

**CITY OF CAMPBELLSBURG
COUNCIL MEETING
CITY HALL**

**December 16th, 2024
7:00 PM**

PRESENT

MAYOR: DAVID GRAY

**COUNCIL: GAROLD PRICE
JESSICA BANTA
TONI JACKSON
JOHN SUTER
KEVIN COLLINS
MIKE OCHSNER**

**ATTORNEY FOR THE CITY: CHELSEY BRAMMELL
CITY CLERK/TREASURER: KIM BOYER
POLICE CHIEF: TONY RUCKER
ASSISTANT POLICE CHIEF: RICKY SIMMONS
PUBLIC WORKS DIRECTOR: WILLIAM BROWN**

PRESS: JOE DURBIN

**VISITORS: TISH MOSVOLD, CONSTABLE RICHARD CASTRATI
CAMPBELLSBURG FIRE & RESCUE DEPARTMENT-
ASST. CHIEF TIM CONGLETON AND CHIEF DAVID
NOE**

CALL TO ORDER

The meeting was called to order at the hour of 7:01 PM by Mayor David Gray. The Mayor led the meeting with the Pledge of Allegiance.

APPROVAL OF MINUTES, RECEIPTS & DISBURSEMENTS FROM NOVEMBER 18TH, 2024.

Mayor Gray called for a motion of approval for the November 18th, 2024 Meeting Minutes, Receipts and Disbursements. A motion was made by Councilwoman Toni Jackson and seconded by Councilman Kevin Collins and duly carried to accept as read.

AYES

6

NAYS

0

NEW BUSINESS:

Mayor Gray introduced visitors with the Campbellsburg Fire and Rescue Department and their wishes to address the council with concerns that the city has cut funding as well as the misguidance that the department refuses to work with the City Council. Chief Congleton reads a statement explaining that he and Chief Noe are both long time residents of the City of Campbellsburg. The Fire Department is a Chapter 273 with 22 Senior members and 2 Junior members. They handle around 225 calls per year with a budget of \$115,000 annum with \$20,000 contractually through the City and \$10,000 in arrears among other requirements that have not been met. In their current fleet they have 6 fire engines, 3 tankers, 1 quad, 3 brush apparatus, 1 hazmat specialty rescue, 2 command quick respond vehicles, 1 equipped ladder apparatus purchased by the city. 3 station houses, 2 of which are owned by the Campbellsburg Fire and Rescue Department and 1 owned by the City of Campbellsburg. They have Articles of Incorporation that complies with their Board of Operations. These are the same articles that have been in affect since July 1975. Have by-laws that are governed by active members only. They believe that there have been some misguided statements made in a public forum and would like to get those addressed. First, they have never been made aware that they as an agency were resistive or unwilling to work with the cities administrative staff. Congleton states that is quite the contrary. He states that no requests had been made and at the October 21st Council meeting a list was discussed that had not been responded to. The only request that had been responded to was on July 17th and that was the signed contract. The question as to what apparatus the city owns and how was it titled is to Campbellsburg Fire and Rescue. The city purchased a 1988 Ladder truck from the City of Lagrange and the title of said truck is in compliance with the contract. He proceeded to state that they comply with the contract annually giving a budget, quarterly summaries, as well as a "City Final". Chief Congleton reads that no city official had reached out to him or Chief Noe and never received a response. He states that he and Chief Noe stand here tonight to address and answer any comments or questions that they may have. They hope to have a more positive approach moving forward. Mayor Gray started the comments by letting Chief Congleton know that no one in the City Administration received the "signed" contract claimed to be sent in July. Congleton says that he saw the email that Chief Noe sent but the email was not received by any party at city hall. Mayor Gray addresses the statement that there was never a refusal by Campbellsburg Fire Department to work with the City Council. Mayor Gray informs Chief Congleton that he held a meeting with Chief Noe, Councilman John Suter, the City Clerk Kim Boyer, and Assistant Police Chief Ricky Simmons and from there he let Councilman Suter take the floor. Suter explained that during that meeting Chief Noe stated that he didn't have to give a budget or updates and the city didn't have to know what they did with the money we give them. That is one of the main concerns is where does the money go? It has been a constant battle since Mayor Rex Morgan. The slips of paper are basically the same every quarter. Chief Noe responds that he is complying by giving the budget and the "reconciliation" as requested however, Mayor Gray states that those have not always been turned in. He proceeds to mention the complaints that he has received about the insurance reports not being turned in a timely manner that he has written documentation from. In the meeting to discuss the reports, Chief Noe also stated that the Campbellsburg Fire and Rescue has nothing to do with the City however, Mayor Gray feels that since we give contractually \$20,000 annually and with the use of the city owned building that the City Council as well as the City should have something to do with the Fire department. Chief Congleton states that he was not aware of report situation and Mayor Gray stated that one of the complaints went the Judge Executive's Office. He then had Assistant Chief Ricky Simmons contact Chief Noe to resolve that particular issue. Chief Noe states that he was wrong to say that the city has nothing to do with the Fire department. He should've said that the Fire Department has a process and the City

doesn't assist with that. Councilman John Suter spoke again to say that during the previous mentioned meeting Chief Noe stated that the citizens shouldn't even call City Hall because its "not our business".

Councilwoman Toni Jackson expresses concern for accountability. Chief Congleton states that he would be happy to sit down at any time and explain things. He also says that discussion has been had at the Fire department that committees form from each entity to come together to work on a contract for a more precise expectation of what the City has for the Fire Department. Mayor Gray asked who suggested the committee and Chief Congleton replied that through discussion of the contract that came up. Chief David Noe spoke up to explain that there was originally a committee that created the contract in discussion and those that Chief Noe stated were on said committee were not on there, they may have approved it but not served on the committee. Mayor Gray explained that during the meeting with Chief Noe, the group that met with him tried to talk with him about creating a committee or putting someone on the Fire Department board and Chief Noe's response was "absolutely NOT". Chief Congleton explains that they are a Chapter 273 non-profit corporation and the governing body is their Board of Directors and they have to abide by their Articles of Incorporation and by-laws both state. Mayor Gray inserts to ask how the Board can govern themselves. Congleton explains that they have a Chief, Asst. Chief, Secretary, a Treasurer, then 3 voting members all in good standing. They have 5 votes with the Chief as the Chair and he doesn't get a vote unless there is a tie. Chief Noe does not make all of those decisions, the Board of Directors makes the decisions.

Councilman Garold Price asked if all of the members live within Campbellsburg city limits. The response is that they are all not from within the city limits. Councilman Price then asked how long does it take to respond to a fire and Congleton replied that there are several factors. Depends on the time of day, what area the call is in, etc. Councilman Garold Price asked how long it takes after a fire for a fire report to be issued. Chief Congleton explained that those are only issued upon request and that is usually no more than 7 business days. Councilman Price proceeded to ask where all of the vehicles are stored. Chief Congleton stated that 4 are stored at the Campbellsburg building, 3 in the station at Port Royal and the remainder in Station 3 in Pendleton. Councilman Kevin Collins asked where the titles to the vehicles were and Chief Congleton said that he needed clarification to that question. The only truck that the City of Campbellsburg owned was the 1988 Ladder Truck and it was in the building in Campbellsburg.

Attorney Chelsey Brammell spoke to acknowledge that the reports given are good however the numbers don't match up. The Income starts with \$20,000 on the budget given to the City Council however earlier you said that your budget is \$115,000. On the disclosure that was reported to the local government on the SPGE the income was \$100,000, I am unclear and I don't think it's clear from the contract what we should be expecting. If you are only accounting for the \$20,000 that the city provides, it's unclear in the contract if that should be done. Previous Mayor's have expressed that the \$20,000 should be reported to be expended on Campbellsburg only. Chief Noe inserted that different Mayors have wanted different things and he wasn't going to take a credit card charge and divide it up between the County, City etc. by line item. Attorney Brammell questioned the budget numbers given to begin the quarter in the negative and the response was that they take from the remainder of their budget to cover those cost. Attorney Brammell still unclear asked if those numbers were actual numbers and both Chiefs replied yes, they were. Chief Congleton continued to say that it would be easier to show their budget more effectively as a whole but that has been expressed to be done differently in the past. Attorney Brammell recapped that managing expectations is what we want to see moving forward because lack of communication has been what we are dealing with and that is

number one. Number two, setting up a sinking fund for City owned vehicles. The contract is very unclear when we don't know exactly what we own or how old they are or what condition that they are in, its hard to set aside money. Chief Noe gives his history of working with the trucks and that the trucks are only supposed to be in auxiliary for ten years and should be then "put out to pasture", those are the trucks that we are purchasing for use. They are getting them 10-15 years old, fixing them and making them last as long as they can. Money needed will depend upon what trucks will be available when the ladder truck needs replacing. Attorney Brammell adds that the contract contemplates having more regular updates so if anything goes out, the Fire Department wouldn't be asking for \$200,000-\$500,000. Chief Congleton responds that there has always been an agreement between the City and the Fire Department that they will provide one apparatus that will be an initial response apparatus for the City that has the capability to fight fires. So an engine or in this case a quint or a quad, its neither here nor there. Chief Noe states that there was a truck fund in the amount of \$30,000 however, Mayor Gray responds that he nor his staff are aware of such. Thirdly, Attorney Brammell asked if the Fire Department would consider amending their by-laws to add a Council member to their Board. Chief Congleton responded by saying that any amendment to their bylaws would have to be approved by their membership. Attorney Brammell then asked if they would consider giving a monthly report for the council as well as the citizens. Chief Congleton responds saying that there needs to be precise expectations and that should come from both sides. Mayor Gray added that he was working on a new contract and also asked about their 501 status. Chief Congleton states that they are in the process of applying for the 501C.

Councilman Garold Price asked if it was possible for the department to come to report at the Council meetings and work together. Both Chiefs agreed that they would try.

Chief Congleton asked if there was a possibility that they could get the arrears due to them paid. Mayor Gray made a statement that no where in the contract does it state that written warning had to be given to stop payments. Chief Noe adds that the contract states they are to receive \$20,000 per year. Councilwoman Toni Jackson inserts that you must submit reports per the contract and those haven't always been done. Mayor Gray states that you have not abided by the contract and that is why the funding was cut by the council. Previous mayors have dealt with the same issues from the department for at least 8 years. Chief Congleton suggests that another form of delivery other than email maybe hand delivery be incorporated. He further states that he can't fix what has happened but he wants to work going forward.

Councilman Mike Ochsner asked about the term for Chief Noe. Chief Noe responded by stating he is Chief until he is removed or he steps down. Chief Congleton explains that there is a process in their by-laws determining the Chief status. Councilman Ochsner asked if he was Chief for life and Chief Congleton says no. The membership votes on the Officers, they do not just get in on a popularity contest and there are standards that have to be met.

Mayor Gray tries to sum up questions with talking about surrounding Fire departments and the comparison with Campbellsburg as to how they operate. He states that he feels that if we give \$20,000 that we should get \$20,000 in receipts and asks if the council agrees, and all members nod in agreement. Chief Congleton replies "that is a somewhat unreasonable request. They are a contracted service." Mayor Gray asks also for verification that even if the city funds remain cut, they would have to provide Fire protection service for the citizens of Campbellsburg. Chief Congleton said no and would like to refer that question to their attorney but Chief Noe said that they would under legislation HB4. Attorney Brammell agrees with what Chief Noe said.

Chief Noe wanted to clarify a statement that he made during the meeting that the City doesn't have anything to do with the Fire Department and what he might've meant was that they didn't have anything to do with the operations of the Fire Department. He further said the City has to have a relationship, they chose to provide funding but I didn't mean that they didn't have anything to do with they Fire Department. Councilman John Suter said that I am all about moving forward and communicating but there was another comment that day after bringing up a committee to work together with the Fire Department and "David, I like you a lot but your exact words were, absolutely not". Chief Congleton reiterated that by bringing parties from both entities to come together would help. Attorney Brammell asked what the immediate next steps would be and what do the Fire Chiefs think should happen. Mayor Gray asked if a council member could attend a Fire meeting even though he had heard that you couldn't. They said absolutely. They meet on Thursdays at 7:00 and are for the public at the Fire house. There is one meeting a month that is decided the week before and is posted that is closed session.

Councilwoman Jessica Banta stated that since the truck is a 1988 it may be in their best interest to be involved in what's going on since those funds could be used sooner rather than later.

Chief Congleton stated that they would like for the council to come in small groups and see what they do on a regular basis, the equipment, the training, etc.

Mayor Gray asks for a motion to get the arrears caught up in the amount of \$10,000. Councilman John Suter makes a motion to release the funding cut and pay the \$10,000 due to the Fire Department. Councilman Garold Price seconds the motion and it was duly carried.

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| AYES | 6 | NAYS | 0 |
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Chief Congleton asked if they would have any input on the contract that the Mayor was constructing. Mayor Gray stated that they could certainly review things together and let each others council and board review and or committees.

Chief Noe then spoke up to state that they had several issues to be repaired. Broken water heater for over a year, a roof leak, thirdly a concrete pad. Mayor Gray asked if the Fire Department reported to the city when they made damages to the building because there was a dent in the door. Chief Noe claims that happened during construction. Public Works Director William Brown states that had happened recently and would check film.

Attorney Brammell proceeded to give the 2nd Reading of Ordinance 2024-05 An Ordinance Amending Zoning Ordinance No. 2016-05-For the Purpose of Permitting and Regulating Cannabis Business Operations in the City of Campbellsburg, Kentucky. Councilwoman Toni Jackson made a motion to approve Ordinance 2024-05 An Ordinance Amending Zoning Ordinance No. 2016-05-For the Purpose of Permitting and Regulating Cannabis Business Operations in the City of Campbellsburg, Kentucky. Councilman Kevin Collins seconded her motion and all duly accepted.

AYES 6 NAYS 0

Attorney Chelsey Brammell gave the Reading of Executive Order Number 24-01 Updating City of Campbellsburg Employee Handbook Provisions for Medicinal Cannabis. Councilwoman Toni Jackson made a motion to approve the Executive Order and Councilman John Suter seconded her motion. All duly accepted.

AYES 6 NAYS 0

OLD BUSINESS:

None

MAYOR'S REPORT

Mayor Gray told the council that he had appointed Tish Mosvold to the Economic Development Committee and she was replacing Todd McKinney who was now on the Board of Adjustments representing Campbellsburg.

Mayor Gray told the Council that Christmas with Santa was a success and there was a great turnout.

Mayor Gray handed samples out of signs that he would like to have purchased by Campbellsburg on Track to be placed in front of the Community Center. It will be an 8x5, double sided, LED programmable WIFI and can put multiple announcements on.

Adjournment:

The motion was made by Councilwoman Toni Jackson and seconded by Councilman Mike Ochsner and duly carried to stand in adjournment at the hour of 8:35 PM .

AYES 6 NAYS 0

David Gray

David Gray, Mayor

ATTEST:

Kim Boyer

Kim Boyer
City Clerk/Treasurer