

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY MARCH 27, 2017 6:00 PM**

All Members Present

Also Present: City Attorney Hampton Moore

Mayor Stiffey called the meeting to order at 7:02 pm.  
Invocation was given by Chaplain Casey Mathias  
All present recited the Pledge of Allegiance

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (February 27, 2017)

The minutes were approved by acclimation

**REPORTS**

Treasurers Report (February 2017)

A motion was made by Commissioner Stidham to accept the Treasurers Reports as read and was seconded by Commissioner Stiffey. Ayes all members present so the motion passed 5 – 0.

**Administrative Report**

Mayor Stiffey reported that Bert Higginbotham has agreed to maintain our website for us. This will be a plus for the city since Bert has done a tremendous amount of work on the site previously.

The Mayor also reported that he had some electrical work done at city hall and in the brick park. The brick park needed new outlets and some lights fixed, and dual switches were put in the bathrooms at city hall so the fan did not run every time you turned the light on.

**Public Works Report**

Commissioner Stidham reported that there has been a new street light installed on Main Street in front of the gym.

Commissioner Stidham had been informed that there was a hole in 101 by McDonalds and also one by the Dollar General store. He has contacted the State Road Department and they will get these repaired. Also, we are still waiting for Scotty's to start the work on the streets and he hopes it will start soon since the weather is getting better.

The Mayor and Commissioner Stidham are going to drive around and look at the sidewalks to decide which are in the most need of repair. Once they decide they will get bids on the job of repairing these sidewalks.

Commissioner Vincent stated that a major problem with the sidewalks was the tree roots and was wondering if they were going to try to move the roots. Commissioner Stidham stated that they would have to and in some cases the tree may have to be cut or trimmed.

At this time Mrs. Rosemary Legge asked what ever happened in regards to the problem with the sidewalk on Laurel Street.

Commissioner Stidham stated that he had spoken to State Representative Michael Meredith and was told that since the project was over ten (10) years old; more than likely the most the state would probably do would be to make the city pay them back for that section of sidewalk. He also stated that the city will probably pave over the sidewalk in that area.

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

Commissioner Stiffey stated that there have been a lot of traffic stops for speeding and some of them have been repeat offenders. It is her opinion that if someone has had two (2) in a six month period the fine should be doubled.

Chief Vance stated that they have discussed giving the offender a State Citation because it carries a stiffer penalty. Also, if they have issued two city citations they will not issue the offended another one.

Mayor Stiffey stated that he has had some people tell him the speed limit should be raised but he does not feel that is a good idea.

### **Cemetery Report**

Commissioner Buehl reported that Brian Gaul has done the first mowing of the cemetery for this season.

After repairing the stone for Malcom Doughty he spoke to Fred Wurst in regards to a different type of epoxy and ordered what Mr. Wurst suggested. It works well and he can probably repair around ten (10) stones out of the kit.

Commissioner Buehl reported that he and his son Robby are now working on Mary Doughty' s stone which was probably about one hundred (100) feet away from where it belongs. They are also working on Sophia Dean's stone and a Madison infant stone. Once all the stones they are working on at this time are finished; they will put a water proof sealer on them and then return them to their places in the cemetery.

Commissioner Buehl reported that next month he and the Clerk/Cemetery Sexton will be attending a Cemetery Restoration Seminar in Bardstown. Jason Church, a nationally renowned cemetery preservationist from Louisiana, will give a lecture on cemetery

documentation, photography, cleaning, and hands-on-training to reset and repair headstones.

Commissioner Buehl stated that he will be getting prices for the signage for the Lions Clubs donation for the monument of the unknown buried in our cemetery, and he, Commissioner Vincent, and Fred Wurst will flag the area and he will get bids for the fence to go around the monument area.

Mayor Stiffey informed all present that the furniture in the chapel has been refinished and that Dennis Crabtree has given him a price of one thousand two hundred dollars (\$1,200) to reseal all of the wood again. He stated that normally the city would get bids on the job but he has been pleased with the work Mr. Crabtree has done in the past and wants to stay with him.

### **Code Enforcement Report**

Commissioner Vincent stated that he would like to thank Commissioner Buehl for all of the work he has done at the cemetery.

At this time Commissioner Vincent has not received any code complaints but noticed that on Chief Vance's monthly report the shows sixteen (16) complaints. He asked the Chief if any of these were code enforcement related.

Chief Vance stated that the complaints on his report were for things like black birds, turkey buzzards, and a garbage can in the road on Laurel.

Commissioner Vincent stated that in the near future he wants Chief Vance and himself to drive around town because there are some things he wants to point out to him.

Commissioner Stiffey reported that she had talked to Planning and Zoning, in regards to people living in RV's in the city limits, on March 2<sup>nd</sup>. On March 22<sup>nd</sup> they stated they had contacted the owner and told him no one could live there. They were told that the owner only goes into it to watch television. However, there is an electrical cord going from the house to the RV. Commissioner Stiffey was told to keep an eye on the matter and report back to them.

Mayor Stiffey asked Mr. Albert Rich if he had heard any more on the matter of the Truck Stop and Mr. Rich differed to Attorney Hamp Moore.

Attorney Moore stated that at the March 17<sup>th</sup> Planning and Zoning meeting Mr. Brian Shirley, the engineer for the project, stated that the plans had been completed and given to the owner of the Truck Stop. They are now just waiting for the go ahead from the owner. There has been some movement on the project but no construction at this time.

Commissioner Stidham asked how long after the plans were complete did they have? Commissioner Vincent stated thirty (30) days, and ninety (90) days to start construction.

## **COMMITTEE REPORTS**

NONE

### **OLD BUSINESS**

#### **Update on 150 W. Third Street property**

At this time Mayor Stiffey asked Attorney Moore if he could give a status update on this matter. Attorney Moore stated that there was a hearing on Monday March 20th with Judge Wilson and the judge sustained the city's motion to sell the property to Mr. Pillow. Attorney Moore stated that now the Master Commissioner will prepare a deed which should be completed within the next week to ten (10) days.

At this time Mayor Stiffey asked Attorney Moore if it would be appropriate to go ahead and vote to reimburse Mr. Pillow for any extra cost incurred due to the problems with the original sale. To which Attorney Moore stated that the city should wait and see what the amount.

#### **Sidewalk Bids**

Commissioner Stidham & Mayor Stiffey stated earlier in the meeting that they will be working on this matter.

#### **Perpetual Care Money usage – amount per year, only for upkeep, general maintenance, and improvements to cemetery**

Mayor Stiffey differed to Attorney Moore to discuss where we are in the process of trying to get these funds.

Attorney Moore stated that last month the Commission had asked him to see if the City could indeed file to receive the Perpetual Care Funds that have been deposited since KRS367.952 was amended in 2008.

Attorney Moore is in the process of creating the Petition to the Circuit Court asking that the funds be returned to the city. He has been in contact with another municipality that has previously gone through the process and they have given him the contact information for the person in the Attorney General's Office that handles these matters. They assured him that we are following the correct steps for this process.

Attorney Moore believes he will be able to file the paperwork and a hearing be held within the next month or so. The filing fee should be around two hundred fifty dollars (\$250) and he will try to keep his fees down as well. Once the city receives the funds he believes the commission should restrict the use of the funds.

Mayor Stiffey stated that he thought the commission should set a yearly amount to be spent so that the funds would not be used up.

Attorney Moore stated that he thought this is something the commission should give thought to and make a decision on at the next meeting.

## **NEW BUSINESS**

### **Discussion on whether or not to look at beginning process of wet/dry vote for City of Smiths Grove**

Mayor Stiffey stated that he constantly has people ask him about the city doing a wet/dry vote. He is wondering if the Commission wants to give their blessing to the matter by starting the petition themselves or to just wait and let an individual do it.

Commissioner Vincent made a motion that the Commission go on record as being opposed and to not be involved in a wet/dry vote. The motion was seconded by Commissioner Buehl and then discussion was called for.

Commissioner Vincent stated that as a Christian person he could not support the proposal and that he remembers what the city was like back when it was wet.

Commissioner Stidham stated that he felt residents should be given the option to vote for or against because it could bring in revenue for the local businesses, and that things have changed since back in the 1940s' & 50s'.

Commissioner Buehl stated that as a municipality he felt the Commission should stay out of and let an individual do a petition if they wanted to because this would give residents the option to vote on the matter anyway.

Chief Vance stated that alcohol is the least of police officers worries. Right now we do not have the major problem of Heroin and Fentanyl in our area but he feels it will be in our area soon.

At this time a vote was called for. Commissioner Stiffey – Yes, Commissioner Stidham – No, Commissioner Vincent – Yes, Commissioner Buehl – Yes, Mayor Stiffey Yes so the motion passed 4 – 1.

### **Set work session date for Budget for upcoming Fiscal Year**

Mayor Stiffey explained that in order to get our two readings on an ordinance there would need to be a work session before the next meeting.

It was decided by the commission that the work session will be Thursday April 13<sup>th</sup> at 6:00 pm.

### **Discussion on purchase of safe for Police Evidence room**

Mayor Stiffey stated that Chief Vance had found a safe on Walmart.com that would be under the five hundred dollar (\$500) limit so there was no need to vote on the matter.

Chief Vance reported that the safe was a ten (10) Gun Sentinel Fire-Resistant Safe with a Combination Lock that will fit in the space he has. He will be able to put the City owned weapons that are not in use, any confiscated weapons, drugs, and money in it for safe keeping.

Commissioner Buehl stated he thought maybe a larger high quality safe would be a better idea but Chief Vance reminded him the space was limited.

With there being no further business to conduct, Mayor Stiffey adjourned the meeting at 8:12 PM.

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

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

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