

City Commission meeting - April 28, 1986 - City Hall - 7:00 p.m.

Mayor Gilley called the meeting to order at 7:00 p.m. with Commissioners Smith and Crisp in attendance.

## AGENDA

### 1. Minutes of the previous meeting, special called meetings, 4/4/86 & 4/7/86.

The Mayor ask the Commission if they had reviewed the above stated minutes. They had. He called for discussion or corrections to same. With none to be heard, Comm. Crisp presented a motion to accept them as written, seconded by Comm. Smith. Roll call and vote - Smith yes, Crisp yes, Gilley yes.

### 2. Treasurer's report - 3/16/86 thru 4/18/86

The commission reviewed the report and with no corrections to be made, Comm. Smith floored a motion to accept the report as printed, seconded by Comm. Crisp. Roll call and vote - Smith yes, Crisp yes, Gilley yes.

### 3. Smith Grove Cemetery quarterly financial statement

The report prepared by Ms. Jordan was presented for the commission's consideration. Mayor Gilley ask if there were any questions regarding same. Comm. Crisp ask if the money in the cemetery savings was used for upkeep and maintenance or if it was also perpetual funds. Mayor Gilley said money from this savings was used in emergencies and the interest from it was deposited in the working account. With no further questions or discussion, Comm. Crisp presented a motion to accept the report as written, seconded by Comm. Smith. Roll call and vote - Smith yes, Gilley yes, Crisp yes.

### 4. Building permit- Thomas Allen's remodeling

Mr. Allen's permit for adding a laundry room to the existing house

was presented. With no objections to same, Comm. Crisp presented a motion to issue the permit; seconded by Comm. Smith~ Roll call and vote - Smith yes, Gilley yes, Crisp yes.

#### 5. Excess Community Development project lots

Mayor Gilley explained that at the end of the Community Development project there were five lots remaining that are deeded to the City of Smiths Grove. He said on one of the pieces of property there is a house that was to be torn down. There is a man, Jack Pearson, who lives in the house belonging to the City, and pays no rent. The other pieces of property, according to the City Zoning Ordinance are not large enough to build on. The clerk has been in contact with the City Attorney as to what are the City's best steps in instigating the procedure of vacating the house. The City Attorney recommends, (copy attached) the city file a forcible entry and detainer action with the Warren District Court. After a lengthy discussion Comm. Crisp floored a motion, the City Attorney be directed to file the forcible entry and detainer action on behalf of the city, seconded by Comm. Smith. Roll call and vote - Smith yes, Gilley yes, Crisp yes. Mayor Gilley then ask the commission to give careful thought to this project, and after we heard from the City Attorney it would be discussed further.

#### 6. Other

Mayor Gilley, along with Chief Bybee went to the Grand Jury on April 21, regarding the complaint that Herbert Leopold had issued about the noise from the grain dryers located at the corner of College Ave. and Laurel St. directly across from his house. Mayor Gilley said the owners had agreed to erect plywood barriers to contain the noise and this seems to be working satisfactorily. He also said the jury had instructed him to enforce section 605, Article VI, of the Smiths Grove Zoning Ordinance #85.1 920.7, (Copy attached). Mayor Gilley said he told them he could not do so without assistance, as the city has no way of measuring sound. He ask the clerk to write to the Dept. of Human Resources for assistance in this matter. She agreed to do so.

#### (b). Permit for Thomas Webb to erect a billboard type sign behind the Cee Bee Store

Mayor Gilley had been in contact with an office in Frankfort which governs the erection of these signs. They informed him the sign could not be put up. The law

is, the signs must be a minimum of 660' from the highway and this one was proposed to be put up 45' from the highway. Because of pending law suits, they said if the sign was erected, it would have to be taken down. He apologized to Mr. Webb and said it wasn't the commission's intent to ever break the law.

(c). Mayor Gilley said residence in the Rice Sub-division had approached him with the possibility of the city putting up signs notifying motorists there were children at play in this area. Comm. Crisp said this was the same neighborhood where he lives

115

Page 3 City Commission meeting - April 28, 1986

and there is too much speeding going on. Mayor Gilley said he would check with the State to see if they had any of these signs available and he ask the clerk to check to see the prices of same. This will be discussed further at the May meeting.

(d). The May meeting would fall on Memorial Day and the Mayor wanted to know when the commission wanted to hold this meeting. The decision was made to hold it on the 19th of May.

With no further business to be discussed, a motion to adjourn was heard.

Approved: James R. Gilley  
Mayor

Attest: Dorothy J. Neal  
City Clerk