



COMMONWEALTH OF KENTUCKY
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24-OMD-114

May 3, 2024

In re: Chad Frizzell/City of Clinton

Summary: The City of Clifton (“the City”) violated the Open Meetings Act (“the Act”) when it failed to issue a written response to a complaint within three business days.

Open Meetings Decision

On April 9, 2024, Chad Frizzell (“the Appellant”) submitted a complaint to the Mayor of the City, claiming the City violated KRS 61.823(4)(c) when it adjourned its April 8, 2024, special meeting and, shortly thereafter, presented information regarding a proposed insurance tax. Having received no response from the Board, the Appellant initiated this appeal on April 25, 2024.

Upon receiving a complaint alleging a violation of the Act, a “public agency shall determine within three (3) business days . . . after the receipt of the complaint whether to remedy the alleged violation pursuant to the complaint and shall notify in writing the person making the complaint, within the three (3) day period, of its decision.” KRS 61.846(1). On appeal, the City does not deny that it failed to respond to the Appellant’s complaint concerning the April 8, 2024, meeting. Thus, the City violated the Act.¹

A party aggrieved by this decision may appeal it by initiating an action in the appropriate circuit court pursuant to KRS 61.846(4)(a). The Attorney General shall be notified of any action in circuit court, but shall not be named as a party in that action or in any subsequent proceedings. The Attorney General will accept notice of the complaint emailed to OAGAppeals@ky.gov.

¹ Regarding the merits of the Appellant’s complaint, the City admits that it violated the Act by presenting information concerning the proposed insurance tax after adjourning the special meeting. The City has agreed to grant the Appellant’s requested remedy and will present the same information that was presented on April 8, 2024, at its next regular meeting on May 6, 2024.

Russell Coleman
Attorney General

/s/ Zachary M. Zimmerer
Zachary M. Zimmerer
Assistant Attorney General

#218

Distributed to:

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