

**Regular Month Meeting  
Benton City Council  
January 22, 2018**

The special called meeting of the Benton City Council was called to order on Monday, January 22, 2018 at 5:00 P.M. by Mayor Rita Dotson.

**Council Members Present:**

Chris Smithmier	Charles Edmonds
Sherra Riley	Justin Lamb
Rita Murray	Butch Holland

**Other Staff Present:**

Zach Brien, City Atty	Bethany Cooper, City Clerk/Treas
Kelly Collins, Gas Mgr.	Jeromy Hicks, Police Chief

Police Chief Jeromy Hicks gave the police report for December. There were 23 cases, 22 collisions, 48 citation violations, 0 written warnings and 610 calls to service.

Jason Dunigan was present on behalf of the Marshall County Fair Board. He informed the Council that the Fair Board would like to hold laser tag, magic show and Easter egg hunt the weekend before Tater Day at the Community Building. Council agreed to allow. Marshall County Fair Board is insured.

Darren Smith with Pinnacle was present to give an update on the pool house project. The guaranteed maximum price plus a 5% contingency is \$335,676.47. This price does not include the following:

- Repairs and additions from the pool contractor's performance of work
- Capping and repair of existing lines with leaks and damages
- Exploratory excavation and exposure of subgrade piping/conditions
- Surge tank and/or cover for the pool
- Replacement of and/or repair of the pool deck
- Bases for owner furnished sun shades
- Egress walks from new entrances
- Seal concrete and painting
- Masonry chase walls
- HVAC test and balance

Kelly Collins, Gas Manager, mentioned that he would like to move \$50,000 to the General Fund to be used towards the pool house project. A motion was made by Holland, seconded by Murray to amend the Benton Gas System and General Fund Budgets to account for this transfer of funds. All agreed. Motion carried.

There was also an amendment to the General Fund budget to move \$50,000 from fund balance to be used towards the pool house project. A motion was made by Holland, seconded by Edmonds to approve. Motion carried.

City Attorney Brien read the second reading of an ordinance intended to ease the regulatory burden for processing temporary business permit applications to not require a formal, written application for temporary business permits beginning a week prior to Tater Day and ending a week after Tater Day. A motion was made by Edmonds, seconded by Riley to approve. All agreed. Motion carried.

City Attorney Brien read the second reading of an ordinance correcting §117.04(C) to require that an application for a sexually oriented business license is complete when it contains all information required by §117.04(C)(1) – (6), including any criminal history related to specified criminal acts. A motion was made by Murray, seconded by Edmonds to approve. All agreed. Motion carried.

Mayor Dotson read the Pioneer Fire Contract for the period of January 1, 2018 through December 31, 2018. A motion was made by Holland, seconded by Lamb to approve. All agreed. Motion carried.

Mayor Dotson recommended the following board appointments and re-appointments:

- Re-appoint Martie Wiles to Benton Housing Authority for another 4 year term, expiring November 4, 2021. A motion was made by Lamb, seconded by Holland to approve. All agreed. Motion carried.
- Re-appoint Steven Moore to Benton Housing Authority for another 4 year term, expiring November 4, 2021. A motion was made by Lamb, seconded by Murray to approve. All agreed. Motion carried.
- Appoint Patricia McWane Green to Planning and Zoning Board to replace the resigned seat of Bill Butler. A motion was made by Edmonds, seconded by Holland to approve. All agreed. Motion carried.
- Re-appoint Pete Gunn III to Benton Electric System Board for another 4 year term, expiring May 15, 2021. A motion was made by Edmonds, seconded by Holland to approve. All agreed. Motion carried.
- Appoint Jessica Scillian to Industrial Development Board in the resigned position of Scott Jaco. City Attorney said there should be no conflicts in this with her being a City employee. A motion was made by Murray, seconded by Edmonds to approve. All agreed. Motion carried.

Mayor Dotson read a proclamation commemorating City of Benton, KY School Choice Week to be recognized January 21-27, 2018.

Josh Tubbs was present to give an update on Industrial Development Board. Marshall County Fiscal Court has entered into an option agreement to purchase 300 acres of land that will be known as Southwest One Industrial Park to be used to attract light to mid-size industries. This property is located on Highway 641 across from South Marshall Middle School. Funds from the City/County Industrial Authority account has been approved to begin preliminary work. There is approximately \$320,000 in this account from years past from sale of FLW building. This account has no revenue stream other than existing funds. IDA are currently in the process of applying for a grant through TVA. Tubbs asked the City for a letter stating that the City would accept this area as zoned as Industrial and annexed into the City. This letter will help with the grant funding process. City Attorney Brien mentioned that the zoning issue will be time consuming as it has to be approved through Planning and Zoning Board and go through a process.

City Attorney Brien gave research updates on items previously mentioned at other council meetings:

1. The idea of City paying membership fees for Council members to be members of certain organizational groups isn't recommended. For one, this is extra income that individual would receive and, two, it may not meet the requirements of donations.
2. He still has to research how the Marshall County Refuse District 109 was set up. Law provides that a waste management location be present and if the City residents opted out of District 109 through the County, then the City would have to provide a waste location. Murray voiced that she doesn't want to pursue this option because so many City residents use the County landfill.

Bethany Cooper, City Clerk/Treasurer, reviewed the June 30, 2017 audit from Kim Ham CPA.

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

A motion was made by Holland, seconded by Murray to approve the regular minutes of December 18, 2017. All agreed. Motion carried.

The following Council/Mayor items were mentioned:

- Edmonds asked the status on Benton Cemetery. Mayor Dotson said nothing has been mentioned again on this.
- Holland commented that Marcella's Kitchen plans to move to their Benton location in August.
- Mayor mentioned that the City Street Department has purchased a 2006 Ford F450 and will be purchasing a plow and salt spread for this truck also. We will be purchasing more salt soon as ¾ of it was used during the last snow event. The Breezeel School Road

water line extension project is about ½ mile finished. Wendy Baxter has a possible funding option for the mural and a meeting will be set up soon. Ethics Committee recently met to revise the Ethics Ordinance and bring it up to date. Mayor asked Council and City Attorney to be reviewing the personnel policy draft as soon as they can and give feedback.

There being no further business to come before the Council, meeting adjourned at 6:22 P.M.

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Rita Dotson, Mayor

ATTEST:

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Bethany Cooper, City Clerk/Treas.