

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY JULY 25, 2016 7:00 P.M.

All Members Present

Also Present: City Attorney Frank Hampton Moore

Mayor Stiffey called the meeting to order at 7:00 pm.
Invocation was given by Commissioner Vincent
All present recited the Pledge of Allegiance

Jessie Varner recognized special guests from BRADD: Michelle Hines, Aleshia Johnson, and Gene Becker, Interim Director. Mayor Stiffey recognized Diane Moats, C.P.A.

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (June 27, 2016)

The minutes were approved by acclimation

REPORTS

Treasurers Report (2nd QTR 2016 & June 2016)

A motion was made by Commissioner Stidham to accept the Treasurers Reports as read and was seconded by Commissioner Stiffey. Ayes all members present so the motion passed 5 – 0.

Diane Moats, C.P.A., presented final 2015 audit and noted changes made since January 21, 2016. She explained that the reason for delay in submitting final 2015 audit is she was waiting on peer reviewer to answer questions. The commission did not vote to approve the audit at this time.

BRADD guests in attendance gave a brief overview of the scope of services they offer. This was requested by Commissioner Stidham at the previous commission meeting so the commission would have this information before approving 2016-2017 BRADD dues.

Administrative Report

Mayor Stiffey stated that the ISTT contract for management of the City's IT services has been signed.

Public Works Report

Commissioner Stidham stated that there are some street signs leaning and two areas need city street lights. She gave an update on the Smiths Grove Days Festival. Cards have been mailed, three bands have been lined up to play, and she has been contacted by someone who wants to set up an inflatable jumping house. She asked Attorney Moore if this is a liability issue and he stated

the company would have to provide a certificate of insurance with the City of Smiths Grove listed as additional insured for the event date.

Police, Public Safety, Health and Welfare Report

Commissioner Stiffey stated that Chief Vance and Officer Claywell will be attending taser training classes next month. She also mentioned the issue of the City paying for Chief Vance's children's monthly health insurance in lieu of a raise, which was discussed at last month's commission meeting. She presented the calculation prepared by Clerk Brewer that was requested by Commissioner Vincent. The calculation shows \$105.23 is currently deducted from Chief Vance's pay check each pay period. If approved, Chief Vance's hourly pay rate would go from \$20.00 per hour to \$21.31 per hour which is an increase of 6.55%. Commissioner Vincent stated he doesn't know of any businesses giving that high of a percentage of an increase to their employees at this time. Connie Law stated that not everyone is putting their life on the line while doing their job. Commissioner Stidham asked if it is legal to pay for Chief Vance's children's insurance instead of give him a raise? Does this affect his retirement?

Commissioner Stiffey made the motion to pay Chief Vance an additional \$105.23 per pay period to cover the insurance, with a cap for 2016. Commissioner Cannon seconded the motion.

Commissioner Vincent made an amendment to the motion to give Chief Vance a 5% pay increase. There was no second.

Commissioner Stidham and Commissioner Vincent both stated they thought Chief Vance and Officer Claywell did an excellent job.

A vote was taken on the original motion made by Commissioner Stiffey. The motion passed 4 – 0 with Commissioner Stidham abstaining.

Chief Vance reported that Ronnie Pearson of Warren County Emergency Management stated the possibility of a tornado shelter at Ed Spear Park which will hold 300 people. He also said chain saws will be placed in all police cruisers for storm cleanup.

Mayor Stiffey stated he is in possession of the City's chain saw.

Buddy Marr stated North Warren Elementary School is an unofficial tornado shelter.

Cemetery Report

Commissioner Cannon reported that the cemetery looks great. There was an effort to cut back on weed eating to save money but due to the large amount of rain we've received, we have been unable to cut back.

Bob Buehl stated that he has nothing to report on research on the unknown grave. Mayor Stiffey stated Clerk Brewer had composed a statement to be placed on the grave marker.

Code Enforcement Report

Commissioner Vincent stated that Chief Vance will be checking on outstanding violations.

COMMITTEE REPORTS

Aging Committee

Jessie Varner introduced the guest speakers from BRADD and they outlined the services they offer.

OLD BUSINESS

Update on 150 W. Third Street property

At this time Mayor Stiffey turned the floor over to Attorney Moore.

Attorney Moore stated that a master commissioner sale of the property was held September 23, 2015. Jimmy Pillow was the high bidder but opted not to buy the property because two of the heirs of the Murrell family were not included in the lawsuit. Attorney Moore stated Judge Wilson may amend the lawsuit to add the two heirs.

Possibility of Deeding Lion's Club property out of any city connection to the Lion's Club. All fees to be paid by the Lion's Club.

Attorney Moore read from the deed dated September 13, 1969 which lists details of the transfer of property from the Webb, Madison, and Thomas families to the Smiths Grove Lion's Club. Attorney Moore referenced KRS 381.210 regarding rights of reversion. The City may quit claim their interest and he had prepared a quit claim deed which would convey the City's interest to the Lion's Club. Mayor Stiffey asked Jenny Arterburn if the Lion's Club had voted on the matter. She said no, but it had been discussed. She said John Wayne Smith had contacted Attorney Mark Alcott and he referenced KRS 381.219 which mentions termination of rights. Attorney Moore stated the Smiths Grove Lion's Club Horse Show Corporation is listed by the Kentucky Secretary of State as inactive due to no annual reports being filed. Commissioner Vincent asked what would be the advantage to the Lion's Club of being deeded the property since it has been mentioned that they can't maintain it. He stated he would have a hard time doing it but would consider deeding the building and small parcel of land around it.

Deon Benson with the Lion's Club stated that the reason this has come up again is that there are new IRS regulations stating that the only way the Lions Club can make payments is through member dues and that all monies raised through benefits must go back out. He also stated that if this is not done the officers of the club would be liable and no one would want to be an officer which would cause the club to cease. He also stated yearly membership dues are \$54.00.

Attorney Moore mentioned the tract of land should be surveyed.

Mayor Stiffey recommended the issue be tabled and addressed after the vote by the Lion's Club.

Buddy Marr asked how would putting the building in the Lion's Club name help them maintain the property? Jenny Arterburn stated that according to the national bylaws of the club, another non-profit organization must use the building and currently there is a Boy Scout group meeting there.

Update on future annexation of land on Vincent Street from City limits to corner of McKinley Road of both sides of road.

Attorney Moore referenced KRS 81A.410 regarding areas subject to annexation. The City must decide which properties they want to annex and approach owners to determine if they are agreeable. If 50% object, the issue can be placed on the ballot for a vote. Commissioner Stidham asked if we need to form a committee and volunteered to serve. Commissioner Vincent mentioned Patricia Ratliff is a realtor and knowledgeable of property owners. Mayor Stiffey asked Attorney Moore to work with Clerk Brewer on obtaining names and addresses of property owners.

Discussion of selling old City Hall property

12 feet of the old City Hall building is on CSX Railroad property. One offer has been received on the property (as is) but there are other parties interested. Mayor Stiffey made a motion for Attorney Moore to contact Johnny Tarter to discuss auction contract. Mayor Stiffey noted the City will pay Tarter Realty for expenses but they will waive a commission. Buddy Marr stated he was told CSX is not interested in small parcels. Clerk Brewer state 6 years ago CSX wanted \$15,000. for their portion of the property. The current occupant’s lease is up at the end of 2017. Ayes all members present so the motion passed 5 – 0.

NEW BUSINESS

Bids on street resurfacing for 2016

Street resurfacing budget for 2016 is \$70,000 with \$50,000 reserve. Mayor Stiffey stated a quote had been received from Scotty’s for resurfacing of various streets. Due to the amount of Scotty’s quote, it was determined that the sealed bidding process must be followed with an advertisement placed in the Daily News.

Right of Way clearing of limbs & brush on streets, alleys, sidewalks, and etc. bids.

Shawn Smith stated he would clean up the metal left by truck near Cave & 4th Street. Commissioner Stidham stated she would handle the bidding process for right of way clearing.

Mayor Stiffey made a motion to go in to closed session to discuss an employee compensation matter and a confidential police matter. Commission Stiffey seconded the motion. Ayes all members present so the motion passed 5 – 0. The commission entered closed session at 8:55 p.m.

Mayor Stiffey made a motion at 9:20 p.m. to enter open session. Commissioner Vincent seconded the motion. Ayes all members present so the motion passed 5 – 0.

Attorney Moore stated only the items mentioned were discussed in closed session and no decisions or actions were taken or will be taken.

With there being no further business to discuss the meeting was adjourned at 9:22 p.m. by Mayor Stiffey.

APPROVED _____
DAVID L. STIFFEY, MAYOR

ATTEST _____
DEB JOYNER, ASSISTANT CITY CLERK

DATE _____
Minutes were prepared by Deb Joyner, Assistant City Clerk