

**AGENDA
MIDWAY CITY COUNCIL
REGULAR MEETING
MONDAY, JANUARY 6, 2020
5:30 P.M. CITY HALL**

Pledge of Allegiance
Moment of Reflection

Approval of December 18, 2019 Regular Meeting Minutes

Citizen's Comment

New Business

John Soper – Guaranty Agreement, Midway Station Debt
Iron Horse Event Permit

First Reading of Ordinances

Ordinance 2020-001

Second Reading of Ordinances

Ordinance 2019-014

Ordinance 2019-015

Committee Reports

Executive Session – KRS 61.810

City of Midway City Council Regular Meeting
Monday, December 18, 2019
5:30 p.m.

The regular meeting of the Midway City Council was called to order by Mayor Grayson Vandegrift and the following Council Members were present: Kaye Nita Gallagher, Sara Hicks, John Holloway, Logan Nance, Bruce Southworth, and Stacy Thurman. Attorney Phil Moloney as present.

Motion was made by Council Member Hicks and seconded by Council Member Nance to approve the December 2, 2019 Regular Meeting Minutes. Motion carried 5-0. Council Member Gallagher abstained from the vote.

Motion was made by Council Member Hicks and seconded by Council Member Thurman to approve the December 9, 2019 Special Meeting Minutes. All in favor; Motion carried 6-0

New Business

Matt Carter with Vision Engineering, a representative for White Dog Trading and Storage, LLC, was present to discuss an encroachment permit. Council Member Southworth made a motion to approve the permit; Council Member Nance seconded the motion; All in favor; Motion carried 6-0

Bob Baney was present to discuss the 2020 Frozen Rails Event Permit. Council Member Nance made a motion to approve the permit; Council Member Thurman seconded the motion; All in favor; Motion carried 6-0

Riley Marshall and Zack Bevin were present to discuss the 2020 Iron Horse Event and answer questions. There will be discussion and a vote at the January 6th meeting.

Mayor Vandegrift presented information to the City Council about the current fiscal year budget and the need to amend certain items in the budget due to the following:

1. The street paving project
2. Reshaping Sewer Project to CIPP at the beginning of Fiscal Year 2020/2021
3. The Higgins Line loan being paid off early
4. The need for a new tractor/loader/backhoe

Council Member Hicks made a motion to proceed with the budget amendment; Council Member Southworth seconded the motion; All in favor; Motion carried. There will be a first reading of the Budget Amendment at the January 6th Council Meeting.

First Reading of Ordinance 2019-014

Council Member Nance requested the reading of Ordinance 2019-014, An Ordinance Adopting Chapter 153 of the Code of Ordinances Relating to Code Enforcement. Attorney Moloney presented the first reading.

First Reading of Ordinance 2019-015

Council Member Thurman requested the reading of Ordinance 2019-015, An Ordinance Amending Certain Sections of the Code of Ordinances Pertaining to Nuisance and Blighted and Deteriorated Properties. Attorney Moloney presented the first reading.

Joyce Evans and others from the community were present to discuss Neighborhood Associations in Midway. Mike Adams from Woodford County Council of Neighborhood Associations was also present to speak and answer questions. Mayor Vandegrift said the Council will revisit the subject in the future.

Marcie Christensen from Greenspace Committee spoke about sustainability options for Midway.

Motion by Council Member Southworth and seconded by Council Member Thurman to adjourn. (6:27 p.m.) Motion carried 6-0.

Grayson Vandegrift
Mayor

ATTEST:

Cynthia Foster
City Clerk/Treasurer

Cindy Foster

From: Grayson Vandegrift <mayorgrayson@gmail.com>
Sent: Thursday, January 2, 2020 11:15 AM
To: Cindy Foster
Subject: I'll explain this in a min

Transaction summary:

Woodford Economic Development Authority

1. **Loan amount of \$2,067,769.74**
2. **Interest rate of 3.25%**
3. **36-month term**
4. **Semi-Annual interest only payments**
5. **No origination fee**
6. **At closing, collect a \$350 doc prep, attorney fee, etc. and all accrued interest**
7. **Loan to be secured by a 1st REM on Midway Station Commerce Park, KY 341 at I-64, located in Midway, KY.**
8. **Release amounts to be 75% of the sales price or the established lot release price, whichever is GREATER.**
9. **Interest guarantee from Woodford County and City of Midway**
10. **Formalized marketing of the collateral with a reputable commercial firm is required if annual pay down does not total \$700,000**

Grayson Vandegrift, Mayor
City of Midway

Woodford EDA Cash Flow Projection for Debt Service Capability

Checking account balance 11-20-2019	\$119,584
Less checks outstanding	(8,728)
Deposits not recording	280
Loan interest due 1-1-2020	(31,562)

Projected year end 2019 checking account balance	\$ 79,574
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Money Mkt Escrow account	\$ 60,015
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Total available	\$139,589
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Less 2020 budgeted operating expenses not including expense	(15,000)
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Less 2021 budget operating expenses not including interest	(15,000)
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Plus net proceeds from lot under contract	41,000
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Projected available cash for debt service	\$150,589
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Projected monthly interest due based on principal balance of \$2,067,768 = \$5,678

$\$150,589 / 5,678 = 26 \frac{1}{2}$ months

CITY OF MIDWAY

APPLICATION FOR PARADE/EVENT PERMIT

FOR POLICE DEPARTMENT USE ONLY:

PERMIT APPROVED

PERMIT DENIED

DATE: INITIALS:

Name of Sponsoring Organization: John's Bluegrass Racing Company, LLC

Address: 317 S Ashland Ave, Lexington, KY 40502

Telephone: 859-269-8313

Parade/Event Chairman or Contact Person: Zack Beavin

Address: 317 S Ashland Ave, Lexington, KY 40502

Telephone: 502-727-6006

Purpose of Parade/Event To celebrate the local running community, the City of Midway, and to support local charities

Date Requested for Parade/Event: September 20, 2020

Parade/Event: Start Time: 7:15 AM End Time: 10:19 AM

Location of Parade/Event: Midway, KY and surrounding roads

Parade Start Time: 7:15 AM End Time: 10:19 AM

What route will be traveled by the parade: Route is attached

Does your organization have a Liability Insurance Policy: Yes

How many units will be in the parade: Typically 800-1200 runners

How many booths will be in the event: N/A

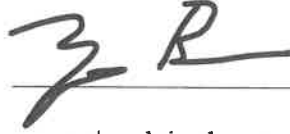
How many bands will be in the parade/event: N/A

How many floats and what type of floats will be in the parade/event: N/A

Will there be sound amplification devices used: Yes

If so, what: Amplifiers for pre-race announcements

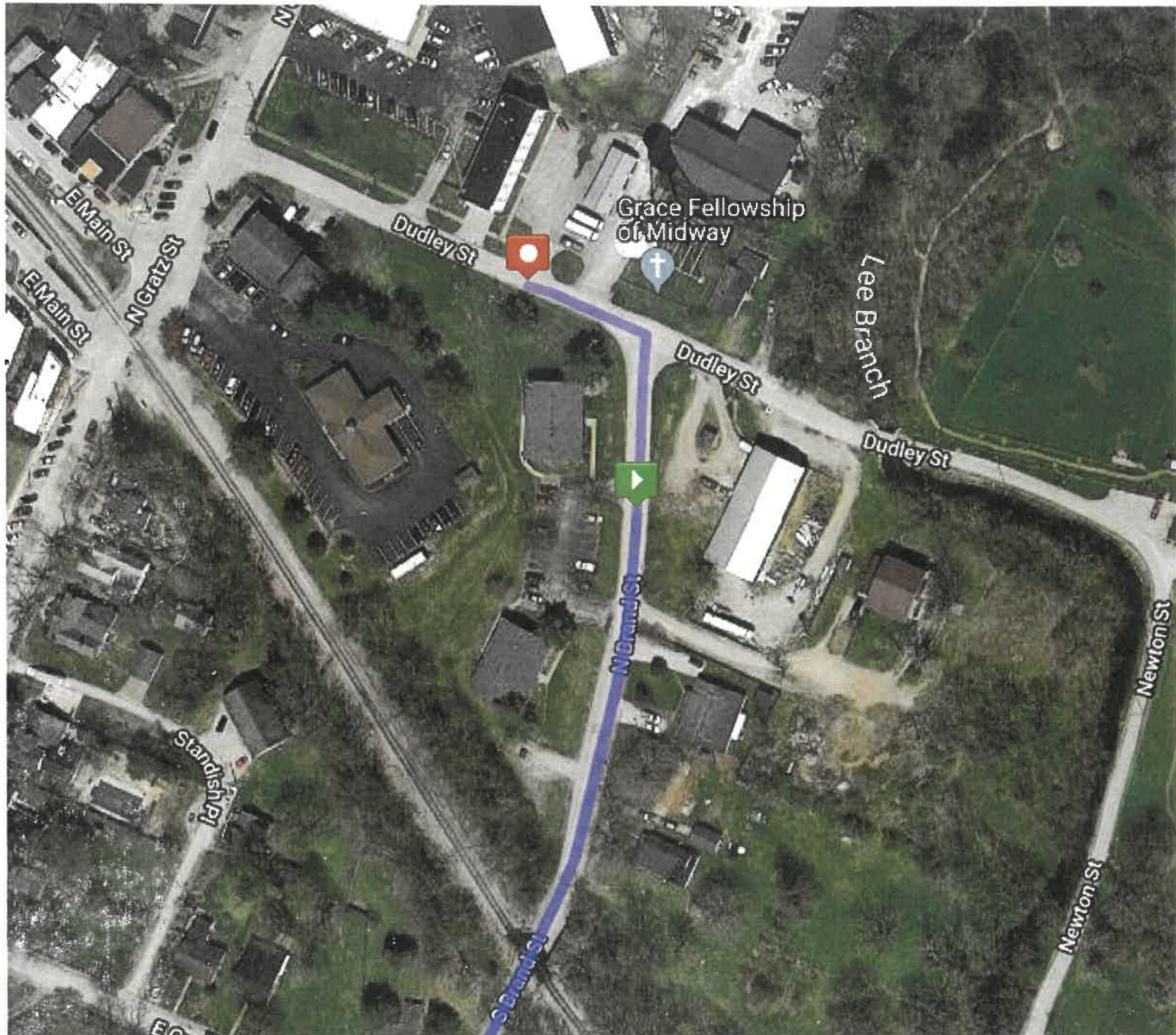
Additional Information: **We aim to continue to build on the success of the 2019 Iron Horse + Midway Fall Festival partnership by once again hosting the race on the Sunday of the festival. Learning from 2019, we plan to start the race 15 minutes later in order to have more light at race start. We also plan to move the race finish line to be behind Darlin' Jean's, in accordance with in festival organizers' suggestions, in order to minimize interference with vendors.**

Authorized Signature of Sponsoring Rep: 

Attached additional sheets if necessary to answer/explain the requested parade/event.

The map displays a blue route with numbered markers 1 through 13. The route begins near Midway, IL, and follows a path through the area. Major roads shown include I-55, I-54, I-58, and I-59. Water bodies like South Elmhurst Creek are also visible.

Race Start/Finish



CITY OF MIDWAY
AMENDED BUDGET AND APPROPRIATIONS
2019-2020
ORDINANCE NO. 2020-01

Be it hereby ordained by the City Council of the City of Midway, Kentucky, that the annual budget for fiscal year 2019-2020 is **Amended** as follows:

SECTION ONE: BUDGET SUMMARY

Resources Available	GENERAL	SPECIAL	CEMETERY	SEWER	WATER
Funds Carried Forward	1,511,598	57,106	33,180	3,534,477	679,566
Estimated Revenues	279,500	-	-	-	-
Intergovernmental Revenues	1,700,791	36,540	2,000	500,045	695,935
Total Estimated Revenues	1,980,291	36,540	2,000	500,045	695,935
Total Resources Available	3,491,889	93,646	35,180	4,034,522	1,375,501
	GENERAL	SPECIAL	CEMETERY	SEWER	WATER
Total Appropriations	1,980,291	36,540	2,000	500,045	695,935
Street Paving	100,00	-	-	-	-
Equipment	75,000	-	-	-	-
Pay-off KIA Loan	-	-	-	-	34,000
Overtime	-	-	-	-	6,000
Total Appropriations	2,155,291	36,500	2,000	500,045	735,935
Estimated Fund Balances/ Resources over Appropriations	1,511,598 1,336,598	57,106	33,180	3,534,477	679,566 639,566

SECTION TWO: This Ordinance shall be published within thirty days after adoption.

SECTION THREE: This Ordinance becomes effective immediately upon passage and publication

INTRODUCED and given first reading January 7, 2020, and fully adopted on January , 2020.

GRAYSON VANDEGRIFT, MAYOR

ATTEST:

CINDY FOSTER, CITY CLERK

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for your reference.

CITY OF MIDWAY, KENTUCKY
ORDINANCE NO. 2019 - 014

TITLE: AN ORDINANCE ADOPTING CHAPTER 153 OF THE CODE OF ORDINANCES RELATED TO CODE ENFORCEMENT AND ESTABLISHING A CODE ENFORCEMENT BOARD PURSUANT TO KRS 65.8801 to KRS 65.8839; ESTABLISHING THE TERMS, ORGANIZATION, POWERS AND JURISDICTION OF THE BOARD; ESTABLISHING PROCEDURES FOR ENFORCEMENT PROCEEDINGS, ISSUANCE OF NOTICES OF VIOLATIONS, CITATIONS, CONTESTING A CITATION, HEARINGS, NOTICE, FINAL ORDERS AND APPEALS; AUTHORIZING HEARING OFFICERS TO CONDUCT HEARINGS ON BEHALF OF THE BOARD; ESTABLISHING PROCEDURES FOR ABATEMENT, LIENS AND FINES, LIENHOLDER NOTIFICATION SYSTEM, LIEN PRIORITY, DUE PROCESS AND RIGHT OF ENTRY, STOP WORK ORDERS, ADMINISTRATIVE SEARCH WARRANTS; AND ESTABLISHING A SCHEDULE FOR PENALTIES APPLICABLE TO VIOLATION OF ORDINANCES SUBJECT TO ENFORCEMENT BY THE BOARD.

WHEREAS, it is the intent of KRS 65.8801 to 65.8840 to protect, promote, and improve the health, safety, and welfare of the citizens residing within the City by authorizing the creation of an administrative board with the authority to issue remedial orders and impose fines in order to provide an equitable, expeditious, effective, and inexpensive method of ensuring compliance with ordinances in force within the City; and

WHEREAS, it is the desire of the City Council of the City of Midway, Kentucky to utilize the authority granted in KRS 65.8801 to 65.8839 by creating a City of Midway Code Enforcement Board.

NOW, THEREFORE, be it ordained by the City Council of the City of Midway as follows:

§153.01 Definitions.

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

(a) **“Abatement Costs”** means a city’s necessary and reasonable costs for and associated with clearing, preventing unauthorized entry to, or demolishing all or a portion of a structure or Premises, or taking any other action with regard to a structure or Premises necessary to remedy a violation and to maintain and preserve the public health, safety and welfare in accordance with any city ordinance.

(b) **“Code Enforcement Board”** means an administrative body created and acting under the authority of the Local Government Code Enforcement Board Act, KRS 65.8801 to 65.8839.

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for your reference*

CITY OF MIDWAY
ORDINANCE NO. 2019- 015

**TITLE: ORDINANCE AMENDING §§ 92.21-92.26; 92.28-92.47; 152.01;
152.02; 152.04 & 152.07 & 152.09
OF THE CODE OF ORDINANCES PERTAINING TO
NUISANCE AND BLIGHTED AND DETERIORATED PROPERTIES AND
REPEALING SECTIONS OF ORDINANCES 92.32 - 92.35 & ENACTING
NEW §§92.32-92.35 IN THEIR PLACE & REPEALING §152.03**

WHEREAS, it is the intent of the City of Midway to protect, promote, safeguard and improve the health, safety, and welfare of the citizens residing within the City by prohibiting, eliminating and remediating nuisances and blighted and deteriorated properties and ensuring compliance of and/or in enforcing its ordinances to accomplish the same, including, establishing of a Code Enforcement Board with the authority to issue remedial orders and impose fines in order to provide an equitable, expeditious, effective, and inexpensive method of ensuring compliance with ordinances in force within the City; and

WHEREAS, it is the desire of the City Council of the City of Midway, Kentucky to amend and update its ordinances from time to time to promote the intent underlying such ordinances for ensuring compliance with and/or enforcement of its ordinances;

NOW, THEREFORE, be it ordained by the City Council of the City of Midway, Kentucky that Ordinances §§ 92.21-92.26; 92.28-92.47; 152.01-152.04 and 152.07 and 152.09 are amended, Ordinance §§ 92.32 – 35 and 152.03 are repealed, and new §§92.32-92.35 enacted as follows:

NUISANCES

§ 92.21 WEEDS, GRASS AND RUBBISH.

(A) It shall be unlawful for the owner, occupant or person having control or management of any land within the city to permit a public nuisance, health hazard or source of filth to develop thereon, especially through the accumulation of rubbish or excessive growth thereon of weeds or grass.

(B) Whenever such a situation is discovered, a city police officer, safety officer, citation officer, other public law or code enforcement officer or Mayor or her or his designee shall give ten (10) days' written notice to remedy the situation. The notice of violation shall be mailed to the last known address of the owner of the property, as it appears on the current tax assessment roll. Any occupant or person having control or management of the property who also so offends shall likewise be given notice by a notice either posted upon the premises, personally served or mailed to the address of the property.

(C) Upon the failure of the owner, occupant or person having control or management of the property to remedy the violation within the prescribed time following the date of the