

Smiths Grove City Commission meeting - August 22, 1994 - 7:00 p.m. - City Hall

Mayor Gilley called the meeting to order with all commissioners in attendance, alone with numerous interested citizens.

AGENDA

1. Minutes of the previous meeting

The Mayor ask those in attendance if they would like to have these minutes read. With no response or corrections or additions from the commission, Comm. Lacy presented a motion the minutes be accepted as written, seconded by Comm. Martin. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

2. Treasurer's report

Additions or corrections were called for. With none to be heard, Comm. Belcher presented a motion the report be accepted as printed, seconded by Comm. Martin. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

3. Annual financial statement - Smiths Grove

The clerk informed those in attendance that this financial statement as well as the cemetery financial statement were available to the public at no cost. Mayor Gilley ask for discussion of the report. With none to be heard, Comm. Lacy presented a motion the report be accepted as written, seconded by Comm. Hardy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

4. Annual financial statement - Smiths Grove Cemetery

Mayor Gilley ask the Sexton if she had any comments regarding this report. She had none. With no further discussion, Comm. Lacy presented a motion to accept the report as written, seconded by Comm. Martin. roll call and vote- Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

5. Animal complaint

Mayor Gilley ask Lucian Flora if he had any comments regarding this situation. Mr. Flora said they had presented their complaint in written form and was now wanting to know what the commission's findings were. Mr. Harold Walker took the floor and stated that he felt there was a need for cattle to produce meat and milk. Mrs. Walker said they had lived in the residence in question for 15 years and had horses and no one complained. Mr. Flora said there were numerous complaints but none to the Walkers in person. Chris Alderson, who purchased the residence in question at 117 Webb Ave. said he had moved to this area because he considered it a farming area and a good place to raise his small daughter. He was of the opinion that the current ordinance that the city accepts was very vague and the commission should draft a new one that was very clear and specifically addressed the type of animals that are allowed in the city. He also stated that there should be a grandfather clause included that would allow those that already had cattle or animals to be allowed to keep them. Mrs. Flora said that Smiths Grove city was not the country and cows and horses should not be allowed now or in the future.

Mayor Gilley ask Gerald Brown the city's representative for the City-County Planning Commission to take the floor and express his views and opinions of the present ordinance. Mr. Brown said he would like to refer to the present Ordinance in question and quoted section 624.23 (copy attached) which states that there is nothing that can be done about livestock unless there is a complaint. He also quoted section 605 (copy attached) which refers to the emission of obnoxious odors outside of the property line. This was one of the complaints the Floras had addressed in the letter to the commission. Mayor Gilley ask Mr. Brown to state his opinion as to what the commission should do. Mr. Brown said he felt a new ordinance should be drafted which would be very specific as to what animals are allowed within the city limits and which ones were not. Mr. Brown said in his opinion this ordinance should become in effect January, 1, 1995. Mayor Gilley ask the commission their opinion of the new ordinance. All were in agreement that it should be done. Com. Belcher said that if it is written it should be stated in the ordinance that there will

be a fine imposed for noncompliance. Mr. Alderson ask if it would be public knowledge when the ordinance is written as to the language contained therein. Mayor Gilley said all ordinances were given their readings at the regular meetings, and this one would be also. Mayor Gilley said we would get with the city attorney, Currie Milliken to have this ordinance drafted to make sure of its legality. Mr. Brown then addressed the situation of Joan Floras house being landlocked. He cited Article II of the city's ordinance which defines what an alley and street are. (copy attached). In his opinion, there is an alley in front of Ms. Floras residence. With no further discussion to be heard, Mayor Gilley felt it was time to proceed with the rest of the agenda.

7. 1995 city Vehicle tax rate

The clerk explained the current rate of 26¢ is netting ample income to the city. Mayor Gilley ask the commission if they wanted to consider the allowed 4% increase that is allowed. Comm. Belcher presented a motion the 1995 vehicle tax remain at 26¢ per \$100 assessed valuation, seconded by Comm. Martin. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

8. City maps

The Mayor ask the clerk to explain what this was about. She showed a city map of Auburn, KY which was like the one she would like to have for the city. She said that the bank, library along with her gets numerous requests yearly for maps of the city. She explained the maps would be of no cost to the city. They would be funded by sponsorship of the city's merchants. There would be 5,000 maps available for distribution. Comm. Martin presented a motion the clerk per sue these maps, seconded by Comm. Hardy. roll call and vote Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

9. Department reports

Police Department- Comm. Martin said she had checked further about the patches the police department had requested. She had found some at a price of \$4.74 per patch which is a better price than the last. She will continue to check. She also reported that the patrol car has new tires, four GT tires at a total of \$242.84. She also addressed the commission regarding the robbery Sunday night at the Flavor Isle. She wondered if the police department couldn't accompany the people who made the deposits nightly. Comm. Belcher commented that he felt if we did this for one we would have to accompany each night depositor. Ms. Martin said the Flavor Isle was the latest depositor. Mayor Gilley ask the policemen what they wanted to do. Chief Montgomery said if they would let him know what time they made these deposits, he or Jimmy would be glad to accompany them to the bank

Street Department

Mayor Gilley said that he, Comm. Belcher, Comm. Hardy, Alan Vinines from Warren County Water District and Jim Skaggs had had a meeting regarding the streets around the city that Mr. Skaggs had patched. The city representatives informed Mr. Skaggs that they wanted the balance of Hedge Street from Third to First finished. Mr. Skaggs didn't want to accept this. Comm. Hardy said he had talked with Mr. Skaggs about the bumps made where his company cut the street. He said Mr. Skaggs informed him this was done so in the future when the streets settled they wouldn't sink down. Mayor Gilley said the Water District had told him that Mr. Skaggs work is warranted in their contract with him for a year after the project is completed that they will repair any of the streets that need fixing. Mayor Gilley also said that Mr. Skaggs has not agreed to fix the deep hole east of the Flav-O-Rich plant on Vincent Street. Alan Vilines had approached Mayor Gilley this day regarding a letter to him that the City would accept the streets paved or patched by Jim Skaggs up to this time contingent on the fact that Mr. Skaggs company would finish Hedge Street. (copy attached). Comm. Belcher read this letter to those in attendance. All of the commission agreed this was acceptable.

Comm. Martin said she wanted to take some time to recognize the work that Comm. Hardy had done voluntarily around the city. He has worked very hard to make the city much neater and cleaner looking. Those in attendance gave Comm. Hardy a hand of appreciation.

10. Fee Schedule for Board of Adjustments

Mayor Gilley reported to the commission, he had discussed this fee with Danny Whittle from City-County Planning Commission, and that Mr. Whittle had discussed it with the Board of Adjustments. Mayor Gilley said there were costs involved to the city whenever an application for a Special Exception/Home Occupation permit was applied for. He said there were certified letters to be sent to all of the adjacent neighbors, publication of the date, time and subject of the Board of Adjustment meetings, and if a permit was issued there is a fee of \$10.50 to the County Clerk for filing of a Certificate of Land Use Certificate. Mayor Gilley told the commission that the Board of Adjustments had ask for the commission to consider a fee of \$100.00 per application for a Special Exception/Home Occupation permit. He ask the commission their feelings regarding this fee. All were in agreement that there should be a charge for the applicants to offset the cost to the city. With no further discussion to be heard, Comm. Belcher presented a motion, the clerk draft an ordinance to set the fee at \$100.00, seconded by Comm. Hardy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Lacy yes, Hardy.

With no further business to be presented, a motion to adjourn was floored.

APPROVED: _____
JAMES R. GILLEY, MAYOR

ATTEST: _____
DOROTHY J. NEAL, CITY CLERK