

**Regular Month Meeting
Benton City Council
May 15, 2017**

The regular monthly meeting of the Benton City Council was called to order on Monday, May 15, 2017 at 5:00 P.M. by Mayor Rita Dotson with the Pledge of Allegiance and opening prayer by Justin Lamb.

Council Members Present:

Chris Smithmier	Charles Edmonds
	Justin Lamb
Rita Murray	Butch Holland

Absent was Sherra Riley.

Other Staff Present:

Zach Brien, City Attorney	
Michele Edwards, City Clerk	Harry Green, Fire Chief
Bethany Cooper, City Treasurer	Kelly Collins, Gas Mgr.
Tracy Watwood, Police Chief	
Tony Seavers, Water Dept.	
David Carroll, Maint. Dept.	

Joan Hillen was present to see if the Council was discussing cemeteries. Mayor Dotson informed her that it would be discussed at a later date and to leave her contact information so she can be informed.

Mayor Dotson read the first reading of the Benton Water and Sewer System budget ordinance for fiscal year 2017-2018.

Mayor Dotson read the first reading of the Benton Gas System budget ordinance for fiscal year 2017-2018.

Mayor Dotson read the first reading of the General Fund budget ordinance for fiscal year 2017-2018.

City Attorney Brien read the second reading of an ordinance related to the maintenance of property in the City of Benton restating the property maintenance requirements as set forth in Ordinance No. 10-09-02 in light of the revised Code Enforcement Ordinance. This ordinance adds provisions to the property maintenance requirements regarding the size of brush piles and bagged leaves that will be picked up by City workers, requires ditches, culverts and drainage areas to be free from accumulated leaves and debris to prevent water from running onto streets and public ways, and prohibits dumping and accumulations in creeks. A motion was made by Edmonds, seconded by Smithmier to approve. All agreed. Motion carried.

City Attorney Brien read the second reading of an ordinance amending §38.078 to allow for the payment of stand-by and on-call time of City Employees at a rate of one and one-half (1 ½) times an employee's normal rate of pay for a period of one (1) hour per day while on stand-by or on-call status, or for two (2) hours per day on Saturdays, Sundays or holidays. Payment for stand-by or on-call time shall be paid in addition to any overtime pay. Restrictions, limitations and conditions imposed on a stand-by or on-call employee may be more burdensome if adopted by department heads, the Mayor, or if otherwise required by law. A motion was made by Holland, seconded by Murray to approve. Smithmier voted against this ordinance. All others agreed. Motion carried.

County Judge Executive Kevin Neal, County Commissioners and other Fiscal Court staff were present to discuss the possibility of entering into an Interlocal Agreement between the two entities to help each other out in certain situations. Judge Neal commented that the agreements need to be specific to a project. Mayor Dotson mentioned that the City does not have specific projects. The City would like the County's help in occasionally hauling items such as dirt or salt or use of their track hoe if needed. This would be occasionally only and not abused. Judge Neal also mentioned that he would like to be able to help the City in the future to extend water lines out the West Marshall area to those individuals who currently aren't serviced. After much discussion and no decision made, Mayor Dotson

asked if Judge Neal and the Commissioners would like to have a workshop with the City Council to discuss in more detail.

City Attorney Brien read an ordinance increasing the water rates from \$3.00/1000 gallons inside city to \$3.20/1000. The outside rates will increase from \$3.50/1000 gallons to \$3.70/1000.

Mayor Dotson mentioned sewer adjustments for filling pools. She explained that some cities will give a one-time adjustment on sewer. After some discussion, Edmonds, Lamb, Holland and Smithmier expressed their disagreement with this adjustment due to the unknown and setting a precedent. Murray was in favor of a one-time per year adjustment. No adjustments for filling pools will be made.

Mayor Dotson mentioned that each year the City donates \$500.00 to Marshall County High School for Project Graduation. A motion was made by Smithmier, seconded by Lamb to donate \$500.00. All agreed. Motion carried.

Mayor Dotson informed the Council that back in 2015 the City and County signed an Interlocal Agreement for a building inspector. Of the building inspector fees that are collected, 80% goes to the inspector and 20% remains in the fund for other expenses. They feel that there will be a shortfall in funds and want Benton to budget \$2153.97. This amount will be budgeted only and not a check written to them unless needed.

Mayor Dotson mentioned that Chambers estimates it will be approximately \$5,000 to \$7,000 to clean out the creeks that need attention in Benton. He feels this is a high estimate but won't know the amount of time or equipment needed until they are on the job.

Dwight Greer gave Mayor Dotson an estimate of approximately \$135,000 to fix the roadways in Fairway Subdivision. The City will submit an application in hopes of receiving emergency road aid funds prior to making a decision.

Chief Tracy Watwood presented the police report for April. There were 21 cases, 24 accidents, 97 citations of which 21 were for speeding and 648 calls to service. These numbers are up due to Tater Day.

A motion was made by Murray, seconded by Lamb to approve the payroll and invoices. All agreed. Motion carried.

A motion was made by Holland, seconded by Lamb to approve the regular minutes of April 17, 2017 and special called minutes of April 21, 2017 and May 2, 2017.

Mayor Dotson informed the Council that the PSC inspected Benton Gas System May 8 – 11 and based on their inspections there were no deficiencies identified in the system.

Smithmier asked if the Council can discuss cemeteries soon to make a decision. Mayor Dotson will send each Council a list of all cemeteries in Benton and what she discussed with John Ward from Calvert City regarding their cemetery. City Clerk Edwards asked the Council to consider the affect it will have on the City employees if the Council decides to take over cemeteries. It will be a large responsibility put on someone who doesn't need the additional work load.

There being no further business to come before the Council, meeting adjourned at 6:35 P.M.

Rita Dotson, Mayor

ATTEST:

Michele Edwards, City Clerk