

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY MARCH 28, 2016 7:00 P.M.**

Members Present: Mayor Stiffey, Commissioner Stiffey, Commissioner Stidham, and Commissioner Vincent

Members Absent: Commissioner Cannon

Also Present: City Attorney Frank Hampton Moore

Mayor Stiffey called the meeting to order at 7:00 pm.  
Invocation was given by Chaplain Coker  
All present recited the Pledge of Allegiance

Mayor Stiffey welcomed all in attendance and stated they were all special guests. He also recognized special guest Eric Kennedy with the United States Department of Agriculture.

Mayor Stiffey stated that since Mr. Eric Kennedy was under a time constraint he was moving the Aging Committee Report up and then he would return to the regular agenda items. With that being said he turned the floor over to Jessie Varner.

Mr. Varner introduced Mr. Kennedy and turned the floor over to him.

Mr. Kennedy stated that he works along with the BRADD office and that he is a Loan Specialist with the USDA. They have programs to assist the elderly, low, and moderate-income households with housing and home repairs through Rural Housing Services, Home Repair Loans and Federal Grants. Mr. Kennedy's office covers Allen, Butler, Logan, Simpson, and Warren Counties and is located at 975 Lovers Lane in Bowling Green. He will be leaving some of his information packets at City Hall for any interested parties.

Mr. Varner stated that he was going to walk Mr. Kennedy out and would finish his report later at the normal allotted time.

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (February 22, 2016)

The meeting minutes were approved by acclimation.

**REPORTS**

Treasurers Report (February 2016)

A motion was made by Commissioner Vincent to accept the Treasurers Reports as read and was seconded by Commissioner Stidham. Ayes all members present so the motion passed 4 – 0.

### **Administrative Report**

Mayor Stiffey reported that the floors should be stripped and waxed this Sunday but other than that he had nothing to report.

### **Public Works Report**

Commissioner Stidham stated that she had nothing new to report except she has already started working on getting things together for this year's Smiths Grove Days in September.

Mayor Stiffey stated that he and Anthony Stidham had worked together to get rock put on some of the alleys and at the cemetery. He also reported that Chief Vance had gotten some inmates to come out and pick up trash a couple of weeks ago.

Chief Vance stated that there has been a problem with the parking on Cave Street lately causing a school bus to not be able to get down the street. The city has an ordinance, Number 420.20 Passed July 28, 2008, that states no parking is allowed on the West side of the road. Chief Vance believes that the city should purchase a couple more "No Parking" signs and this may alleviate the problem.

Commissioner Stidham asked Clerk Brewer to see what the city paid for the last signs they purchased and get back with her.

Commissioner Vincent stated that he thought that Main Street used to be swept at least once a year and believes it should start being done again because the drain covers on are being blocked by debris.

Anthony Stidham spoke up and said that since Main Street is a state road the state has always done it, and back when he was with the state he did it several times a year himself. He informed Commissioner Vincent to contact the State Road Department.

At this time Commissioner Stidham stated that she had received several calls from concerned citizens in regards to the parking on College Street when people are picking up their children from school. The traffic gets backed all the way down College Street to Laurel/Hays Smiths Grove Rd. at times. Sometimes the traffic is so bad that they block resident's drives and park in their yards. She has contacted Amy Ground with North Warren but has not heard back from her. However, she has been informed that this is a Board of Education problem and not a city problem.

The Commission was all in agreement that since it affects the city streets it is a city problem as well.

Chief Vance stated that this year North Warren changed their policy on how the children are to be picked up from school. If the children are not bus riders the parents must either sign them out or wait in line to pick them up.

Mayor Stiffey has spoken to Mrs. Ground and there was supposed to have been a meeting but it was cancelled due to the recent fire at the school.

Commissioner Stidham stated that she would like to meet with the Board of Education and Mrs. Ground and see about getting this resolved before the next school year begins.

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

Commissioner Stiffey stated that Johnny & Greg have been very busy; this past Saturday they stopped three (3) vehicles doing over fifty (50) miles per hour through town.

Chief Vance reported that the Department of Criminal Justice Training is going to feature our new cruiser in an upcoming issue of their magazine.

Chief Vance also reported that the burglary and thefts on the monthly report were solved in a timely manner.

### **Cemetery Report**

In Commissioner Cannon absence, Mayor Stiffey stated that Brian Gaul will not be mowing the cemetery this week because he was asked to mow it last week so it would look good for the Easter holiday. Also, all of the contracts with Mr. Gaul have been signed.

### **Code Enforcement Report**

Commissioner Vincent reported that he has been driving all over town looking at properties, and due to some of the storms that have passed through there are several brush piles in people's yards.

Mr. Donald Laws reported that there is a limb down at Brown and Main Street. Part of it is lying in the right of way and the rest is on personal property.

Mr. Gregory Roth stated that it isn't that big and he would just pull it out of the way. He was asked if it was his property and responded that it wasn't but he passes by there while out walking and he would just move it.

## **COMMITTEE REPORTS**

### **Aging Committee**

Jessie Varner reported that the Aging Committee met on March 23, 2016 at the BRADD office and compiled a needs assessment. The three main needs for our area are, Out Reach, Information and Assistance, and Meals.

He also reported that May is Older Americans Month and if anyone in the community was doing anything in support of this to please notify the BRADD Office or himself.

Their next meeting will be May 18, 2016 at the BRADD Office.

## **OLD BUSINESS**

### **Settle Insurance Compensation for Chief Vance (May – December 2015)**

Mayor Stiffey stated that Commissioner Stiffey would be reporting on this matter.

Commissioner Stiffey stated that this matter was not Chief Vance's fault and she believes the city should just pay it.

Commissioner Vincent inquired of Attorney Moore as to if the city would be on legal footing to do so and was informed that they were.

A motion was made by Mayor Stiffey to void any collection of insurance funds from Chief Vance. The motion was seconded by Commissioner Stiffey. Ayes all member present so the motion passed 4 – 0.

### **Code Enforcement Issue**

Commissioner Vincent reported that the violation that he and Chief Vance have been working on for the past ten (10) months still has not brought the property into compliance. The resident has already been cited once, paid the fee, did very little clean up, and was re-cited. Today before the meeting Commissioner Vincent drove by the property to see if corrections had been made and they have not. As he pulled in to the parking lot he noticed the resident was entering the Municipal Building. The resident stated that he has had a lot of problems but if Commissioner Vincent and Chief Vance would give him a little more time he would get the area cleaned up.

Commissioner Vincent stated that he is willing to give the resident one (1) more month and if it is not cleaned up it will be on next month's agenda as Old Business. Commissioner Stiffey and Mayor Stiffey replied that it was fine with them.

Chief Vance asked Attorney Moore what legal measures the city should take next if the property is not brought to compliance and the fine is not paid, and Commissioner Vincent asked if the city could legally go onto the property and clean it up.

Attorney Moore stated that this was a delicate process but he believes the city would be in the right. However, he feels that it would be better to ask the owner if they would mind if the city cleaned up and they could pay the city back for doing so.

### **NEW BUSINESS**

#### **Hiring of Asst. City Clerk Discussion**

Mayor Stiffey stated that he felt it was hard to get someone to fill in just a few hours when the clerk has or will have to be out of the office and he feels that we need more checks and balances then we have now.

He stated that he has a recommendation of someone that he knows personally for the position. Recently he spoke to Debbie Joyner, Albert Rich's daughter, and she stated that she would be interested in the position so he asked her to send in a resume which he has at the meeting tonight. Several years ago she retired from the City of Bowling Green where she worked in Administration. She does have other experience in Accounts payable and Accounts Receivable however; she did state that she does not have a lot of experience with payroll.

Mayor Stiffey stated that he thought the hourly rate for the position should be \$12.50 per hour and it should be six (6) hours a week.

Commissioner Vincent stated he would like to see the office open forty (40) hours a week and the hours be Monday thru Friday from 8 am to 5 pm with Clerk Brewer working thirty (30) hours per week and the other person working ten (10) hours per week.

Mayor Stiffey & Commissioner Stiffey both stated that they did not feel that a forty (40) hour week was necessary. Commissioner Stiffey has come in in the past and there were few calls and very few people came in.

Commissioner Stidham stated that she thought \$12.50 per hour for a part-time assistant was too high. She stated that Registration Clerks at the Medical Center are only paid around \$8.00 per hour. She did not have a problem with what Asst. Chief Claywell started out at because he and Chief Vance are risking their lives. Also, she feels that the position should only be an as needed position.

Mayor Stiffey stated that he was just suggesting the amount and that it was not what Mrs. Joyner had stated she would want.

Commissioner Vincent stated that he thought they should set down with her and see what her requests were.

Mayor Stiffey asked what would be the highest the city would be willing to pay to which Commissioner Vincent stated that he thought they should wait and see what she expects.

Matt Brewer asked why they didn't just consider going through a temp service as was done in the past whenever the clerk was out.

Mayor Stiffey stated that a temp service had been mentioned before but he wants someone to do everything that the clerk does.

Commissioner Stidham stated that she felt since Mayor Stiffey was the one who had been conversing with her he should see what she expects however; she also thinks we should see about getting other interested parties in to interview as well.

Attorney Moore stated that there should only be two people to do the interviews and not a quorum.

Commissioner Stidham stated that she would like to be on that committee because she has experience with doing interviews.

Commissioner Vincent stated he thought the other person should be Mayor Stiffey.

Mayor Stiffey stated he would contact the people he had talked to before that had an interest to see if they were still interested and then he and Commissioner Stidham would schedule a date and time to meet with all applicants.

### **Approve Appraisal and Survey of Old City Hall Building**

Mayor Stiffey stated that this matter has been discussed in the past and that he feels that now is the time for the city to sell. This would be the last piece of property owned by the city other than the Municipal Building and the chapel.

Attorney Moore stated that the city certainly did have the power to sell but it would have to be declared surplus property. Once the Resolution was adopted then the city could auction off the property or do a private sell based on the appraisal. The city does not have to make the appraisal public and if they do a public auction they do not have to have an appraisal.

At this time Commissioner Stidham brought up the fact that there was currently a business in the building that had a lease agreement with the city.

Attorney Moore stated that the property would either have to be sold subject to the lease or have to get the lease terminated.

Mayor Stiffey made a motion to go ahead and have the property appraised.

Attorney Moore stated it would have to be appraised by a licensed appraiser.

Mayor Stiffey asked if the property would need to be re-surveyed to which Attorney Moore stated that the realtor or auctioneer should make the decision on that matter.

The motion was seconded by Commissioner Stidham.

At this time Mayor Stiffey stated he would also like the motion to state he would like for Murphy & Napier to do the appraisal on the property.

Clerk Brewer and Attorney Moore informed him that the motion would have to be amended because you could not add to a motion.

Commissioner Vincent made a motion to amend the motion to pick up Murphy and Napier to do the appraisal. This motion was seconded by Commissioner Stiffey and a roll call was requested on the amendment. Ayes all members present so the motion passed 4 – 0.

At this time Mayor Stiffey called for a vote on the amended motion. Ayes all members present so the motion passed 4 – 0.

### **Update Ordinance to address inoperable and abandoned vehicles better and more clearly**

Mayor Stiffey stated that there are several vehicles around town that are being parked and nothing being done with them and that our ordinance on the subject is somewhat loose. He

thought that if the vehicle was currently licensed and insured this was acceptable but so far he has found nothing to support this fact.

Commissioner Vincent stated that some of the vehicles are even being parted out.

Mayor Stiffey would like for the Commission and Attorney Moore to look over the current Ordinance and go back in depth to word it stronger.

A motion was made by Commissioner Vincent to table this matter until the next meeting. The motion was seconded by Mayor Stiffey. Ayes all members present so the motion passed 4 – 0.

With there being no further business to discuss the meeting was adjourned at 8:40 pm by Mayor Stiffey.

APPROVED \_\_\_\_\_  
DAVID L. STIFFEY, MAYOR

ATTEST \_\_\_\_\_  
DEBORAH K. BREWER, CITY CLERK

DATE \_\_\_\_\_  
Minutes were prepared by Deborah K. Brewer, City Clerk