

SPECIAL CALLED CITY COMMISSION MEETING  
MONDAY, MARCH 31, 2003

The Mayor called the meeting to order with all commissioners in attendance, as well as Debbie McCarty from the BRADD offices, a representative from the Daily News, and Currie Milliken the city attorney, and a reporter from WBKO.

Prior to addressing the agenda, the Mayor ask the city attorney the legalities of having a video camera at the meeting. The attorney said it must be done only after permission and consent from all of the commissioners. Walter McCay presented a lengthy KRS which stipulated that tape recordings were permitted. The attorney agreed to look into both the KRS and OAG that Mr. McCay presented. Comm. Pierce ask if that meant the gentleman from the Daily News couldn't be in attendance and use his camera the attorney said this was another, totally different issue. He then added that there were times when cameras were disallowed in courts of law. He ask Comm. Pierce what his intentions were for having the camera there. Comm. Pierce said for complete accuracy of the proceedings of the meetings. Mr. Milliken said the sole intent of the clerk keeping minutes accurately was for this purpose. Roll call and vote, Cooke yes, Watt yes, Gilley no, martin yes, Pierce yes. The attorney ask him if he intended to turn them over to the city and Comm. Pierce said he did. Comm. Pierce had previously presented a motion that video cameras be allowed at the meetings which was seconded by Comm. Martin, but after the discussion regarding same, he withdrew his motion until firm legal opinions were given.

Before addressing the agenda, the Mayor ask the commission and those in attendance to keep their remarks to three minutes.

AGENDA

1. City Clerk's resignation

Comm. Pierce opened the discussion with a motion that Phyllis Bessette's resignation be rejected, and that Mayor Gilley call her and ask her to return to her duties, seconded by Comm. Martin. Walt McCay ask why she had left, and the Mayor said it was due to conflict of personalities. Those in attendance ask to have her letter of resignation read, and Comm. Watt read it. Buddy Marr ask what hostilities Ms. Bessette was referring to. The Mayor said he did not wish to speak for her. Comm. Martin ask Comm. Watt is he wasn't present when one of these confrontations took place, and if so to tell the commission what was said. Comm. Watt it was not his intention to air dirty laundry in the meeting, so he wasn't going to comment. Roll call and vote, Cook yes, Watt yes, Gilley no, Martin yes, Pierce yes.

2. Possible City Clerk replacement

Comm. Pierce said he talked with the BRADD offices and they suggested that the city hire a temporary person until a new clerk was hired. Comm. Cooke presented a motion the city hire former city clerk, Dorothy Neal until a decision on a new

clerk was made, seconded by Comm. Watt. Roll call and vote, Cook yes, Watt yes, Gilley yes, Martin yes, Pierce yes. Mayor Gilley ask if there was any further discussion. Mr. McCay said he would again like to ask the particulars as to Ms. Bessette leaving. Mayor Gilley said again he wasn't going to discuss it, nor say anything against or about Ms. Bessette. As he had previously stated, it was a conflict of personalities. Mr. Marr again ask the Mayor what hostility he was referring to and the Mayor replied he didn't know for sure and would not talk about Ms. Bessette. Mr. Marr being unable to accept the Mayor's explanation, became loud and hostile himself and the Mayor ask the Police Chief to escort Mr. Marr from the meeting. Mr. Marr ask the attorney if he felt he was being hostile and the attorney said yes. Mr. Marr agreed to calm down and quiet down. The Mayor said on numerous occasions he had ask Ms. Bessette for ordinances or other pertinent information and never got them. He said it took him fourteen days to get a key to the new Municipal Building whereas the commission got theirs immediately after the locks were changed. Lee Carwell said he felt the mayor should resign.

### 3. Hiring procedures

Comm. Pierce presented a motion that, if after the Mayor contacted Ms. Bessette and she wasn't going to return, the city then advertise in Sundays paper for a new clerk, seconded by Comm. Watt. The Mayor wondered if it wasn't more expensive to advertise in the Sunday paper. Comm. Pierce said probably, but more people read the Sunday paper than the daily. Connie Laws ask the commission if Ms. Bessette would be welcomed if she decided to return. They all said that she would. The Mayor then called for a vote- Comm. Cook yes, Comm. Watt yes, Mayor Gilley no, Comm. Martin yes, Comm. Pierce yes. The city attorney addressed the commission and told them the inner commission problems that exist are really effecting Smiths Grove.

### 4. Ethical conduct of elected officials.

Mayor Gilley said since he had not shared in the compiling of the agenda, he had no idea what this was about. Comm. Pierce said the ethical conduct by the Mayor towards Ms. Bessete had brought this meeting on, since Ms. Bessette had stated hostility towards her by the Mayor was her reason for resigning Comm. Martin said Comm. Watt had heard one of the discussions, but refused to comment on it. Ray Lewis said in his opinion, all of the commissioners would have to contact Ms. Bessette. Mr. Milliken said the Mayor usually asks as a spokesperson for the city

### 5. City Commission authority

Mr. Milliken said with the commission permission he would be glad to outline the appropriate statutes addressing this subject for the commission. Buddy Marr ask Mr. Milliken approximately how many statutes, in his opinion, addressed this

matter. Mr. Milliken said around 40. Connie Law said she felt the commission needs to do something as the city is being torn apart and she for one wants it settled. Comm. Cook presented a motion to allow Mr. Milliken to do this outline for the city commissioners, seconded by Comm. Pierce. Roll call and vote- Cook yes, Watt yes, Gilley yes, Martin yes, Pierce.

With no further agenda items to be presented, the meeting was adjourned.

APPROVED: \_\_\_\_\_  
James R. Gilley, Mayor

ATTEST: \_\_\_\_\_  
Dorothy J. Neal – Interim City Clerk