

**WILLIAMSTOWN CITY COUNCIL
REGULAR COUNCIL MEETING
November 6, 2023
6:00 P.M.**

PRESENT: Mayor Christopher; John Coleman; Kim Crupper; Greg Middleton; Jayson Payne; Bob Perry; Gina Smith; Jeff Shipp; and Vivian Link

ALSO PRESENT: Butch Barlow; Les Whalen; Jeff Ross (KDFWR); Jeff Crosby (KDFWR); Bill Wilson; Sonita & Kurt Saalfeld; Clark Kinman; Bob Davis; Ken & Gina Becker; Jeff Kamholz; Tami Niemann; Greg & Joetta Webster; Tyler Garnett; Wayne & Lisa Reed; Tyler Madden; Rick Willoby; Tim Beach; Tom Hutchin; Paula & Cliff Jones; Vanis Dill; Debby Lucas Angel; and Joe Mccomas

Mayor Christopher called the Meeting to order.

Mayor Christopher welcomed all in attendance and requested all to sign in.

INVOCATION: John Coleman

Corrections and Approval of Minutes for Regular Council Meeting of October 2, 2023; Special Council Meeting of October 17, 2023; and Municipal Aid & Local Government Economic Assistance Program Public Hearing of October 19, 2023

Mayor Christopher requested the year on page 3, last paragraph, be changed to 2024. Greg Middleton requested his name be removed in the first paragraph on page 2 and be changed to Mike Templin in the minutes for the Regular Council Meeting of October 2, 2023.

Bob Perry made the motion to approve the Regular Council Meeting Minutes of October 2, 2023, with the noted corrections; and Special Council Meeting of October 17, 2023; and Municipal Aid & Local Government Economic Assistance Program Public Hearing of October 19, 2023, as presented. Kim Crupper seconded the motion, and the vote was as follows:

John Coleman	yes	Kim Crupper	yes
Greg Middleton	yes	Jayson Payne	yes
Bob Perry	yes	Gina Smith	yes

All voted in favor. Motion carried.

ANNOUNCEMENTS

- a. November free fall clean-up collection month
*Call by Wednesday to schedule your items to be picked up on Friday.

- b. All offices in City Building will be closed on Friday, November 10, in observance of Veterans Day
- c. Veterans Day Ceremony will be held at Williamstown High School on Friday, November 10
 - *Breakfast will be served at 8:15 a.m. in the cafeteria
 - *Ceremony begins at 9 a.m. in the gymnasium
- d. Veterans Day is Saturday, November 11
- e. Discussion and setting date for November Special Council Meeting (November 14 at 6 p.m.?)
 - *Mayor Christopher asked Council Members if they wanted to change the Special Meeting Date since it is falling in Thanksgiving week. Council was in agreement to leave the date 11/21/23 at 6:00 p.m.
- f. All offices in City Building will be closed on Thursday, November 23, and Friday, November 24, for Thanksgiving Holiday

AUDIENCE RECOGNITION

At this time, Mayor Christopher welcomed all that were present.

UNFINISHED BUSINESS

Hilltop water tower - discussion

Mayor Christopher requested Tim Beach (Water Superintendent) to step up to the podium and explain to Council about the Hilltop water tower.

Tim Beach stated the Hilltop water tower has not been filling correctly for the last five or six years. Mr. Beach believes not enough water is being sent out and eventually will be low pressure. He believes another line from the Depot to Hilltop will be required and would like Bluegrass Engineering to assess and give an estimate. Currently, the valves to the water tower are manually being turned on and off.

Mayor Christopher asked if he had any estimates of the cost. Tim stated that more data is being collected to verify the problem. Mayor Christopher asked how often the valves are being turned on and off. Tim stated once every couple of days. Kim Crupper asked if they fill the tower up and turn the valve off to shut the water down. Tim stated yes or either let Corinth pull the water down. Mayor Christopher stated this tower will be needing attention. Kim Crupper asked if it was a 6" or 8" line. Tim Replied 8". Bob Perry stated to Tim that this is something that needs to be taken care of. Tim replied yes, it needs to be. The Water Department has been dealing with this for awhile but, eventually it will become a problem. Kim Crupper asked if an additional line would take care of the issue. Further discussion occurred. Mayor Christopher asked Tim if he would have the results of the data back by the next council meeting. Tim replied the results from the data should be available by the next council meeting.

Zebra mussels-discussion

Mayor Christopher had pictures that Tim Beach sent him of two photos on October 31, 2023, showing where the mussels have been found inside the Water facility. Fifteen

pounds of Zebra Mussels were collected. It has not been determined how long they have been there or how they got in. Tim Beach stated he believes they are coming in through the raw water line. If the issue continues, it will choke the intake waterline down. Tim stated there are screens to put over the intake to possibly keep them out. It would require getting divers to measure the size of the intake in order to get the right size of the screens required. The Fire Department could assist in obtaining this. Jayson Payne asked how often the troughs are cleaned out. Tim stated once every two months. Mayor Christopher asked if he had an estimate of the possible cost. Tim stated an assessment of the intake pipes would be required to determine the cost. The Fire Department stated they could possibly dive in a couple of weeks. Once the screens are in place, copper could be used to clean the intake out and rid it of any mussels. Further discussion occurred.

Bob Perry stated the Lake is full of these mussels and doesn't know how to get rid of them. Mr. Perry stated there are two gentlemen in the audience who are biologists from the state of Kentucky. Hopefully they can give us some information.

Jeff Crosby, biologist from Ky. Department of Fish and Wildlife, introduced himself and stated he is the point of contact for Williamstown Lake. Jeff Ross, Assistant Director, from the Ky. Department of Fish and Wildlife is also here and hopefully will be able to answer some questions. Mr. Crosby stated there is significant growth of mussels in the Lake. A major concern is that mussels are easily transported to other water sources. The Lake's water quality is perfect for the mussels to survive and reproduce. Mr. Crosby stated Diane Ross (USGS) is the zebra mussel expert in the United States. She is more than happy to discuss the many options that are available with the City.

Jeff Shipp asked what the perfect conditions for the mussels to survive is. Mr. Crosby stated it is the Lake's water chemistry such as the different levels of calcium, nutrients, and minerals. The Lake has everything they need to do well. Mayor Christopher asked if they knew how long they have been in the Lake. Mr. Crosby stated they have been there since early 2022. There are multiple ages of mussels. The mussels are very difficult to deal with. Mayor Christopher stated he recently attended a meeting and was told small mouth bass would eat the mussels. Mr. Crosby stated small mouth bass would not survive. Blue catfish will eat them but will not control them. Mr. Crosby stated there are many options available and the City will need expert advice on what will work best for the City's Lake.

Mayor Christopher mentioned the issue with having paddlefish in the Lake. He further stated there has been many discussions with Council. He would like to allow the contract with Big Fish Farms to expire and allow the paddlefish to be removed. Once this is done, the City can resume their agreement with Fish & Wildlife and have them stock the Lake and patrol. It is surprising to have mussels in a small lake. Further discussion occurred. Mr. Crosby stated smaller lakes are being monitored. This is the first case in a smaller lake.

Mayor Christopher thanked Mr. Crosby for his time addressing the issue.

At this time, Mayor Christopher requested a four minute break.

Conrad Lane water tower update

Mayor Christopher stated he has written a letter he would like to read to City Council, regarding an update of where we are with the water tower.

Dear Council Members & guests at tonight's City Council meeting:

I've prepared the following letter to read this evening in order to update you of the various avenues of grant funding thus far and what options we found available to collect funding of the \$1.9 million dollar water tower proposal on Conrad Lane. First and foremost, this is regarding the development plans for MGP to expand their warehouses on Conrad Lane. The first commitment for funds for the water tower came from MGP with them agreeing to donate \$750,000, and there seems to be confusion however. I have heard that they are paying the \$750,000 in three different payments to date. I have not agreed to these terms and I myself am confused as to where these rumors are circulating from. I have reached out to Kentucky Governor Andy Beshear, Kentucky Economic Development, Grant County Chamber of Commerce, NKADD, KIA, KLC, and DLG to seek funding. To date, I've only heard back from a few of these organizations. It has also been made known to me that there is little anticipation for us to actually receive any grant funding. The only available option that I have found is for the Water Department to take out a loan to cover these expenses through KIA. I do not feel the best approach is for the Water Department to take on another loan. If the Water Department takes on another loan, water rates will need to be increased starting today. We have four water towers in desperate need of repairs, zebra mussels, milfoil, and paddlefish. The GAC (carbon) and internal infrastructure needs to be updated and addressed as well. I believe the City needs to focus on fixing the current, more pressing needs for the Water Department. I have heard from many employees and concerned citizens not to allow MGP to put more warehouses in the City. The state is phasing out the barrel tax leaving the City only to receive property taxes and that is only after the bonds have reached maturity. I have reached out to lawyers, attorneys, and governmental legal gurus and I have learned two things. I am still the Mayor and one of my responsibilities as Mayor is that I'm authorized to sign all documents pertaining to this matter. I am ceasing to sign any further documents regarding MGP as I do not believe this is a wise choice for the City. I was elected to defend the people who call the City of Williamstown home. And while I understand that Council may be very frustrated now, I must do what I took an oath to do and that is to speak out and tell you that this cannot move forward.

I welcome anyone from Council to speak out and share their thoughts with me and afterwards I will allow any member of the audience here tonight to speak. I ask that you keep in mind, we have a full house tonight, so I'm only going to offer a three minute limit to each audience member. I have had a conversation with Judge Executive, Chuck Dills and he vocalized his extreme concerns for the investment. Grant County Fiscal Court donated funds to help in the expansion of Conrad Lane. If MGP warehouses are constructed on Conrad Lane it will affect the two nicest developments in the County, including Hogan's Mill and Davis Point's new development still in progress. Once the

barrel tax is phased out, the property will be greatly diminished by the black fungus. So at this time, I want to offer anyone from City Council the opportunity to speak regarding this matter.

Kim Crupper stated the speech needed to be done before the October 2nd Regular Council meeting when the Conrad Lane Ordinance was passed. Mr. Crupper asked Mayor Christopher what would happen if MGP offers the \$1.9 million dollars for construction of the water tower. Mayor Christopher stated since he has learned no funding was to be found and believes other issues have priority.

Greg Middleton stated information on the development has been gathered over the last three months and feels decisions were made from the information available.

John Coleman stated he supported the Mayor 100% and has also talked to citizens who have the same concerns.

Jeff Shipp asked Mayor Christopher how many documents has been signed. Mayor Christopher stated that the Ordinance relating to the Industrial Revenue Bonds and the water service agreement. Mr. Shipp asked if we knew what MGP has done thus far and has MGP taken steps to purchase the property. He further stated there could be problems if MGP has signed or bought the property on Conrad Lane and MGP should be notified as soon as possible. Mr. Shipp stated repercussions could occur and that for every action there is a reaction.

Discussion occurred on the passage of an Ordinance or agreement and if an Ordinance is passed, it is up to the Mayor to sign off on contracts and agreements. Mayor Christopher stated he is doing what is best for the City and the citizens of Williamstown. Bob Perry questioned what are Council Members for. Mayor Christopher stated that Council is needed so not just one person can make a decision. Discussion continued.

Jayson Payne stated that the project appeared to be moving forward before anything was approved.

Gina Smith stated she feels blindsided and has concerns for the fallout and possible lawsuits. Ms. Smith asked Mayor Christopher if he had spoken to our own City Attorney. Mayor Christopher stated Jeff Shipp was spoken to about his decision to put the project on hold.

Kim Crupper requested a copy of the letter Mayor Christopher read for him and the other Council Members after the meeting.

At this time, members from the crowd took their turn to speak.

Janice Dill, a resident who lives in Thoroughbred Run subdivision, stated she has already had her house pressure washed due to the mold and now she is already thinking of moving due to this issue.

Bob Davis, developer on Conrad Lane, thanked the Mayor for taking his stand. He further stated the MGP development will greatly impact his housing development.

Bill Wilson stated his concerns about the Lake being impacted by the fungus. He asked if we want to continue to subsidize a nuisance.

A gentleman from the audience asked if the mold was harmful to our health.

Paula Jones, resident of Williamstown, stated her house now has to be pressure washed and scrubbed to remove the black residue. Fish in her fish pond are dying as well as plants. She has resided there for 40 years and has never has to pressure wash before.

Other members from the audience expressed their concern.

Bob Davis spoke again stating more whiskey warehouses would be more of a liability to the City and its citizens. He further stated the property that MGP is interested has not sold as of yet and asked for Council to please reconsider.

Bob Perry stated if the Mayor refuses to sign any documents than the issue will be dead. Further discussion occurred about the existing warehouses and if anything could be done. It was stated that a filter system could be done but the cost of this is expensive.

Brent Threlkeld stated the water tower is needed for fire suppression. He further stated if a whiskey warehouse was to catch on fire it would not be able to be put out. Mold kills trees and wildlife and questioned how this could be healthy. What radius will it effect?

NEW BUSINESS

Chief Les Whalen – discussion of purchasing five SCBAs (Self-Contained Breathing Apparatus)

Fire Chief, Les Whalen, presented Mayor and Council a handout. He would like to seek bids for the purchase of five SCBAs to be purchased in phases. Some discussion occurred.

City Council authorization/approval to seek bids for the purchase of five SCBAs (Self-Contained Breathing Apparatus)

Gina Smith made the motion to approve Chief Whalen to seek bids for the purchase of five SCBAs. Greg Middleton seconded the motion, and the vote was as follows:

John Coleman	yes	Kim Crupper	yes
Greg Middleton	yes	Jayson Payne	yes
Bob Perry	yes	Gina Smith	yes

All voted in favor. Motion carried.

Municipal Order 2023-04, Williamstown Police Department Policy and Procedures Manual Amendment (Adding Sexual Assault Investigation Policy)

Jeff Shipp read Municipal Order 2023-04, Williamstown Police Department Policy and Procedures Manual Amendment (Adding Sexual Assault Investigation Policy), in summary

Gina Smith made the motion to approve Municipal Order 2023-04, Williamstown Police Department Policy and Procedures Manual Amendment (Adding Sexual Assault Investigation Policy). Bob Perry seconded the motion, and the vote was as follows:

John Coleman	yes	Kim Crupper	yes
Greg Middleton	yes	Jayson Payne	yes
Bob Perry	yes	Gina Smith	yes

All voted in favor. Motion carried.

Adjourn

Jayson Payne made the motion to adjourn. John Coleman seconded the motion, and the vote was as follows:

John Coleman	yes	Kim Crupper	yes
Greg Middleton	yes	Jayson Payne	yes
Bob Perry	yes	Gina Smith	yes

All voted in favor. Motion carried.

Signed:

12/6/23
DATE

Vivian Link
Vivian Link
City Clerk/ Treasurer

Mark Christopher
Mark Christopher, Mayor
City of Williamstown, Kentucky

Nov 6, 2023

Exhibit A

Nov. 6 minutes

Dear Council members, and guests of tonight's City Council meeting.

I have prepared the following letter to read to you this evening to update you on the various avenues of Grant Funding I have looked into thus far, and what options we have found available to collect funding for the 1.9-million-dollar Water Tower proposal on Conrad Lane.

First and foremost, this is regarding the development plans for MGPI to expand their bourbon barrel warehouses on to Conrad Lane. The first commitment for helping fund the water tower came from MGPI, who will be donating the amount of 750,000 dollars.

There seems to be some confusion however as to how that money is to be paid. I have heard they are to pay the amount of 750,000 dollars over 3 payments. To date I have not agreed to these terms and I, myself am curious as to where these rumors are being circulated from.

I have reached out to Ky Gov Andy Beshear, the Ky Economic Development, Grant Co Chambers, NKADD, KIA, KLC, DLG, and the CED. To date I have only heard back from a select few organizations. I have been informed that securing any grant funding from Andy Beshear would not be possible at this time. With tomorrow being election day, it has been made clear to me that Gov Beshear will not be awarding any further grant funding until the results of this election have been determined. In the event he is re-elected they will request us to submit a new request for grant funding. However, it has been made known to me that there is little anticipation for the us to receive funding at this time. It was further explained that in the event that Gov Beshear is not re-elected there is less of a change he will be willing to expend any additional grant opportunities during the remained of his time in office.

The same sentiment has been given when speaking with other agencies, as this does not appear to be the most pressing need for the City of Williamstown's Water Department at this time. While conversing with a governmental elected official, one of which has no vested interest or stake in the matter, made the suggestion that it would be "damn near impossible to receive any grant funding at all" given the current need for water grant funding for areas in Eastern Kentucky that were affected by last year's flooding. Those areas will receive the majority of any available grant opportunities, since they have a more pressing need for water infrastructure.

I have spoken with a few persons at the NKADD, and this coming Wednesday Laura McClanahan and I have a meeting set up with a gentleman from the NKADD to create a project profile for the possibility of receiving some sort of funding opportunities, and I will keep you informed of how that goes.

However, while attending last week's NKADD meeting, I had brought up funding opportunities for our water, along with the current Zebra Mussel issues, and it quickly became blatantly clear that the more pressing needs for assistance in Grant funding would be to stop the spread of the Zebra Mussels. Representatives from the KIA made suggestions on where to start with the Zebra. Mussels, while other county judge exects, and mayors, spoke up about how this needs to be the priority for our Water Department.

At this point it has become crystal clear to me, the idea of finding grant money available to cover the cost of the moneys needed to have a new water tower. The only available option I have found at the moment is for the Water Department to take out a loan to cover the expenses. Through the KIA we could potentially receive a low interest loan that would still end up coming out of the cities pocket.

I say we could "potentially receive a loan" in quotations because after thorough review of our budget and future projected budgets, I do not feel that the best approach for the Water department is to take on another loan. If the water department takes on another loan, then the City would either A) have to raise water rates again starting today. Or B) the City should just go on and sell the entire water department. I say this because there is only so much debt this City and the Water Department can take on before we start to owe more money each month than we receive.

And at this point I have to point this out as simply and as plainly is possible. We have 4 waters in desperate need of repairs, maintenance, and upkeep. You have heard Mr. Tim Beach state earlier tonight that the Hill Top Tower is all but failing at the moment, and I have said since March that there is a lot of concern for the Humes Ridge water tower which hovers over 13 satellite dishes and antennas, And if something were to go wrong there, then it's not just a water tower issues, it's an issue for the City's Cable, Internet, and telephone lines.

If I am able to find any grant funding available, I would prefer it to go towards renovations on our existing water towers, and towards the current issues we are facing with water department at the Lake. These issues are regarding the Zebra Mussels, Milfoil, paddlefish, the Gak, the Carbon, and the internal infrastructure which needs to be updated and maintained.

Now as I believe I have made my thoughts known about the lack of grant funding and the blunt fact that the city's water department taking on more debt being detrimental to the City and the Water Department, I would like to make another statement to the council.

Last week I spoke with one of the engineers from Bluegrass Engineering, the company contracted to design and build the Conrad Lane water tower, and he informed me of two things. First – that it is very common to see development companies come in and request that the City flip the bill for their development project. He said this happens all the time, and that it is the City who should in tern say NO. He has seen hundreds of City's say no, we will not flip the bill for your project, and if you want it done, fund the full cost yourself. And 90% of the time the company will cover the entirety of the cost for their proposed project. He recommended we do the same in this case. Secondly he also stated that if the City has no funding awarded, and has no funding previously set aside to cover the cost of this project, and if the city feels this is not the best use of tax paying dollars, or even the best use of moneys from the citizens bills, then we can simply choose to no longer focus on the potential new water tower, but instead focus on fixing current more pressing needs of the Water Department. He said this happens all the time and he completely understands that may be something we need to do.

Honestly, I think we need to stop all of this now and rethink the decision of council to move forward with the MGPI expansion and water tower. I have heard from many of the city employees requesting and recommending that we do not move forward with the MGP expansion, and I have heard from so many concerned Citizens, some of which are here tonight, begging us to not allow more MGP warehouses being put in Williamstown. And I have to say I side with them.

Over the past few council meetings, there was an ordnance pasted to allow the City to enter into another IRB bond with MGP. This newest bond is for the maximum sum of 70,000,000. That is 7- million dollars, we will be bonding with MGP on. In the past the City has issued several other IRB Bonds already with MGP. The first was a 10 million bond. The second was for 15 million. The third and fourth were for 30 million and now they are asking for another IRB bond for 70 million dollars. Already the city has issued 85 million dollars worth of IRB Bonds for MGP and you want to enter into a new 70-million-dollar bond. GUYS THAT'S 155 million dollars for MGP.

And you do release that the state took away our incentive to do this. The state is phasing out the barrow tax. Leaving us left to only receive property taxes. And that's after all these bonds have matured. This is not a win for the CTIY.

I have sought a lot of wise and legal counsel of the past weeks, I have reached out to layers, attorneys, and governmental legal gurus so to speak, and I have come to learn a few ways I can and should approach this issue. Even though I did not have a vote on this happening, I still am the mayor. And one of my responsibilities as mayor is that I am authorized to sign all documents pertaining to this matter. After seeing counsel on

the matter, I have not signed anything further regarding MGP. As I do not believe this is a wise choice for our city to make. I was voted into a position that demands my willingness to stand up and do what is best for the citizens. Upon thoroughly reviewing ordinance no 2023-14 it states in the closing paragraphs of its preamble that

"Whereas: it is necessary and proper in the interests of the HEALTH, SAFETY, CONVENIENCE, and GENERAL WELFARE of the citizens, residents, and inhabitants."

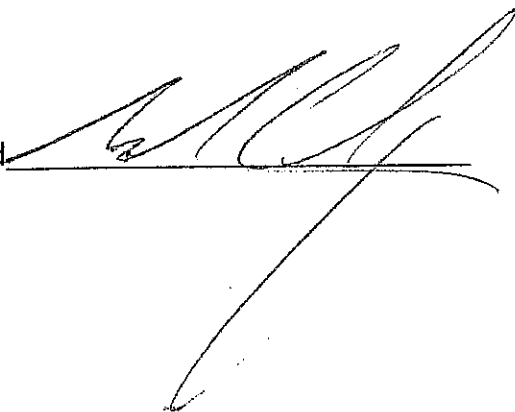
I cannot in good faith sign or bind the city to something that is not in the best interest of the health and safety of the citizens of our City.

I have to stand up and speak out to you tonight council and speak from my heart on the matter.

I was elected to defend the people who call Williamstown home, and while I understand you may be very frustrated with me at the present moment, I must do what I took an oath to do; and that is to speak out and tell you that this cannot move forward.

I am sure you have many questions for me at this moment, and I am also these find citizens who came out tonight would like the opportunity to speak their mind. So, at this time I welcome anyone from council to speak out and share their thoughts with me, and afterwards I will allow any member of the audience here tonight the opportunity to speak, THREE MINUTES ONLY

Signed

A handwritten signature in black ink, appearing to be 'M. J. ...', written over a horizontal line. The signature is stylized and somewhat cursive.

Date

11-6-25