

City of West Buechel
Meeting Minutes of Regular Council Meeting
March 14, 2017

Mayor Richards called the meeting to order, welcomed all the guests, City Council, Police Officers, and the City Attorney, Casey McCall. The Mayor asked Councilwoman Moore to lead us in a prayer. Chief Sharp then led the Pledge of Allegiance.

Mayor Richards asked the clerk to take roll call. Present are Councilwoman Clara Crawford, Councilman Toby Clark, Councilman Loy Crawford, Councilwoman Janie Mosely, Councilwoman Brenda Kay Moore, Councilman Joe Spencer is absent

Mayor Richards announced that Councilman Spencer has had a stroke, which is the cause for his absence. He asked all to keep Mr. Spencer in their prayers..

MINUTES APPROVAL

Mayor Richards asked if the Council had any questions and/or comments on the minutes from the last meeting on February 14, 2017, there were none. The Mayor asked for a Motion to approve the minutes. Councilman Crawford had a question on the minutes, where it references the Ordinance on job classification and compensation from the previous month. He stated that the minutes read that there will be a second reading next month on this matter, and he does not feel it is necessary to have that sentence in the minutes. Mayor Richards asked the clerk about this, and she stated that the audio recording reflects there was a straw vote on the ordinance, then the Mayor stated there would be a second reading at the next council meeting. Attorney McCall stated his belief that it would be alright to strike this from the record. However, after reviewing the audio recording once more, Mayor Richards has not stricken the sentence as it is specifically stated in the meeting there will be a second reading. Motion was made by Councilwoman Mosely and seconded by Councilwoman Mopre - Minutes approved.

CHECK REGISTER APPROVAL

Mayor Richards asked for questions and/or discussions on the check register. There was a question by Councilman Crawford regarding a payment made to Bryan Cassis. Attorney McCall responded that Mr. Cassis is an attorney representing the City in a lawsuit filed by a former

employee. Motion was made by Councilwoman Moore to approve the check register and seconded by Councilwoman Mosely – check register approved.

SECOND READING OF ORDINANCE REVISING NET RECEIPTS TAX TO GROSS RECEIPTS TAX

Councilwoman Mosely introduced an Ordinance, Number 269, Series 2017, to change the net receipts tax to a gross receipts tax in January, this is second reading of that Ordinance. Attorney McCall read the Ordinance in its entirety. Mayor Richards asked the Clerk to take a roll call vote on the Ordinance. Councilman Crawford – nay; Councilman Clark – nay; Councilwoman Crawford – nay; Councilwoman Moore – yea; Councilwoman Mosely – yea, and in Councilman Spencer’s absence, he have his proxy to Councilwoman Moore in order for her to cast his vote as yea. The vote is three to three tied; the Mayor broke the tie with his vote of yea – Ordinance adopted. Attorney McCall asked that Councilman Spencer’s Proxy Affidavit be made a part of the record in the Clerk’s office.

SECOND READING OF AN ORDINANCE IMPOSING A TAX ON INSURANCE PREMIUMS

Councilman Crawford introduced an Ordinance imposing a tax on insurance premiums at the last meeting. Mayor Richards clarified that this Ordinance would reduce the insurance premium tax from 10% to 5%, and that the 5% reduction would still be paid by residents but Louisville Metro would receive that revenue if this Ordinance is adopted. Councilman Crawford stated that the Mayor’s statement is not true, stating he has received some sort of statement. However, he has failed to bring said statement to the meeting to prove the Mayor’s statement to be false. Councilwoman Moore asked that this matter be tabled until Mr. Crawford produces the documentation he speaks of. The Mayor asked Councilman Crawford if he is willing to table the matter. Councilman Clark has excused himself from the meeting, and now Councilman Crawford states that his is going to take a break before concluding this matter, and he leaves the meeting. In the meantime, the Mayor asked Chief Sharp to give his report.

POLICE DEPARTMENT REPORT

Chief Sharp presented his department's monthly report.

Councilman Crawford and Councilman Clark returned to the meeting. The Mayor asked Mr. Crawford if he wanted to table the Ordinance at hand or go forward now with the second reading. Councilman Crawford tabled the Ordinance to allow time for his presentation of additional documentation. Mayor Richards asked him to bring the paperwork to City Hall so the Clerk can distribute it to the other members prior to the next meeting.

SECOND READING OF AN ORDINANCE ON COUNCIL EMPLOYEE JOB CLASSIFICATION AND COMPENSATION

Councilman Crawford introduced an Ordinance establishing a job classification for the position of clerk to the council and attorney o council. Councilman Crawford asked if the Council voted on this Ordinance at the last meeting. Mayor Richards advised there was a straw vote. Mr. Crawford stated the Ordinance has an emergency clause in to which means it does not require a second reading. Attorney McCall advised that Councilman Crawford failed to state his intent to enforce the emergency clause at the first reading. Further, if the Council were to agree to the emergency, then all of the statutory requiremnts for an Ordinance must have been met at the first reading, and they were not as the Ordinance was not read in its entirety. Mayor Richards advised Mr. Crawford that he must follow the legal advise of his council. Councilman Crawford stated that he thinks the Ordinance was adopted in the first reading, that the Mayor is doing something illegal, and if he is "not going to do it then I make a motion to adjourn". Councilman Clark stated "second". Councilman Crawford, Councilman Clark, and Councilwoman Crawford left the meeting.

Mayor Richards stated that because the three members left, there is not a quarum present, which means the meeting must be adjourned. However, he would still like to allow the guests to speak if they choose to.

COMMUNITY CENTER REPORT

Liz Bierbaum first thanked the remaining members of the Council for remaining in the meeting, then she gave her report on the Community Center. She reported that the Center has been going on fieldtrips this month, including a trip to Home Depot for arts and crafts. She has several additional trips planned for the future. Further, she stated she is experiencing problems with the internet service, which her and Clerk Richards are working on correcting.

OPEN FLOOR FOR RESIDENTS AND GUESTS

Mike Bierbaum asked if this Council has ever passed a budget for this fiscal year. Mayor Richards advised that this Council, except for Liz Bierbaum and Janie Mosely, made no effort to adopt a budget. The Clerk presented the Mayor's budget proposal to the Council in February, 2016, and they never even discussed it at all.

4-11-17


Date



MAYOR RICK RICHARDS

4/11/2017

Date



KIM RICHARDS, CITY CLERK/TREASURER