via Cumberland Parkway. Soon after entering Cumberland Parkway, the Officers were observed by a Kentucky State Police Trooper who believed they were speeding. It should be noted the new police vehicle had not yet been equipped with flashers nor had it been striped. The Trooper turned around and proceeded to try to catch what he believed to be a white civilian vehicle. The Trooper never engaged his siren or lights and never said he was in pursuit. It is my understanding he never saw the tail lights of the vehicle. At some point in time, after the Trooper observed the white vehicle he called another Trooper who was in Russell Springs or the Russell Co. area and asked him to keep an eye out for the vehicle. When the Trooper received the call to keep an eye out for the white car, he was in the presence of a Russell Co. Sheriff's Deputy. The Deputy called Dispatch by radio whereupon the call was heard by a Russell Springs Police Officer who proceeded to the Russell Springs Exit. When the white car came into view at the Russell Springs exit the Officer clocked the speed at 81 miles per hour. One Trooper told me when he saw it was Chief Irvin in the vehicle he never even got out of his car and drove on. Voluntarily he said it was no big issue. Chief Irvin said under the circumstances and the issue of Mayor DeHart purchasing a 6 cylinder, (which most of the stabulary was against and to save on fuel) , and it was around midnight, maybe after, thought it would be a good time to test the take off speed and road speed. Now I have heard everything from 145 miles per hour, 149 miles per hour, 135 miles per hour, 119 miles to 81 miles per hour. The question is Does a police officer have a right or even an obligation to test his equipment? Where could an officer go to test their vehicle to see if it would function properly? I want to make it perfectly clear I am not happy with what happened nor the way it happened. But does this rise to the level of suspension or dismissal. I have had a long conversation with Chief Irvin and he is apologetic about how this transpired and under normal circumstances nothing would have been said. I informed the Council of this event because you have a right to know. I have questioned Chief Irvin, five other people who knew or should have known what went on, including State Police, Sheriff's Deputy, Local Police and others and I do not believe this rises to level of suspension or dismissal by any stretch of the imagination. We have had to do an open records request on this, this week and I want to make sure everyone understands what I am saying here, because to be candid, I am sick and tired of this. There is an element in this community that would destroy my town. This is my home, I was born inside the city limits, living here some 70 years. When my days are over as Mayor, I shall return to my little street and mow my yard. I have been accused of fraud, lying and every other unreasonable thing. I have

never ever had a parking ticket in my life. These Elements to which I refer would destroy me or you without giving it a second thought. I have served my community for almost 40 years. I have taken care of your children. I have obeyed the law and never had so much as a parking ticket here or anywhere else. These people are not from here and are here to serve their own selfish means and keep a row going , to keep a state of confusion in order to conceal hidden agendas. They will attempt to turn the community against you. Every time they have tried to bring charges against the City or its employees, they have failed miserably. But their rumors, their innuendos, their fanning of the flames hurt the City and it's employees. I ask you not to listen to these scurrilous, scurrilous rumors. Now I could have said the Lord's Prayer here tonight and some way tomorrow, it would have been turned around in some manner to try to make us look bad. So I have told you the truth here tonight. The truth, ladies and gentlemen will be here and stand when the world is afire. I thank you for listening to me.

12. **David Blakey made the motion to adjourn. Ricky Barnes seconded the motion. Motion carried 6-0.**

  
Hollis DeHart, Mayor

ATTEST:   
Wendy Burton, City Clerk