

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY, JUNE 24, 2019, 7:00 PM**

Members Present: Mayor Pro-Tem Bob Buehl, Commissioner Maurice (Buddy) Marr, Commissioner Steve Roney, City Attorney Hamp Moore, Chief Johnny Vance

Absent: Commissioner James (Mickey) Jones

Arrived Late: Mayor David Stiffey

Mayor Pro-Tem Buehl called the meeting to order at 7:00 pm

Invocation was given by Pastor Casey Mathias

All present recited the Pledge of Allegiance to the Flag

**READING AND APPROVAL OF MINUTES**

Mayor Pro-Tem Buehl asked the Commissioners if there were any corrections or additions to the Minutes from the May 28, 2019 Regular Meeting. There were none. Commissioner Marr made a motion to accept the minutes and Commissioner Roney seconded the motion. Roll call was 3-0 to accept the minutes as read.

**REPORTS**

**Treasurers Report (May 2019)**

A motion was made by Commissioner Marr to accept the Treasurers Report as read and was seconded by Commissioner Roney. The Treasurers Report was approved by 3-0 vote.

**Public Works Report**

Commissioner Marr reported he received an email from Mike Bell of WRECC that the materials have arrived for the transition of street light fixtures to LED and that the work would begin this week. Commissioner Marr also spoke with Ronnie Pearson of 421 Cave Street who has agreed to acquire the rock needed to repair a drainage problem in his yard. He will take care of this when he is able. Commissioner Marr had a discussion with Magistrate Rex McWhorter about the Warren Fiscal Court Resolution No. 95-27 which was approved September 22, 1995. The Resolution states "the following county roads run through the City of Smiths Grove that meet the necessary requirements to be included in a county through road system: Hayes-Smiths Grove Road (Hays), Oakland Road, Rocky Hill Road." Magistrate Rex McWhorter reported that per the County Judge Executive that Resolution was a one-time event and that the county is not responsible for the maintenance of those roads in Smiths Grove. Commissioner Marr expressed his adamant disagreement and that the county should take responsibility for those county roads including plowing of snow on those particular roadways. Currently the county snowplows will plow the county road and then lift the blade when entering Smiths Grove, rather than completing the plowing of those county roads.

**Cemetery Report**

Commissioner Roney stated there was nothing new to report. Mayor Pro-Tem Buehl stated he still had 2 headstones, that he had been repairing, to return to Commissioner Roney.

## **Code Enforcement Report**

In Commissioner Jones' absence there was no Code Enforcement report.

## **Police, Public Safety, Health and Welfare Report**

Mayor Pro-Tem Buehl stated he had nothing new to report and deferred to Chief Vance who said his report was part of the New Business. A resident asked Chief Vance if it was legal to shoot a firearm in the City. Chief Vance stated that at one time there was an ordinance against shooting a gun within city limits but that the Ordinance had been repealed, mostly due to the need to eliminate nuisance animals, such as skunks. Residents are legal to shoot a gun within city limits, but any unsafe behavior should be reported.

Chief Vance reported that a group including himself, Commissioner Roney, the Mayor and Kenneth Marr, Daniel Parsley and others had worked together to clear a fallen tree at the intersection of Broadway and College Streets. A large limb had fallen on a power/cable line and help was obtained by Commissioner Marr asking Kenneth Marr, Commissioner Roney and the Mayor for their help. The need for assistance was also posted on Facebook. Kenneth Marr, who doesn't live within the city, brought a few people to assist. Commissioner Marr made a motion that Kenneth Marr and group receive \$100 for their expense of gas with their chainsaws. Commissioner Roney seconded the motion. There was discussion regarding the reimbursement of others who assisted in the clearing of the tree; the Mayor who would most likely not accept reimbursement. Daniel Parsley was approved to receive \$50 for his help, Residents and the Commission made note of the amount of work done by the Mayor for the City and there really is no way the city could afford to reimburse him for the amount of time and labor he devotes to the city and cemetery. The Mayor's contributions are appreciated.

## **Administration Report**

Mayor Stiffey arrived at the meeting and stated that 2 benches were purchased for the front area of City Hall and that the 2 old wooden benches were given to Chief Vance to refurbish. The new benches are made from recycled tires which should prolong their life and appearance.

## **Old Business**

The Mayor stated that City Clerk Howard had sent out bid request letters to 4 accounting firms and that only one firm had sent in their bid. Clerk Howard stated that 2 firms had requested prior audit copies before they send in their bids. As follow-up to May discussion, Commissioner Marr did personally speak with Diane Moats, CPA, regarding the tardy 2017-2018 audit, which she still states will be received before June 30<sup>th</sup>. The Commission determined to wait until other bids are received and select a firm at the July Commissioner meeting.

Mayor Stiffey introduced the Second Reading of 2019-2020 Budget Ordinance 2019-001, asking the Commission if there were any questions or discussion. There were none. The Mayor made a motion to accept the 2019-2020 Budget Ordinance and Commissioner Marr seconded the motion. The Budget was approved as read with a 4-0 vote.

The Mayor explained that each of the Commissioners received information from Data Design, the software provider for our current Property Tax Collection software, for a proposed Occupational License Tax Collection software. He stated that this software would assist the clerks in the management ability to collect Occupational Payroll/Net Profit Licensing Tax, when the Commission determines how they will implement such a tax. Commissioner Marr asked if it



was feasible to determine the amount of income such a tax would generate. Commission Buehl responded that Commissioner Jones would be the best resource for that assessment. Commissioner Marr made a motion that in the event the Commission passes a new Occupational License tax the city would have this software product in place to handle the collection management. Commissioner Roney seconded the motion and the vote was 4-0 to approve.

### **New Business**

Mayor Stiffey introduced the topic of a golf cart Ordinance which had been researched by Clerk Howard and Chief Vance. Chief Vance presented the proposed Ordinance which states the KRS statutes and those that most surrounding cities have implemented to address the safety issues with golf carts within the city. This ordinance includes a registration fee, provides the licensed driver with safety rules for who may drive a golf cart and a required golf cart safety inspection by the county Sheriff department. Sheriff Hightower has agreed to schedule times for his department to be here in Smiths Grove to perform the inspection. Commissioner Marr stated we should be able to acquire decal stickers at a reasonable price to issue to those golf cart owners in compliance. The goal of the city is to promote safety. The Mayor asked Attorney Moore if the draft ordinance provided by Chief Vance was sufficient for him to draft a golf cart ordinance for the City of Smiths Grove and Attorney Moore agreed it was. Attorney Moore will provide his revised Ordinance at our next meeting.

A resident asked how the new golf cart ordinance registration information would be communicated to the community. There was discussion on how we might get this information out through media.

The Mayor introduced the packet of information from Mayor Bruce Wilkinson, Bowling Green, concerning proposed amendments to the City-County Planning Commission Board interlocal agreement. Attorney Hamp Moore explained that the proposal refers to changes in the make-up of the 12 member voting board compared to the original 1970's agreement whereby the City of Bowling Green has 4 representative, the County has 4 representative and each of the small cities, (Plum Springs, Woodburn, Oakland and Smiths Grove) each have one representative. The proposal, which is based on proportionate ratio's of population, would change the small cities to have one unified vote rather than 4 votes. The document is still under discussion at the City-County Planning Commission and has some notes/mark ups which have yet to be clarified. Mayor Stiffey will determine whether to pursue discussion of the topic by requesting Mayor Wilkerson to attend a Commission Meeting to clarify points in the proposed amendments.

Several residents brought up the property located at 117 S Main and 127 S Main Street asking if the city can take action against the owner by siting the potential safety/fire hazard or health issues the properties present to the community. The Commission will investigate these properties as far as Code Enforcement violations.

The Mayor made a motion to go into a short-closed session to discuss a personnel issue. The motion was seconded by Commissioner Buehl and the vote was 4-0 to go to closed session at 8:43pm. The Commission Board returned at 9:02pm and the Mayor made a motion to return to Open Session, Commissioner Buehl seconded the motion and the vote was 4-0 to approve the Open Session action.

With there being no further business to discuss the meeting was adjourned at 9:03 p.m. by Mayor Stiffey.

APPROVED   
DAVID L. STIFFEY, MAYOR

ATTEST   
NANCY HOWARD, CITY CLERK

DATE 7-23-19  
Minutes were prepared by Nancy Howard, City Clerk.