

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY JUNE 26, 2017 7:00 PM

Members Present: Mayor Stiffey, Commissioner Stidham , Commissioner Stiffey, Commissioner Vincent, and Commissioner Buehl.

Also Present: City Attorney Hampton Moore

Mayor Stiffey called the meeting to order at 7:01 pm.
Invocation was given by Commissioner Anthony Stidham
All present recited the Pledge of Allegiance

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (May 22, 2017)

The minutes were approved by acclimation

REPORTS

Treasurers Report (May, 2017)

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.

Administrative Report

Mayor Stiffey requested that the Administrative Report be moved to later in the meeting in order for guests to give their presentations.

SCRTC Presentation

Bobby Richardson, general counsel for SCRTC, stated they would like to put cables for their services in Smiths Grove on their way to Brownsville. These cables would be used for television, internet, and telephone services. He asked the Commission to vote to advertise for a non-exclusive franchise agreement to perform the services. Commissioner Vincent made a motion to vote and Commission Stidham seconded the motion. Attorney Moore stated this would be for a 20 year term but could be discontinued by either party. Attorney Moore asked if the SCRTC wanted the Commission to authorize request for bids to which Mr. Richardson replied yes. Mayor Stiffey stated the ordinance must be published. Attorney Moore replied that right now the Commission would only be agreeing to advertise for bids. Commissioner Vincent asked if the cables would be over head or underground to which Harold Thompson of SCRTC stated they would be bored under the street and overhead. Commissioner Buehl asked if the cables would be only fiber, not copper. A SCRTC representative stated it would be fiber. Commissioner Stiffey asked if you would be required to have a landline phone. Mr. Thompson replied yes.

Commissioner Stidham asked about a cost comparison to which Mr. Thompson stated it would depend on services but they are comparable to other providers. They offer several different pricing options. Commissioner Vincent asked about the timeframe for getting the cables installed and Mr. Thompson replied it would be within the calendar year. Buddy Marr asked how deep the cables would be buried and Mr. Thompson stated 30". He also stated all property disturbed by the installation of cables would be returned to the original condition. Mr. Richardson suggested that specifications of franchise agreement he provided be used for advertisement for bids. Attorney Moore stated we could go ahead and put out advertisement for bids and we can negotiate terms of the agreement. Commissioner Vincent rescinded his original motion that had been seconded by Commissioner Stidham. Commissioner Vincent then made the motion to accept bids and Commissioner Stidham seconded the motion. Ayes: All members present so the motion passed 5 – 0.

GUEST

Jessie Varner introduced guest Teresa Stokes, from Audubon Community Services. She is the Program Manager for the SCSEP Program. This service was previously known as Green Thumb. This is a Department of Labor based employment program for low income individuals who are 55 and older. She gave an overview of the program and provided information available with details.

Public Works Report

Commissioner Stidham reported that Scotty's had completed the paving that was bid and approved last year and they did an excellent job. He also stated the sidewalks have been completed and look good. He said the process would begin again as the new fiscal year begins in July. Commissioner Stidham asked who is responsible for street lights in The Meadows subdivision. Bob Smith, a resident of The Meadows, stated that the responsibility is the lot or homeowner's and an assessment is on their annual Warren County tax bill. Mr. Smith also stated that Debbie Richey is the HOA president for The Meadows subdivision. Commissioner Stidham stated that the sidewalk at Ronnie Pearson's driveway is low and causes rainwater to run to Hwy 101. He asked Corey Keith of Professional Concrete to take a look at the sidewalk and Mr. Keith said the sidewalk needs to be raised. Commissioner Stidham stated he would present Mr. Keith's bid to raise the sidewalk at the July commission meeting.

Police, Public Safety, Health and Welfare Report

Commissioner Stiffey asked Chief Vance to discuss delinquent city code violations. Chief Vance stated that 13 notices (60 days delinquent or more) had been turned over to Hillcrest Credit Agency for collection. The service is at no cost to the City and Hillcrest will recover their costs from the person the violation was issued to. Commissioner Vincent stated the invoice for Cave Street property mowing should be turned in to Hillcrest at the end of the mowing season.

Cemetery Report

Commissioner Buehl reported that he had repaired the King monument that had been damaged in the last year. He is also making repairs to two small markers. He also

reported that headstones had been cleaned by someone doing community service and the person had done a good job. He reported that the James Doughty headstone had been cleaned and looks much better. He will continue with the headstone cleaning project but reports that it is a slow process.

Code Enforcement Report

Commissioner Vincent stated that he is pleased to report that 80 to 85% of violations are now in compliance. He reported the properties on Highland, Rumsey, and Witherspoon are not in compliance and contact with the residents is ongoing. He reported that the Burn Day scheduled in June was cancelled due to rain. Commissioner Vincent made the motion to reschedule Burn Day activities for July 14 and 15. Commissioner Buehl seconded the motion. Ayes all members present so the motion passed 5 – 0.

COMMITTEE REPORTS

Aging Committee

None.

OLD BUSINESS

Update on truck stop improvements

Mayor Stiffey stated that Mr. Elliott says they are moving forward. Attorney Moore stated that Ben Peterson of Warren County Planning Commission says there has been some activity and Mr. Peterson met with David Elliott, contractor, the past Thursday to get an update on the project. Mr. Elliott stated he had met with Josh Moore, Warren County Public Works Director, to work out deficiencies in the grading plan. Mr. Elliott also stated the addition of Taco Bell has caused a delay in the project but it is now on track. The City had given the Travel Center until June 16, 2017 to start the project. Mr. Peterson stated since the project is somewhat underway, the best course of action is to “keep the heat turned up” on them. Commissioner Stidham asked if the Planning Commission is fining them. Attorney Moore stated they are not willing to impose fines right now. Albert Rich stated he spoke with Mr. Peterson and he feels sure he will hold them to what needs to be done. He stated Mr. Peterson “is not asleep at the wheel” and will put pressure on as needed.

Perpetual Care funds at Cemetery discussion

Mayor Stiffey deferred to Attorney Moore for an update on the matter.

Attorney Moore stated that he has petitioned Warren Circuit Court to allow the transfer of funds to the City’s main bank account to use for cemetery upkeep. The Attorney General required some change and then he sent the petition to the Attorney General’s office and is now waiting to hear back from them. Once he hears back from them he will appear before Judge John Grise. He expects to appear before Judge Grise by the Commission meeting in July.

NEW BUSINESS

Barren River Hazard Mitigation Plan

Mayor Stiffey read resolution #01-17 and stated the plan is in place-this is an update. Mayor Stiffey made the motion to accept and Commissioner Stidham seconded. Ayes all members present so the motion passed 5 – 0.

Code Enforcement Property in Continued Violation

Commissioner Vincent stated that the Highland property has made improvements but needs more. He stated the house on Witherspoon with the garden spot is not being mowed. The property manager, Mills Property Management (Amanda), called Clerk Brewer and asked for pictures. Chief Vance will take pictures and Clerk Brewer will forward. Commissioner Vincent stated 220 N. Main is out of compliance. Chief Vance will contact owner. Chief Vance stated the resident at Witherspoon will not answer door. He’s been cited but may need to be served a notice. Commissioner Vincent stated more time should be given to resident of Highland property.

Administrative Report

Mayor Stiffey made the motion to enter closed session to discuss personnel issues. Commissioner Buehl seconded the motion. Ayes all members present so the motion passed 5 – 0. The Commission entered closed session at 8:10 PM.

The Commission, by unanimous vote, returned to open session at 9:45 PM. Attorney Moore stated that no action was taken on matters discussed in closed session.

Commissioner Stidham made the following motion: I move that Clerk Debbie Brewer be placed on probation for period of 60 days based upon (1) her supervision of the community service worker and (2) poor relationship with the public. If at the end of 60 days, the Commission will determine whether the terms have been met. If so, the probation will terminate. If not, the Commission will consider further action including reduction in hours and possibly termination. Commissioner Vincent seconded the motion. Chris Hayes stated he wanted to know why the Commission “tip toes” around Clerk Brewer. Commissioner Buehl stated that protocol had to be followed. Commissioner Stidham stated that proper channels must be taken. Commissioner Stiffey stated that Clerk Brewer has a terrible attitude. Commissioner Vincent stated they were following the advice of legal counsel. He also stated that Clerk Brewer should be given an opportunity to improve her behavior. Commissioner Stidham stated Clerk Brewer does a good job but has a bad attitude. Diane Stiffey commented that Clerk Brewer has also spoken about other Commissioners. Commissioner Vincent mentioned his career in teaching and said it is only fair to identify the problem and give Clerk Brewer a chance to improve. The motion passed with Commissioner Buehl, Stidham, and Vincent voting yes. Commissioner Stiffey and Mayor Stiffey voted no.

Mayor Stiffey adjourned the meeting at 9:55 PM.

APPROVED _____
DAVID L. STIFFEY, MAYOR

ATTEST _____

DEB JOYNER, ASSISTANT CITY CLERK

DATE _____

Minutes were prepared by Deb Joyner, Assistant City Clerk