

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY AUGUST 25, 2014 7:00 P.M.**

All Members Present

Also Present: City Attorney Wes Milliken

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

Mayor Higginbotham recognized Steve Hunter with Planning & Zoning, Keith Cardwell Attorney for Jay Shree Dada LLC as well as Vick and Shah of Jay Shree Dada LLC, Magistrate Tommy Hunt, Porter Martin our past commissioner as well as many other guests.

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (July 28, 2014)

The meeting minutes were approved by acclimation.

**REPORTS**

Treasurer Report (July, 2014)  
Report was approved by acclimation.

**Public Works Report**

Commissioner Lawrence Stiffey had no report at this time.

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

Commissioner Varner read the Activity Report for the Month of July 2014. Commissioner Varner had nothing else to report at this time.

**Cemetery Report**

Commissioner Pierce reported he had contacted two electricians but no one had showed up to meet with him. Also reported the cemetery had not been mowed twice due to lack of rain. He had nothing else to report at this time.

**Code Enforcement Report**

Commissioner David Stiffey reported he had been working on the abandoned lots around town. Commissioner David Stiffey also brought up the old library which Mayor Higginbotham informed him when speaking with the owner, the owner had informed him he had made his property in compliance according to what had been told to him by Warren County Code Enforcement. Commissioner David Stiffey also reported there were issues with grass around town. He had nothing more to report at this time.

## **NEW BUSINESS**

### **First reading of Ordinance 14-003 820.00, Zoning change for Jay Shree Dada, property at 613 S. Main St.**

At this time Mayor Higginbotham turned the floor over to Steve Hunter from Planning and Zoning for his presentation.

Mr. Hunter informed all present that Warren County Planning & Zoning had already had a hearing on the matter and unanimously approved the proposed plans to meet the Comprehensive Plan to rezone from AG & HB to LI.

Keith Cardwell, Attorney for Jay Shree Dada LLC, along with Vick & Shah made a presentation in regards to the new plans for the Truck Stop.

A motion was made by Mayor Higginbotham to accept Ordinance 14-003 820.00 as read. The motion was second by Commissioner Varner. Discussion was called for.

Commissioner Pierce had several questions for Mr. Cardwell, Vick, and Shah. The salient questions were a definite time for completion of the complete project, work on the egress and access to the truck stop and the number of total parking spots for trucks. Additionally many questions were directed toward the green areas to improve the entrance to town. All the questions were answered to his satisfaction along with questions from other members of the commission.

At this time roll call vote was called for and the motion passed with a 5 – 0 vote.

### **First reading of Ordinance 14-004 230.10 Property Tax for water craft & motor vehicles**

Mayor Higginbotham read the ordinance and made a motion to accept the ordinance as read. Commissioner Pierce seconded the motion. There was no discussion. Ordinance 14-004 230.10 was passed by unanimous vote.

### **Property Tax Ordinance for 2014 – Delayed, waiting on figures from PVA**

## **OLD BUSINESS**

### **150 W. Third Street**

Attorney Milliken reported that everyone in the case had been served, there had been a motion summary judgment and planned to sale since no answers had been filed. Mayor Higginbotham asked when it could be expected to be sold, Attorney Miliken responded hopefully before cold weather.

### **Christmas Parade**

Porter Martin reported he was changing the dates on the website and plans to put the website up towards the end of the month of August, beginning of September to start accepting entries.

## Street Improvement

Commissioner Lawrence Stiffey asked if anyone had come up with suggestions on what streets needed to be fixed.

Mayor Higginbotham stated he thought that Second Street by the Library needed work. Commissioner David Stiffey stated he thought Fourth Street should be done depending on the cost.

Mayor Higginbotham stated that the city had spent seventy five thousand to eighty thousand dollars (\$75,000 - \$80,000) out of last year's budget to repair streets and pay street lights. We had been aggressive in repairing streets the past couple years and the formula for dividing up the road funds had been changes so we had to be cautious of our street funding. Therefore, there was little left in the fund to budget for this year.

Commissioner David Stiffey stated that he thought the city could get the alleys done for seven or eight thousand dollars (\$7000 or \$8000).

Commissioner Lawrence Stiffey stated that to date there is twenty five thousand (\$25,000) in the Street Fund from Municipal Road Aid that he wants to spend. When asked by Commissioner Pierce what his budget was Commissioner Stiffey stated he thought it was eleven thousand dollars (\$11,000). Commissioner Pierce reminded him that we are just beginning the fiscal year and it costs almost one thousand dollars (\$1,000) a month to keep the street lights on.

Mayor Higginbotham stated that the resolution passed almost three (3) years ago had been surpassed as the city paved two streets last year and three the year before that. The city should try to do one street per year unless the funds are not available. The money the city receives from Municipal Road Aid fluctuates and this year the State is looking at roads to see which are traveled the most and may cut funds from the others. However, the aprons on the alley ways being done is a possibility.

At this time Commissioner Lawrence Stiffey made a motion to do the aprons on the alley ways not including any additional rock that may be needed. The motion was second by Commissioner David Stiffey. At this time the roll was called Commissioner Varner – Yes, Commissioner Lawrence Stiffey – Yes, Commissioner Pierce – No, Commissioner David Stiffey – Yes, and Mayor Higginbotham – No. The motion was passed with a vote of 3 – 2.

Commissioner Lawrence Stiffey and Mayor Higginbotham will contact Scotty's and Southern Paving to see if they will honor the bids they gave us back in April.

With there being no further business to conduct, Mayor Higginbotham adjourned the meeting at 8:25 pm.

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

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

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