

February 11, 2019

The Common Council of the City of Glasgow, KY met in regular session on Monday, the 11th day of February 2019 at 7:00 p.m. in the Barren County Fiscal Court Room with the following persons present:

HONORABLE MAYOR: Harold Armstrong

COUNCIL MEMBERS: Terry Bunnell
Sheri Eubank
Patrick Gaunce
Brad Groce
Wendell Honeycutt
Marna Kirkpatrick
Chasity Lowery
James Neal
Gary Norman
Freddie Norris
Joe Trigg
Marlin Witcher

There being a quorum present, the Mayor declared the meeting open for business at 7:00 pm.

Pledge of Allegiance

Council Member Gary Norman opened the meeting with a prayer.

MINUTES OF COUNCIL
MEETING ON 01-28-2019

Council Member Bunnell indicated a correction needed to be made to the ordinance reading motion that was made by Council Member Neal. The minutes of the motion reflected that it was a first reading when it was the second.

MOTION was made by Council Member Bunnell for the approval and adoption of the 01-14-2019 Council Meeting minutes with that correction.

SECOND was by Council Member Witcher
VOTE unanimous approval of the Council

Immediately following the vote,

MOTION was made by Council Member Gaunce to suspend the rules
SECOND was by Council Member Trigg

Mayor Armstrong called for a roll call vote.

Bunnell – Yes	Lowery – Yes
Eubank – Yes	Neal – Yes
Gaunce – Yes	Norman – Yes
Groce – Yes	Norris – Yes
Honeycutt – Yes	Trigg – Yes
Kirkpatrick – Yes	Witcher – Yes

VOTE unanimous approval of the Council

MOTION was made by Council Member Gaunce to remove DT Froedge as an EPB Board Member for this reason: there is now \$400,000 that will be laid on the back of our citizens of electric plant board if this doesn't get resolved. Secondly, by stated in the paper that he had met with two other board members and there is potential for violation for open meetings law and thirdly his answer was that this is political and that you (Billy Ray) needs to move forward and resign or be removed.

Mayor Armstrong asked for clarification on the bonds. Council Member Gaunce stated that the bonds have already been refinanced but they haven't closed. They were at 3.94 they are at 2.93 now. That number equates to \$400,000 that is in suspense right now because of the unclarity of what's going on at the EPB Board.

SECOND was made by Council Member Trigg

Council Member Gaunce addressed Council Member Witcher that he was the representative of this body and that he (DT Froedge) had quoted him (Council Member Witcher) in the paper that they have had discussions. Council Member Witcher said "The three of us have not met".

Council Member Bunnell asked about the bonds and stated that he thought that they had closed. Gaunce said that they had not closed, but that Mr. (Jeff) Harned was there and could speak to the matter. Mr. Harned asked if it would please the council if he spoke. Mr. Harned explained that the bonds have sold but not closed yet. He had received notice last week that Mr. Froedge wanted on the agenda for the removal of the superintendent, as well as for removal of chair (Mr. Harned), as well as removal of council (Herbert and Herbert). These are material facts that change the material facts in the bond offering. Mr. Harned went on to explain how the attorney issues an opinion letter before March 5th. Bond Council has indicated that this a "game changer" not only on this bond issue but any future bonding issues. Mr. Harned indicated that we are "tainted, so it is a big deal". And there would be an incredible amount of litigation involved. The Little TVA Act addresses this, and it is specifically designed to be not political.

After more discussion between Council Members and Mr. Harned, Council Member Trigg stated that he thinks that we are ahead in the process. We should wait for the Bond Council to give us a report and wait for the Board (EPB) to make their decision before the Council makes any decisions.

Mayor Armstrong asked for city council (City Attorney Basil) an opinion on the matter. City Attorney Basil advised that it wasn't his advice to remove a director without affording them the opportunity to present their defense and the opportunity for other people to be involved to a due process type hearing. That is only his opinion. He explained that the Mayor's power is to nominate someone to be appointed to that board and then the council has the right to approve or deny those people. The council doesn't have the right to micromanage the people on that board. Attorney Basil continued that he didn't feel that this group of council has the legal authority to remove a board member.

Council Member Norris wanted to make note that last year this name (DT Froedge) was sent by the Mayor to the Council and then sent to the Electric Plant Board and he was received. Just wanted to make note.

Council Member Gaunce wanted his to make sure his motion reflected that he (DT Froedge) has put the Electric Plant Board at risk for \$400,000 that will bear back to the citizens of Glasgow. Mayor Armstrong wanted to add that as long as everyone knows that there has been a legal opinion that we cannot legally do this.

Council Member Norris made a MOTION to amend the motion to vote on the removal only of DT Froedge from the Electric Plant Board

SECOND on the Amendment was made by Council Member Kirkpatrick.

Mayor Armstrong called for a roll call vote on this motion of removing DT Froedge from the Electric Plant Board.

Bunnell – No	Lowery – No
Eubank – No	Neal – No
Gaunce – Yes	Norman – No
Groce – No	Norris – No
Honeycutt – No	Trigg – No
Kirkpatrick – No	Witcher – No

VOTE Yes – 1 No – 11 MOTION FAILS

NEW BUSINESS:

RESOLUTION NO. 2019-2404
RESOLUTION AUTHORIZING AND DIRECTING APRIL RUSSELL, DIRECTOR, OFFICE OF GRANT OVERSIGHT, TO APPLY FOR A GRANT FROM KENTUCKY TRANSPORTATION CABINET, OFFICE OF HIGHWAY SAFETY TO FUND OVERTIME, LIFESAVERS CONFERENCE, AND FUEL FOR THE POLICE DEPARTMENT

A proposed resolution was presented and caused to be read

MOTION was made by Council Member Groce for the approval and adoption of the Resolution
SECOND was by Council Member Trigg

Prior to the vote, Council Member Bunnell asked for April Russell to explain and give a breakdown of the \$38,121 for this grant. Ms. Russell explained that this is the 7th year that we have applied for this. It is used for federal overtime with a goal of seatbelt safety, 10% is for fuel, and the Lifesavers Conference.

VOTE unanimous approval of the council

RESOLUTION NO. 2019-2405

RESOLUTION AUTHORIZING AND DIRECTING APRIL RUSSELL, DIRECTOR, OFFICE OF GRANT OVERSIGHT, TO APPLY FOR A GRANT FROM KENTUCKY TRANSPORTATION CABINET, OFFICE OF HIGHWAY SAFETY (NON-LAW ENFORCEMENT) TO FUND THE CHILD SAFETY SEAT PROGRAM, TRAVEL AND TRAINING FOR THE POLICE DEPARTMENT

A proposed resolution was presented and caused to be read

MOTION was made by Council Member Kirkpatrick for the approval and adoption of the Resolution
SECOND was by Council Member Norris
VOTE unanimous approval of the council

RESOLUTION NO. 2019-2406

RESOLUTION OF TRIBUTE AND APPRECIATION TO CHERYL BERRY AMBACH FOR HER YEARS OF SERVICE ON THE BOARD OF DIRECTORS OF THE GLASGOW ELECTRIC PLANT BOARD AND THE CITIZENS OF GLASGOW, KENTUCKY

A proposed resolution was presented and caused to be read

MOTION was made by Council Member Groce for the approval and adoption of the Resolution
SECOND was by Council Member Trigg
VOTE unanimous approval of the council

RESOLUTION NO. 2019-2407

RESOLUTION OF TRIBUTE AND APPRECIATION TO
FREDDIE NORRIS FOR HIS YEARS OF SERVICE ON THE
BOARD OF DIRECTORS OF THE GLASGOW ELECTRIC
PLANT BOARD AND THE CITIZENS OF GLASGOW,
KENTUCKY

A proposed resolution was presented and caused to be read

MOTION was made by Council Member Kirkpatrick for the approval and adoption of the Resolution
SECOND was by Council Member Bunnell
VOTE unanimous approval of the council

ANNOUNCEMENTS:

ELEVATOR UPDATE FOR CITY HALL BUILDING: EXPECT THE ELEVELATOR TO BE FINISHED AND INSPECTED IN NEXT TWO WEEKS. THERE WILL PROBABLY BE ONE MORE MEETING AT THE FISCAL COURT ROOM.

CITY HALL WILL BE CLOSED ON MONDAY, FEBRUARY 18, 2019, IN OBSERVANCE OF PRESIDENT'S DAY. MONDAY'S TRASH WILL BE PICKED UP ON TUESDAY, ALONG WITH TUESDAY'S TRASH.

Council Member Lowery asked to address Council Member Witcher. Lowery asked Witcher that as he's going through the decisions at EPB to take into consideration the impact not only on the community but also on the staff and men and women at the Electric Plant Board. Mayor Armstrong asked to make a comment and said that it was highly improper for this body to try to influence somebody's vote on a board.

There being no further business to come before Council, Council Member Kirkpatrick made a motion for adjournment, Council Member Witcher seconded. Motion carried. Meeting adjourned at 8:42 pm.

HAROLD ARMSTRONG, MAYOR

ATTEST:

JAMIE MCFARLIN
CITY CLERK