

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY MAY 23, 2016 7:00 P.M.

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

Members Absent: Commissioner Stidham and Commissioner Cannon

Also Present: City Attorney Frank Hampton Moore

Mayor Stiffey called the meeting to order at 7:01 pm.

Invocation was given by Bob Buehl

All present recited the Pledge of Allegiance

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (April 25, 2016)

A motion was made by Commissioner Vincent to approve the minutes as written and the motion was seconded by Commissioner Stiffey. Ayes all members present so the motion passed 3-0.

REPORTS

Treasurers Report (April 2016)

A motion was made by Mayor Stiffey to accept the Treasurers Reports as read and was seconded by Commissioner Vincent. Ayes all members present so the motion passed 3 – 0.

Administrative Report

Mayor Stiffey reported that the Woman's Club of Smiths Grove will be doing a Memorial Day Program at the cemetery on Saturday, May 28, 2016 at 11:00 am. He asked that everyone come out and support the Woman's Club and remember our veterans.

Ms. Velta Rose Smith stated there were several young people that came out on Sunday afternoon to help place flags on the graves of veterans.

Mayor Stiffey also reported that we were not notified until after the last meeting that May was Older Americans month. However, once we were notified of the matter there was a Proclamation written declaring May as Older Americans Month which was read by the Mayor at this time.

Public Works Report

In Commissioner Stidham's absence Mayor Stiffey reported that Stewart Richey construction workers have made the repair to Brown Street, there was a problem with washout from College Street to Kentucky Street on Laurel Avenue and the county came out and cold patched the area, and signs have been ordered for Cave Street parking.

Commissioner Vincent stated that he had received several complaints in regards to the culvert at the Dollar General store. People are turning too sharp and their back wheels are falling off of the road. He thinks the city should talk to the manager of the Dollar General and see if they will put up a couple of post to stop people from dropping off the edge.

Commissioner Vincent stated that his second concern involved parking at the corner of West Second Street and Main Street. He stated that when leaving the Library you could not see due to cars parked at the body shop. He would like for the city to put up signs stating no parking on this side of street and to stripe off and allow no parking. He stated that most of the people parking there are just loafers.

Chief Vance stated that he thought that the area in front of the Library sign on Main Street should be done as well.

Police, Public Safety, Health and Welfare Report

Commissioner Stiffey stated that Johnny & Greg have been very busy writing citations for speeding especially on Friday the 13th. Chief Vance stated most of these are being written by Assistant Chief Claywell.

Chief Vance addressed the Commission as to what they wanted to do about the fact Scott Ray had not paid his citation. Mr. Ray has made an effort to clean up his property and it is looking better.

Commissioner Vincent made the recommendation to waive the fee of fifty dollars (\$50) since Mr. Ray has made an effort. Mayor Stiffey agreed to waive the fee however, Commissioner Vincent stated he would like the Commission to vote on it next month.

Cemetery Report

In Commissioner Cannon's absence Mayor Stiffey reported that ten (10) trees have been replanted to replace the twelve (12) that did not survive the last winter. The funds for these trees came from the Cemetery Improvement Donations and he believes that the donations are doing well this year.

The Mayor also reported that he has spoken to Ready & Able in regards to painting the exterior of the chapel.

Mayor Stiffey informed all present that Taylor's Structural Imaging did come out to the cemetery today and scanned the area in question for unmarked graves. At this time he asked Clerk Brewer to report on the findings since she was there.

Clerk Brewer explained to all present how Ground Penetrating Radar (GPR) worked according to the information provided by Taylor's Structural Imaging, LLC. She reported that T. J. from Taylor's scanned the area behind where the dumpster sits and came up with an area towards the fence by the Lowe property that "shows the characteristics of a gravesite..." He stated that he was ninety percent (90%) sure that it was a gravesite but the only definitive way to tell would be to excavate the area. He could not say for sure one way or the other if the other areas were graves

or not. He stated that if they were they were more than likely not put in a box only wrapped and buried. However, he does believe there is a cave with possible running water in that area.

Bob Buehl stated that he has someone that he could contact to see if they can help to find information on if is a Civil War soldier.

Commissioner Vincent stated he thought there should be a committee with Mr. Buehl and others to research and report back next month on their findings.

Mayor Stiffey stated that at this time all we wanted to do was get a general marker for unknown burrials and put on the area to preserve it.

Ms. Velta Rose Smith stated that there are still several stones in the cemetery that are down and there seems to be more than before.

Mayor Stiffey stated that the stones are being worked on a few at a time.

Code Enforcement Report

Commissioner Vincent stated that he would give his report in the Old Business section of the meeting.

COMMITTEE REPORTS

Aging Committee

Jessie Varner was unable to make the meeting but did send word that he would like to bring a guest for a presentation next month. The Commission agreed that it would be fine for him to do so.

OLD BUSINESS

Second Reading of Ordinance 16-001 230.20 An Ordinance Establishing the Annual Budget for the Fiscal Year July 1, 2016 through June 30, 2017

A motion was made by Mayor Stiffey to accept the ordinance as written and was seconded by Commissioner Stiffey. Ayes all members present so the motion passed 3 – 0.

Adding of a City Citation to Ordinance 92.04

Commissioner Vincent stated that per the Smiths Grove code of Ordinances under General Regulations in chapter 92 it covers Nuisances. In this chapter 92.03 covers Certain conditions declared a nuisance and section seven (7) covers junk, scrap metal, and motor vehicles. Section 92.04 discusses Abatement Procedure and he would like the city to start enforcing these ordinances.

At this time a motion was made by Commissioner Vincent for the commission to recognize who are in violation and give the violators thirty (30) days to correct the problem; if not corrected in thirty (30) days they should be given a citation for fifty dollars (\$50). The motion was seconded by Commissioner Stiffey and discussion was called for.

Commissioner Vincent stated that an additional fifty dollars (\$50) per day could be added for every day not brought in compliance since the citation was written.

Mr. Bob Buehl suggested that the city make a list of places/people that would pick up or purchase scrap vehicles and give to the person in violation.

Chief Vance asked the commission for clarification on what would be considered inoperable/abandoned; if it is licensed and insured, or if you can get into and start, no flat tires, or moved within the last thirty (30) days?

Commissioner Vincent stated that he would leave that up to Chief Vance to decide because that is what they hired him for. He also stated that if the violator does not feel that they are not in compliance they have the right to appear before the commission for an appeal.

At this time roll was called for. Ayes all members present so the motion passed 3 – 0.

What to do about 150 Third Street

At this time Mayor Stiffey stated he had had several people ask him what the city intended to do about the property at 150 Third Street. At this time the city has already put approximately ten thousand dollars (\$10,000) into the property in cleaning the property, legal fees to get put on Master Commissioners Auction, and regular mowing of the property. He inquired to Attorney Moore as to if the city could get the property condemned.

Attorney Moore asked if he could have some time to look over all of the legal actions that have been taken and get back to the commission in regards to what steps the city could take.

Survey on Old City Hall property

At this time Mayor Stiffey reported that Andy Hawkins has completed the survey on the property located at 106 S. Main Street. In his report he did state that about twelve feet (12') of one corner of the old City Hall Building was built on L&N/CSX property. Mayor Stiffey stated that this would not hinder the sale of the property that the city would just have to disclose this information at the time of the sale. He does not believe CSX would ever come back on the buyer about the matter and does not feel that it will hurt the sale.

Commissioner Vincent stated that there is no guarantee that it will not hurt the sale or that CSX will not do anything about.

NEW BUSINESS

Discussion of Mayor's Wrecker Service being put on rotation for the wrecker roster being kept by Chief Vance

Mayor Stiffey stated that he and Mr. Fred Wurst have gone into business together doing wrecker service and that they do not want any special attention or privilege. He stated that our police department is in a bind because they are not sure if they can call them or not. Since the Police

works on rotation and keeps the list he has asked Attorney Moore to prepare a Resolution allowing them to be on the rotation.

Chief Vance stated that back when he worked here before there was a list that the County had and when a wrecker was needed he just requested the next person on the list. However; sometimes this could take forty five (45) minutes or more depending on where the wrecker was coming from. When you are on the side of the road this is a long time. Therefore, Chief Vance decided to make his own rotation list that was basically wrecker services in Smiths Grove. He does not believe that the list has been used since he left the department in 2008.

Attorney Moore inquired of Chief Vance as to if:

- 1) The amount charged by the wrecker service was set by the wrecker service and not the city
- 2) Is there no obligation by the City of Smiths Grove to pay the wrecker fee

Chief Vance stated that the city would have nothing to do with the charges or any obligations to the wrecker service.

Attorney Moore stated that as per the Code of Ethical Conduct Ordinance, no elected officer may enter into a contract granted by the city however this is different because there are other wrecker services and the city does not make any payments to them. Also, the Ethics Code does state that a contract may be entered into if approved by the commission and the action taken is acceptable to the city.

Attorney Moore also stated that he thought this matter should be held over to the next meeting since there were not enough members of the commission present.

Police Department Entry Door

Mayor Stiffey reported that this is an issue due to that fact that Chief Vance and Assistant Chief Claywell are unable to see who is at the door, especially at night. He stated that there are windows by the door but you still cannot see who is at the door unless you happen to see them walk up.

Chief Vance stated that he did not feel that the steel door was very professional and he feels it should be the same as the entry doors to City Hall.

Mayor Stiffey has contacted two companies and received quotes on replacing the door.

Bowling Green Glass Company:

Price to provide and install commercial aluminum storefront windows and doors, as described, is one thousand one hundred dollars (\$1,100.00), sales tax included.

Storefront Door

Single Door: 36" X 83 ½" Frame size

- Tubelite Narrow stile
- Clear Anodized Finish

- 10” bottom rail
- ¼” Clear Tempered Glass
- Standard Push/Pulls
- Offset Pivots
- Surface Mounted Closer
- Standard Thumb Turn Lock
- Door sweep
- Threshold
- Perimeter caulking

This does not include tearing out existing frame & door.

B&P Glass, LLC:

Remove steel door, install new aluminum commercial door with roton hinge one thousand one hundred and fifty dollars (\$1,150.00).

At this time a motion was made by Mayor Stiffey to purchase the door with the roton hinge from B&P Glass, LLC because they said it will outlast the building and they will remove the old door themselves.

Commissioner Stiffey asked how soon the job could be done. Mayor Stiffey stated he was not sure but he doesn’t believe it will be too long.

The motion was seconded by Commissioner Stiffey. Roll was called for. Ayes all members present so the motion passed 3 – 0.

With there being no further business to discuss the meeting was adjourned at 8:15 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