

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY FEBRUARY 22, 2016 7:00 P.M.

Members Present: Mayor Stiffey, Commissioner Stiffey, Commissioner Vincent, and Commissioner Cannon

Members Absent: Commissioner Stidham

No City Attorney at this time

Mayor Stiffey called the meeting to order at 7:02 pm.
Invocation was given by Chaplain Coker
All present recited the Pledge of Allegiance

Mayor Stiffey welcomed all in attendance and stated they were all special guests.

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (January 25, 2016)
Minutes of Special Called Meeting (February 8, 2016)

The meeting minutes were approved by acclimation.

REPORTS

Treasurers Report (January 2015)

A motion was made by Commissioner Vincent to accept the Treasurers Reports as read and was seconded by Commissioner Stiffey. Ayes all members present so the motion passed 4 – 0.

Administrative Report

Mayor Stiffey reported the Master Commissioners Sale of the property located at 150 Third Street belonging to Ronnie & Christine Murrell fell through and the city was charged an additional one thousand nine hundred eighty eight dollars (\$1,988) in fees.

The Mayor also reported that there is a new business coming to town out at the old Flav-O-Rich plant. The business that has purchased this property is called Castlen Welding & Manufacturing and they specialize in fabrication, steel sales, industrial contracting, fertilizer material handling and storage as well as grain solutions.

Public Works Report

In Commissioner Stidham's absence Mayor Stiffey stated that he knew of nothing to report except a few signs have been fixed and the inmates were here about two weeks ago to help clean up around town.

Police, Public Safety, Health and Welfare Report

Commissioner Stiffey reported that at the February 8th Special Meeting Assistant Chief Greg Claywell was sworn in. It was also decided at that meeting he would be paid eleven dollars and fifty cents (\$11.50) per hour, and he will work sixteen (16) hours per week.

Commissioner Stiffey also reported that the new cruiser is finished at the radio shop and should be back tomorrow.

Clerk Brewer asked if the decals had already been applied to it and was informed that that was yet to be done.

At this time Commissioner Stiffey asked Chief Vance if he had anything to add.

Chief Vance stated that Assistant Chief Claywell had been doing a great job and this is his third week on the job. Chief Vance believes that the training should be over soon and Assistant Chief Claywell will be released to work on his own.

Cemetery Report

Commissioner Cannon stated everything was looking well however, we may have to start mowing soon.

At this time Mayor Stiffey referred to our last meeting where the matter of unmarked graves of possible Civil War Vets was discussed. Since there was some concern to if these were graves or not Clerk Brewer contacted Taylor Structural Imaging in regards to ground penetrating radar.

At this time the mayor asked Clerk Brewer to inform all present as to what she had found out.

The clerk stated that she had spoken to Storie Chastain with Taylor's Structural Imaging, LLC on Thursday February 11, 2016 and explained the situation. Storie informed her that they did do ground penetrating radar and had done so for other cemeteries in the area. Storie explained that they might not be able to tell if they were Civil War Vets but that if there was anything there to ascertain such the radar would pick it up. In any case they could tell with certainty if there was someone buried there or not. Storie stated that this could not be done until this spring because the ground needed to be dry.

Clerk Brewer requested a quote from Taylor's Structural Imaging, LLC and received it on Friday February 12, 2016. They will be at the cemetery for three (3) to four (4) hours and the cost will be four hundred dollars (\$400). Since the amount was within the allowable amount for the Mayor, Commissioners, or clerk to spend without having to be voted on; the Mayor and Clerk asked Taylor's to put the job on the schedule for this spring.

Code Enforcement Report

Commissioner Vincent reported that the violation that he and Chief Vance have been working on for several months now has been given sixty (60) days to bring the property into compliance. This should be done before the next meeting however, he would like for the commission to be

thinking about how they want to handle if the problem is not solved and would like this added to next month's agenda.

COMMITTEE REPORTS

Aging Committee

Jessie Varner was not able to attend the meeting so there was no report at this time.

OLD BUSINESS

Personnel issues involving compensation

Mayor Stiffey stated that these were issues involving compensation for a couple of employees.

Mayor Stiffey stated that the first matter was a matter of Compensation time for the clerk. He feels that this should be re-phrased or the handbook needs to be changed because he does not see that the clerk qualifies for comp time.

Mayor Stiffey stated the next item to be discussed pertained to Chief Vance's insurance. In the past the city has always paid for the insurance for the full time Chief of Police. However, Chief Vance's situation is different from past Chief's. Chief Vance requires Parent Plus insurance because he has children. The premium last year for Parent Plus insurance was one thousand seven dollars and forty six cents (\$1,007.46). The agreement made by the Mayor, and some of the commission with Chief Vance was that the city would pay the Single Contribution portion of the premium which was seven hundred eight dollars and fifty six cents, and Chief Vance would pay the difference of two hundred twenty seven dollars and ninety eight cents per month. However, our QuickBooks payroll system did not hold this money out of his pay check. Unfortunately, Clerk Brewer, the Mayor, nor Chief Vance noticed this until Clerk Brewer went to make the change for the current year.

Mayor Stiffey stated that due to this error, Chief Vance would now owe the city one thousand eight hundred dollars and eighty four cents (\$1, 823.84). Mayor Stiffey stated he would like to know how the commission would like to handed this matter. Do they want to make Chief Vance pay this back monthly, or how they wanted to handle this matter?

At this time Commissioner Vincent stated he thought this needed to go into closed session to discuss.

Chief Vance stated it did not matter to him if discussed in open session. However, he would like for the commission to take into consideration the fact that he sometimes works more than forty hours (40) a week and does not log this on his pay sheet, and that he is available to the city whenever they are in need of him.

Commissioner Vincent stated he thought the Commission should.

At this time Mayor Stiffey and Clerk Brewer informed him that since this wasn't a disciplinary matter but a compensation matter it could not go into closed session.

Mayor Stiffey stated that he felt that we were as much at fault for this matter as the Chief was and maybe we should consider splitting the cost with him.

At this time a motion was made by Commissioner Vincent to table these matters until a City Attorney was hired. The motion was seconded by Mayor Stiffey. Ayes all members present so the motion passed 4 – 0.

Alley Closure Update

Commissioner Vincent reported that he had taken letters to all property owners adjacent to Smith Street and had received two (2) agreements and one (1) undecided. He also stated he did not believe any of them had come into the office and gotten their letter notarized.

Commissioner Cannon reported that he had taken letters to all property owners adjacent to the alley between Third and Fourth Streets. He received one agreement and one undecided.

Mayor Stiffey reported that he had taken letters to the property owners adjacent to the alley between KY 101 and Beeler however, two (2) of the owners live outside the state and letters had to be mailed to them. One (1) of the letters has been returned as undeliverable and Clerk Brewer is trying to locate a new address for them.

City Attorney hiring discussion

Mayor Stiffey started off by stating that the City had received a Letter of Resignation from Attorney stating that he was resigning his position as City Attorney effective January 26, 2016 and the city has been looking for a new attorney since then.

Mayor Stiffey has spoken to two (2) different attorneys in regards to the position and has received bids from each of them.

The first attorney is Mark Lovell with Harlin Parker Lawyers in Bowling Green. Mr. Lovell is currently the City Attorney for the City of Brownsville and they are pleased with his services. Mayor Stiffey received a quote of a flat fee of two hundred dollars (\$200) for attending meetings and a fee of two hundred twenty five dollars (\$225) per hour for all other work.

The second attorney is Frank Hampton Moore, Jr. with the law firm of Cole & Moore, P.S.C. Mr. Moore's proposal stated that "the firm's fees will be based on time spent providing service and shall be billed at a rate of one hundred twenty five dollars (\$125) per hour on a monthly basis." In the event Mr. Moore is unable to be in attendance, or if there is a Planning & Zoning matter, Mr. Matthew Cook will attend in his place.

At this time a motion was made by Mayor Stiffey to hire Frank Hampton Moore, Jr. as the attorney for the City of Smiths Grove. The motion was seconded by Commissioner Cannon. Ayes all members present so the motion passed 4 – 0.

NEW BUSINESS

Approve contract of 2016 – 2017 Cemetery, City Hall Grounds, Right of Way mowing, Maintenance, etc..

Mayor Stiffey stated that Brian Gaul has the option each year to renew his contract for the mowing and maintenance of these areas unless he or the city gives ninety (90) days’ notice of terminating the contract. The city has been pleased with the work that Mr. Gaul has done in the past and wishes to continue the contract with Mr. Gaul.

Mr. Gaul also wishes to continue the contract however; he would like to increase the prices a little this year. Currently he is paid six hundred dollars (\$600) per mow for the cemetery, and one hundred fifty five dollars (\$155) a month for mowing the City Hall grounds. He would like to increase the cemetery to six hundred twenty five dollars (\$625) per mow, and the City Hall grounds to one hundred sixty dollars (\$160) per month.

Mayor Stiffey stated that he did not have a problem with these increase because Mr. Gaul does such a good job. Also, they have talked about maybe only weeding the cemetery every other mow and that could save the city a little money.

At this time a motion was made by Mayor Stiffey to increase the price on the cemetery contract with Mr. Gaul to six hundred twenty five dollars (\$625) per mow, and increase the City Hall grounds contract to one hundred sixty dollars (\$160) per month and sign the contract. The motion was seconded by Commissioner Cannon. Ayes all members present so the motion passed.

With there being no further business to discuss the meeting was adjourned at 7:47 pm by Mayor Stiffey.

APPROVED _____
DAVID L. STIFFEY, MAYOR

ATTEST _____
DEBORAH K. BREWER, CITY CLERK

DATE _____
Minutes were prepared by Deborah K. Brewer, City Clerk