

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY OCTOBER 23, 2017 7:00 PM

All Members Present

Also Present: City Attorney Hampton Moore

Mayor Stiffey called the meeting to order at 6:58 pm.
Invocation was given by Officer Greg Claywell
All present recited the Pledge of Allegiance

Mayor Stiffey welcomed special guest Deborah LaSala who is the new Principal at North Warren Elementary School.

Mrs. LaSala stated that she wanted to introduce herself to the commission and inform them of some of the things going on at North Warren. She stated that the PTO has recently purchased new rubber mulch for the playground, purchased eighty-seven (87) new Chrome Books for the school, and has purchased several new LED panels for some of the classrooms. She stated that North Warren is a Light House School and that currently they are working on teaching the children how to do a correct handshake and how to handle themselves in a business gathering. They are looking for mentors and would welcome anyone from the commission or the community to be one.

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (September 25, 2017)

The minutes were approved by acclimation

REPORTS

Treasurers Report (First Quarter FY 17-18, September 2017)

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

Administrative Report

Mayor Stiffey reported that on November 4th the Food Ministry will be having their Appreciation Dinner and all city officials, staff, and their families are invited. He believed that it would start at 12:00 however, Clerk Brewer will check with Mrs. Ruby Woods to make sure.

On Friday, October 13, 2017 the students of North Warren Elementary did their Community Walk Through. There were six different groups of children ranging from Kindergarten to Second grade and they all seemed to enjoy their experience.

Public Works Report

Commissioner Stidham stated that he had not had any reports of any street, sign, or sidewalks that needed repairs.

The sidewalk work on Cave Street and Main Street in front of 101 S. Main Street and 105 S. Main Street has been completed.

Dennis is no longer with Scotty's and now Blake is in charge. Blake is in the process of trying to catch up on everything that Dennis had going on along with his other projects. They will be doing some pavement for the Truck Stop in November and may be able to get Laurel done at that time.

Commissioner Stiffey asked if the city would have the money to do so at that time and Commissioner Stidham stated he believed it would because of tax collections. However, if the city needed to the paving could be held off until spring.

Commissioner Vincent asked Commissioner Buehl if he was planning on doing any paving in the cemetery this year. Commissioner Buehl stated that it would be spring before he did.

Commissioner Stidham stated that city may just do it all at one time.

Police, Public Safety, Health and Welfare Report

Commissioner Stiffey reported that there have been some complaints about the city's speeding tickets. She stated that she would like to know what the commission was supposed to do, "just take down all the street signs and let people use like a race track?" She believes that if people don't like getting a city ticket maybe they should be given a choice between a City and a State citation. She stated that the city pays the police to carry out a job and they do a good job at doing so.

Commissioner Stidham stated that he believes that since HWY101/Main Street is 35 MPH that people think all the city streets are 35 MPH.

Chief Vance stated that all speed limit signs are in the correct place and give plenty of notice as to the speed limit. Also, in most other cities the speed limit for their city streets is 25 MPH just like ours are.

Assistant Chief Wright suggested that the city purchase some signs stating that the speed is strictly radar enforced. He stated that Hedge Street is becoming a raceway from people coming up HWY 101 from the direction of 31W.

Chief Vance stated that the police force was lenient on the writing of speeding tickets. They start writing tickets at 15 MPH over the speed limit.

Commissioner Vincent stated that if people were going 15 MPH over the speed limit then the city does have a speeding problem.

Attorney Moore replied that KRS 83A authorizes cities to enforce their speed limit ordinances through civil penalties. Clerk Brewer has provided him with the History/Ordinance stating regulations and penalty. He stated that the complaint he received was not against the Police Department just against the fact the person received a speeding ticket. The inquiry on authority came from County Attorney Amy Milliken and he will be responding to her inquiry.

Commissioner Vincent stated that maybe the city needed to revise the ordinance and state that after three (3) city citations the next will automatically be a state citation.

Chief Vance stated that they do not give the offender a choice of which citation they get the officer makes the decision.

Commissioner Buehl stated that he supports our police and the great job they are doing.

Commissioner Stiffey stated that she wanted our police to make sure that people are parked going the right way on our streets.

Commissioner Buehl stated that the city needed to be sure to be fair about who gets a ticket.

Mayor Stiffey asked if Chief Vance had anything else to report.

Chief Vance reported that he and Assistant Chief Wright have purchased two new refurbished radar detectors from PB Electronics. PB Electronics took our two old outdated ones as trade-ins therefor the cost was less than five hundred dollars (\$500). Also, they come already certified for one (1) year.

Assistant Chief Wright stated that he has had some items donated to the city by sister agencies that he is associated with at no cost to the city. Also, he is working on trying to get a portable radio for Officer Claywell.

Cemetery Report

Commissioner Buehl reported that now that the weather has gotten cooler he will be able to start doing his type of work in the cemetery. He still has two stones in his shop to be finished and with the cooler weather he will now be able to start work on the twenty (20)

posts that need to be painted for the memorial area. Also, he is going to replace the mulch at the HWY 101 entrance to the cemetery, and put down some grass seed in triangle area where the concrete work was just finished. Commissioner Buehl stated that he would like to inform every one of the Veterans Day Memorial Service that is held by the Women's Club every year, will be on November 9th at 11:00 am at the chapel. He hopes that the community will come out and support the event and remember all those that have served, and are currently serving our country.

Code Enforcement Report

Commissioner Vincent stated that as far as he knows there is no property out of compliance now. He did have someone to go and mow a couple of properties that were out of compliance. One of them is owned by an absentee owner in another state, and the other property the owner just refused to mow. Commissioner Vincent stated that he did have Chief Vance did go with the person mowing the property that the owner refused to mow as a precaution as per Attorney Moore directions.

Clerk Brewer informed the commission that she had received information on the property belonging to Evelyn Donnell Franklin located at 476 Cave Street who is deceased. The city-has turned the tax collections over to Hillcrest Credit Agency for collection and they have found out that there is no estate or executor.

Commissioner Vincent asked Attorney Moore what could be done about collecting these funds since there is no estate.

Attorney Moore asked Clerk Brewer if she knew if the County Taxes were being paid to which she stated they had not been according to the Sheriffs website. He said if the city could get the county to go along with them the two of the agencies could force foreclosure on the property. He asked Clerk Brewer to send him any information she had on the property.

COMMITTEE REPORTS

Aging Committee

No report at this time.

Smiths Grove Days Festival

Mayor Stiffey stated that he had asked Clerk Brewer to come up with some figures on the revenue and expenses for the festival. The expenses included the payroll for the Clerk, Assistant Clerk, Chief, and Assistant Chief. This year the city also gave two hundred twenty-five dollars to two of the groups that performed at the event. The third group stated that they did not want any payment and just enjoyed doing it for the city. Even with these expenses the city had a Net Income of eight hundred forty-one dollars and thirty-six cents (\$841.36). Clerk Brewer also included information on the Revenue and Expenses for 2016 and 2015. Each year the Revenue has increased by anywhere from two hundred dollars (\$200) to five hundred dollars (\$500).

OLD BUSINESS

Meadows Subdivision Street Light Report

Mayor Stiffey reported that this matter would have to be postponed until November because Ms. Debbie Richey was not able to be here.

Discussion on Completing Franchise Agreement with SCRTC

Mayor Stiffey reminded everyone that at the last meeting the Franchise was voted on and approved. After the last meeting he and Attorney Moore got together and were ready to go ahead and sign the Franchise Agreement. Attorney Moore had received a Franchise Agreement produced by SCRTC's attorney and one produced by Clerk Brewer. He and Attorney Moore prefer the one composed by SCRTC's attorney. Mayor Stiffey would like to go ahead and sign the Franchise Agreement and consider the matter completed however; Clerk Brewer questioned the need for an Ordinance.

Attorney Moore stated that he and Clerk Brewer disagree about the need for an Ordinance. There is no doubt that the bid was awarded but he questions the need for an Ordinance even though one was done in the past. He feels that a Municipal order would work just as well that way there would be no need for two votes. He explained that a Municipal Order is usually used for matters relating to the internal operations and functions of the city such as giving the Mayor permission to enter into a contract and he believes this would be acceptable.

Commissioner Vincent stated that if Attorney Moore feels good about the matter then that is what the commission should do.

Mayor Stiffey stated that he had contacted Chris Johnson with KLC and Mr. Johnson said that with the agreement an Ordinance was not necessary.

Mayor Stiffey, Commissioner Stiffey, and Commissioner Vincent stated that Attorney Moore's opinion was good enough for them.

Clerk Brewer stated that she had discussed with the Kentucky Municipal Clerks Association and the Barren River Municipal Clerks Association and they all agreed that an Ordinance was needed in order to be able to collect a Franchise Tax Fee. Without one the city would not be able to collect the tax. All that she wanted to do was to be sure the city was covered, and everything was legal.

Commissioner Buehl asked which would cover the city best to which Mayor Stiffey replied that it didn't matter because Attorney Moore would have to represent the city either way.

Commissioner Buehl asked Attorney Moore what would happen if we found out later that an Ordinance was needed, and Attorney Moore stated the commission could do one at that time.

NEW BUSINESS

Discussion on giving Assistant Clerk Deb Joyner a pay raise

Mayor Stiffey stated that in November of 2016 Assistant Clerk Joyner received a one dollar (\$1.00) per hour (or ten percent 10%) pay raise bringing her hourly pay up to eleven dollars (\$11.00) per hour. She is the lowest paid in category. She has not asked for a raise, but he believes the commission should discuss giving her a raise. Commissioner Vincent asked Mayor Stiffey if a written evaluation had been done on Assistant Clerk Joyner to which the Mayor replied no it had not.

At this time a motion was made by Commissioner Vincent to give Assistant Clerk Joyner a one dollar (\$1.00) per hour raise contingent on an evaluation being done by the Mayor and put in her file. This would bring her to twelve dollars (\$12.00) per hour.

Commissioner Stidham asked Mayor Stiffey if he did the evaluations on all the employees. Mayor Stiffey replied that no, he only did the Clerk and Assistant Clerk. Commissioner Stiffey did Chief Vance’s and Chief Vance does the other officers.

Commissioner Buehl seconded the motion and roll was called for. Ayes all members so the motion passed 5 – 0.

Trick-or-Treat Hours for the City of Smiths Grove for 2017

Mayor Stiffey stated he thought the commission needed to decide what hours they wanted to set for Trick-or-Treat since it was coming up in a few days. He asked if the commission wanted to set the hours as 4:00 pm – 7:00 pm or what they wanted to do.

Chief Vance stated he thought the county had set their hours as being 4:30 pm – 7:00 pm.

The commission decided that the hours would be from 4:30 pm – 7:30 pm.

Commissioner Stidham reported that there will be an Italian water circus set up at the mall from November 9th to November 12th.

With there being no further business to discuss the meeting was adjourned at 8:07 p.m. by Mayor Stiffey.

APPROVED _____
DAVID L. STIFFEY, MAYOR

ATTEST _____
DEBORAH K. BREWER, CITY CLERK

DATE _____
Minutes were prepared by Deborah Brewer City Clerk