

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY APRIL 22, 2013 7:00 P.M.**

Members Present: Mayor Higginbotham, Commissioner Varner, Commissioner Lawrence Stiffey, Commissioner Pierce and Commissioner David Stiffey

Also Present: City Attorney Wes Milliken

Mayor Higginbotham called the meeting to order at 7:00 pm.  
All present recited the Pledge of Allegiance

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (March 25, 2013)

Minutes of Special Meeting (April 8, 2013)

The meeting minutes were approved by acclimation.

**REPORTS**

Treasurer Report (March, 2013)

Report was approved by acclimation

**Public Works Report**

Commissioner Lawrence Stiffey reported that the new street light has been installed on Harris Street and at this time he had nothing further to report.

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

Commissioner Varner read the Activity Report for the Month of March 2013.

Commissioner Varner stated that he has contacted Ford in regards to the painting of 702 and is still waiting for them to reply. He stated that the cost of the six hundred dollars (\$600) we are going to have to pay Greenwood Ford to paint the unit is too high. He believes that if we can get a comparable paint job that will meet Ford's specifications for less than six hundred dollars (\$600).

Commissioner Varner then deferred to Chief Suoy who stated that we have two candidates for the position of part time police officer that are going through the POPS testing and he should have the results report in the next couple of days. If they pass the POPS test they will then have to be polygraphed, drug tested, and have a psych evaluation. The next Academy classes start on June 29<sup>th</sup> and he and Commissioner Varner would like to get someone hired before that time so that Chief Suoy can start training them on the job before that. The next class offered after that will be in July. The city has received two applications for the job, two others picked up applications but have not turned them in.

Chief Suoy was asked how much the tests were going to cost the city and he reported that there is no charge for the POPS however; there is a charge of one hundred eighty-one dollars (\$181) per person for the polygraph and the drug test. If either applicant fails the drug test or psych evaluation they will not be considered for hire.

### **Cemetery Report**

Commissioner Pierce reported that Doug Riddle, who was just awarded the contract to mow the cemetery last month, has quit. Commissioner Pierce and mayor Higginbotham contacted Brian Gaul, who was the next lowest bidder, to see if he would take the job for the amount of the bid he had given last month. Mr. Gaul informed them that he had decided he would not be able to do for the original bid amount of four hundred seventy-five dollars (\$475) but that he would agree to five hundred twenty-five dollars per mowing and that he could start tomorrow, April 23.

At this time Commissioner Pierce made a motion to accept the price given by Mr. Gaul and to award the contract to him. The motion was second by Commissioner David Stiffey and discussion was called for. Commissioner Varner stated he would just like to clarify whether this was the original price Mr. Gaul had given on his bid back in March or not and was informed it was not. With there being no further discussion roll was called. Ayes all members so the motion passed 5-0.

Commissioner Pierce stated that last Friday he, his wife, and his son's had mown the section of the cemetery where Mrs. Jackson was to be buried on Saturday just so it would not look bad for the funeral. He stated that he would like to thank Commissioner David Stiffey for the use of his weed-eater for the job.

Commissioner Pierce is going to negotiate with Mr. Gaul on the cost to mow the properties on Main Street in front of the Car Wash and beside Wendy's.

Commissioner Pierce informed all Present that he had contacted Fred Wurst and Commissioner Stiffy in regards to David Watkins grave. It had fallen in and they have already filled it back in. He also reported that Brian Gaul went out today and sprayed the gravel roadways with weed killer. Mr. Gaul believes that by fall he may be able to have his equipment ready and be able to spray weed and feed on the cemetery.

### **Code Enforcement Report**

Commissioner Stiffey reported that he is meeting with Joe Manning from Warren County tomorrow to look at a few properties not code compliant. He also informed all that since there have been some cut backs in that department they are only working two days a week so therefore, they may not be able to come to Smiths Grove but once or twice a month.

There has been no further development in contacting the owners of 150 Third Street. Mayor Higginbotham inquired of Attorney Milliken if the city could place a lien on the

property for property maintenance and back taxes and was told the city could do so. All that we will need to do is send him an itemized list of the costs.

The work on 510 Cave Street is almost completed. Mr. Massey worked up the topsoil today and Commissioner David Stiffey spread 50 pounds of grass seed on it. It took seven (7) loads of topsoil which was two (2) more than was expected. The topsoil cost one hundred fifty dollars (\$150) per load so the total came out to one thousand fifty dollars (\$1,050). The additional two (2) loads of topsoil were not included in Mr. Massey's original price so Commissioner Stiffey needs approval to pay Mr. Massey for the additional loads. The total that will now be owed to Mr. Massey will be one thousand four hundred fifty dollars (\$1,450). With this being said, Commissioner David Stiffey made a motion to pay Mr. Massey the amount of one thousand four hundred fifty dollars (\$1,450) for the topsoil and leveling it. The motion was second by Mayor Higginbotham and discussion was asked for. With their being no discussion roll was called. Ayes all members so the motion passed with a vote of 5-0.

## **COMMITTEE REPORTS**

### **Aging Committee**

Commissioner Varner reported that there will be a Healthy Aging Conference Wednesday, May 8<sup>th</sup> from 8 a.m. – 2 p.m. at the Carrol Knicely Center in Bowling Green. The conference is free of charge and open to seniors and their caregivers.

## **OLD BUSINESS**

### **Area Development Fund: Cemetery Road Grant from 2011 received from BRADD**

Mayor Higginbotham reported that we have finally received our three thousand seventy-six dollars (\$3,076) from the state for the road we installed on the back side of the cemetery near the pasture fence. He has spoken to Ashley Simpson at the BRADD office and she is still working on the 2012 grant money reimbursement.

### **Sign for Cemetery rules against parking vehicles over night**

Chief Suoy reported that last week he noticed a vehicle parked unattended on the back side of the chapel. He ran the license and found the owner had an outstanding warrant so he continued to check the vehicle during his shift. Upon making his rounds around midnight (12:00 a.m.) he found the vehicle was gone. Commissioner Pierce stated that he believed we need to get some signs posted that state that if a vehicle is left there after dusk it will be towed at the owners expense. Attorney Milliken stated he thought it would be best if we were to do a Resolution or Ordinance in regards to this matter to give us better legal footing. It was decided that this will be put on the agenda for next month.

### **Second reading of Ordinance 13-001 910 (An Ordinance repealing the prohibition of using fireworks in the City of Smiths Grove)**

A motion was made by Commissioner Varner to accept Ordinance 13-001 910 repealing the prohibition of using fireworks in the City of Smiths Grove. The motion was second by Commissioner David Stiffey. With their being no discussion the roll was called. Ayes all members of the motion passed 5-0.

**NEW BUSINESS**

**File lien on property located at 150 Third Street**

Mayor Higginbotham made a motion that we instruct council to move on filing a lien on the property located at 150 West Third street for back property taxes from 2010, 2011, & 2012 along with the charges for property clean-up which at this time amounts to one thousand ninety dollars (\$1,090) and will increase with mowing season now approaching. The motion was second by Commissioner Pierce. With there being no discussion roll was called. Ayes all members so the motion passed 5-0.

At this time Mayor Higginbotham asked if anyone had anything further to discuss. Attorney Milliken stated that he would like to address the hiring of a part time police officer. He stated that before anyone was hired all parties should be involved in interviewing and checking out the applicant including himself.

With there being no further business to conduct, Mayor Higginbotham adjourned the meeting at 7:46 pm.

APPROVED \_\_\_\_\_  
BERT E. HIGGINBOTHAM, MAYOR

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

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