

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY, MAY 28, 2019, 7:00 PM**

Members Present: Mayor Pro-Tem Bob Buehl, Commissioner James (Mickey) Jones, Commissioner Maurice (Buddy) Marr, Commissioner Steve Roney, City Attorney Hamp Moore

Absent: Mayor David Stiffey

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

Invocation was given by Mayor Pro-Tem Buehl

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 April 22, 2019 Regular Meeting. There were none. Commissioner Jones made a motion to accept the minutes and Commissioner Marr seconded the motion. Roll call was 4 -0 to accept the minutes as read.

**REPORTS**

**Treasurers Report (April 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 4-0 vote.

**Administrative Report**

In the absence of the Mayor, Mayor Pro-Tem Buehl

**Public Works Report**

Commissioner Marr reported that paving was completed on Laurel, a portion of the cemetery, and patch work was done at the Smiths Grove Fire Department. He stated that conversion to LED lighting in city street lights has not started. Commissioner Marr stated Mayor Stiffey asked Scotty's Contracting to grade alleys while they were here paving. This was done at an additional cost of \$200. Commissioner Marr reported there is overgrowth of vegetation in alleys and the City may need to hire a contractor to trim these areas. He also noted there was debris and trash in some of the alley ways. Assistant Chief Wes Jenkins stated one of the tenants had been issued a warning. Commissioner Marr reported that Ronnie Pearson of 421 Cave Street had asked him if the City would purchase rock for drainage at the end of his driveway. Commissioner Marr stated water drains from this location into a cave on Cave Street. He told Mr. Pearson he did not object to the City purchasing rock. Commissioner Jones made a motion to purchase rock for Mr. Pearson and Commissioner Roney seconded the motion. Attorney Moore stated this would be a public improvement easement to drainage. The motion passed by 4-0 vote. Mayor Pro-Tem Buehl mentioned the sidewalk that was paved over on Laurel Street. Commissioners have received positive feedback on this action. Commissioner Marr reported that there are intersections that are blocked by vegetation and are a safety hazard. He mentioned College & Sixth and Laurel & Witherspoon (impossible to see in that intersection). He suggested sending letters to property owners who need to trim vegetation. Commissioner Marr stated a speed limit sign is needed on Oakland Road next to Cinco De Mayo Restaurant and the speed limit should

be 25 miles per hour. Commissioner Marr brought up 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.” Commissioner Marr stated he had e-mailed Magistrate Rex McWhorter about the resolution and has not received a response. Attorney Moore stated it appears that the County is responsible for maintaining these roads.

### **Cemetery Report**

Commissioner Roney reported that paving was done at the Cemetery and looks good. He also reported that the posts around the burial of the unknowns has been painted. Mayor Pro-Tem Buehl stated that an anonymous person painted the posts but, he has a pretty good idea of who it was. He stated the posts look good and sometime in the future the chains will need to be painted also.

### **Code Enforcement Report**

Commissioner Jones reported that there are a couple of yards that need to be cleaned up and notices may need to be sent to property owners.

### **Administration Report**

Mayor Pro-Tem Buehl reported that the Mayor asked him to represent the City at the ribbon cutting held earlier in the month at Castlen Steel. He stated it was a nice event and there were several dignitaries in attendance.

### **Aging Committee Report**

In Jessie Varner’s absence, the report was given by Diana Varner. She stated the Aging Committee met on May 15, 2019 and minutes of the previous meeting were approved. Donna Wood gave a presentation on hearing loss. The next meeting of the Aging Committee is scheduled for August 21, 2019.

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

Mayor Pro-Tem Buehl asked Assistant Chief Jenkins if he had anything to report. He stated the golf cart ordinance issue will be tabled until the next Commission meeting. Assistant Chief Jenkins stated they have received reports of racing on Oakland-Smiths Grove Road. Commissioners Marr and Roney stated bike racing is a problem on Sixth Street.

### **Old Business**

Pay increases for Clerk Howard and Assistant Clerk Joyner:

Mayor Pro-Tem Buehl introduced the old business topic of pay increases for the City Clerks by explaining the Mayor requested a dollar raise for each clerk. This request was made known to the Commission at the April 18, 2019 budget work session. The raises would result in Clerk Howard having pay matching Assistant Chief Jenkins, \$15 an hour and Clerk Joyner at \$14 an hour. Commissioner Marr made a motion to approve the pay increases and Commissioner Jones seconded the motion. The motion passed by 4-0 vote.

Annual state required audit-discussion of new audit service:

Mayor Pro-Tem Buehl asked City Clerk Nancy Howard to update everyone on this issue. Clerk Howard stated we should have received the audit by January 31, 2019 and it is now 3 months late. Clerk Howard stated she has made approximately 30 telephone calls to Diane Moats and still does not have an answer to when the audit will be finished. Since the audit for 2017-2018 has not been completed, the closing entries have not been done which causes financial reports to be out of balance. The contract amount for Diane Moats, CPA to complete the audit is \$8,500. Clerk Howard stated \$10,000 was budgeted for 2019-2020 since we will probably have to pay another firm more than we are paying now. Clerk Howard reported failure to submit timely annual audits to the State could potentially impact our Municipal Road Aid Funds-we receive approximately \$12,000 annually. Commissioner Marr stated that it's unacceptable that our audit is not complete. Attorney Moore suggested issuing Request for Proposal (RFPs). Commissioner Marr volunteered to go to Ms. Moats office and talk to her about the delay in the completion of the audit.

**New Business**

First reading of 2019-2020 Budget Ordinance:

Mayor Pro-Tem Buehl read the Mayor's Budget Message. There was no discussion and Commissioner Marr made a motion to approve the first reading. Commissioner Jones seconded the motion. The motion passed by 4-0 vote.

Discussion of new occupational license tax options:

Mayor Pro-Tem Buehl asked Commissioner Jones to give an update on this issue. Commissioner Jones stated that there are different options for cities to collect an occupational tax. The first is a tax paid by businesses on either their net profit or gross receipts. He also stated an occupational tax could be withheld from employees who work in the city limits of Smiths Grove. Commissioner Jones stated he would recommend a 1.5% net profit to keep from hurting small businesses. Commissioner Marr stated this is being addressed due to KRS 92.281 being amended to allow cities with populations of less than 1,000 to charge a percentage rate on work or services performed within the city. Mayor Pro-Tem Buehl thanked Commissioner Jones for his work on this issue.

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

APPROVED   
DAVID L. STIFFEY, MAYOR

ATTEST   
DEBBIE JOYNER, ASSISTANT CITY CLERK

DATE \_\_\_\_\_  
Minutes were prepared by Debbie Joyner, Assistant City Clerk.