

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY AUGUST 26, 2013 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 Albert Rich with Planning & Zoning, Kelly Fleener with Monarch Environmental, Porter Martin our past commissioner and his daughter Payton.

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (July 22, 2013)
Minutes of Special Meeting (August 6, 2013)

The meeting minutes were approved by acclimation.

REPORTS

Treasurer Report (July, 2013)
Report was approved by acclimation

Public Works Report

Commissioner Lawrence Stiffey reported that he has received two (2) bids to repave Kentucky and Beeler streets. He stated that he has inspected all streets and there are several that need repaving but these are the most needed at this time.

Commissioner David Stiffey stated that the part of Beeler by the cemetery is in dire need but the front part could wait.

Commissioner Lawrence Stiffey reported that he had received bids to do the complete street as well as only half of the streets. However, he feels that it would be best to do the complete street instead of having to come back and finish it at a later date and that it would not get any cheaper in the future.

Commissioner Lawrence Stifey read the following bids;
Scotty's Contracting: Thirty Nine Thousand Two Hundred and Sixty dollars (\$39,260) to completely do both Kentucky and Beeler Streets.

Hayes Paving: Thirty Five Thousand Five Hundred dollars (\$35,500) to completely do both Kentucky and Beeler Streets.

Commissioner Lawrence Stiffey asked if he should give the prices for only doing half of each street. It was agreed by the commission that the complete street should be done and so we would only need the figures already given.

A motion was made by Commissioner Jessie Varner to accept the bid from Hayes Paving to completely pave Kentucky and Beeler Streets. The motion was second by Mayor Higginbotham. Roll was called, Ayes all members so the motion passed with a 5-0 vote.

Commissioner Lawrence Stiffey also reported that there was a bush overgrown at the house on Third Street, between Main and Church Alley, and he would like to see it cut back. The clerk was asked to send them a letter.

Police, Public Safety, Health and Welfare Report

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

Commissioner Varner reported that he has heard from the Academy and Officer Stidham is doing well with his training.

Commissioner Varner then deferred to Chief Suoy who stated that we are going to be receiving some Grant monies to be used for two (2) additional weapons and one (1) Body Armor for our department. This is not a matching grant and we are actually receiving more than was originally requested.

Cemetery Report

Commissioner Pierce reported that he believes that Brian Gaul is doing the best job ever for the City on the upkeep of the Cemetery.

Commissioner Pierce has also requested two (2) bids on the electrical work for the cemetery but has not received anything back at this time.

He also reported that Mr. Cole has completed the work on the section of wall that was falling and Mr. Cole has given us a quote on what it will cost to complete the rest of the wall.

At this time Commissioner David Stiffey asked if he could speak to the Commission on a matter regarding the Permit Fee for the cemetery. He stated that, as we all know, the city charges a Permit Fee for any/each marker put in our cemetery of Twenty Five dollars (\$25) and this includes Military/VA markers. Larger cemeteries in the area do not charge for this since the marker is supplied by the government/branch of military. R.W. Wurst only charges Fifty dollars (\$50) to install a Military/VA marker so he proposes that the City of Smiths Grove wave the Twenty Five dollar (\$25) fee for these markers.

A motion was made by Mayor Higginbotham to wave the Twenty Five dollar (\$25) Permit Fee for any Military/VA markers and the motion was second by Commissioner Terry Pierce. Roll was called, Ayes all members so the motion was passed with a 5-0 vote.

Code Enforcement Report

Commissioner David Stiffey reported that Code Enforcement is still a work in progress. Some items have been taken care of but others have arisen. Due to this fact he has been doing some of the work himself.

At this time Mayor Higginbotham asked the clerk to please inform the Commission of what she had found out in regards to 0 Laurel. Clerk Brewer stated that she had received a call this week, from Lauren of the Master Commissioners office, stating that 0 Laurel has been sold at Master Commission Auction and they needed information on back taxes. Clerk Brewer informed Lauren that the City has had to clean the property so therefor they were planning on filing a lien on the property. She was then informed by Lauren that since the property had been sold it would be too late for the city to file. This was confirmed by Attorney Milliken.

Mayor Higginbotham reported that he had received a call from Michael Boone, who owns the property at 127 Sunset, wanting to donate the property to the city for a tax write-off. He stated he did not believe this could be done because we were not a 501-C(3) charity and inquired of Attorney Milliken if this was correct. Attorney Milliken stated that Mayor Higginbotham was correct, that it would have to be donated to a charity in order for Mr. Boone to get a tax write-off. Attorney Milliken also stated that he did not think it would be in the city's best interest anyway because then the city would have the cost of maintenance for the property.

Commissioner David Stiffey stated that he also wanted to report that after the storm on Friday a couple of weeks ago Brian Gaul and Sanders Tree Service were out the next day cutting up the trees that had fallen on Highland, Beeler, and Hedge Streets. Due to their prompt services these streets were quickly opened back up for travel.

COMMITTEE REPORTS

Christmas Parade

Porter Martin reported that the Christmas Parade will be held on December 6, 2013 which is just a little over three (3) months away. He has spoken to Chris Dillingham, who taped the parade last year, and he is willing to do the taping again this year at the same price as last year.

OLD BUSINESS

150 Third Street

Attorney Milliken is still working on the information that is needed for the suit and hopes to have something more to report at our next meeting.

Mayor Higginbotham asked him about the Title Opinion for 510 Cave Street and he said he would have it done before the Auction on August 31st.

Christmas Lights

Commissioner Pierce apologized that he did not bring in the figures he had received but, that one of the quotes he had received was for Three Hundred Sixty Seven dollars (\$367) for One Thousand (1,000) feet of LED rope lights. Sherry Higginbotham stated that she had tried these in the past and did not recommend using them. She stated that they did not last but a month or so

because the middle burned out and you could not replace them. Commissioner Pierce stated that he would check on strands of single LED lights and report back next month.

NEW BUSINESS

First reading of Ordinance 13-008 550.00 an ordinance covering solid waste agreement with Monarch

Mayor Higginbotham explained that this was an Ordinance and Franchise agreement that was needed to replace Ordinance 07-01 550.00. Ordinance 07-01 550.00 was drafted to become effective May 1, 2007 but the Ordinance was never read or voted on in 2007. Then in 2010 when Ordinance 07-01 550.00 would have expired again the garbage franchise was once again bid and extended for an additional three years but again Ordinance 07-01 550.00 was never read. The 2010 Franchise Agreement expired May 1, 2013.

After consulting with Kelly Fleener and Attorney Milliken the mayor drew up a new agreement with Monarch which would make no changes to the current prices. This was agreed upon by Kelly Fleener and if approved the Ordinance will become effective from September 23, 2013 and apply through December 31, 2014. The agreement will renew each consecutive year unless either party gives the other a ninety (90) day notice to end the agreement.

Mayor Higginbotham stated he felt it would be in the commission's best interest to approve the ordinance because it would cover us for the past six (6) years. Ordinance 13-008 550.00 was then read by the clerk.

A motion was made by Commissioner David Stiffey to approve Ordinance 13-008 550.00 and the attached Franchise Agreement in its entirety and was second by Commissioner Jessie Varner. Roll was called, Ayes all members so the motion passed with a 5-0 vote.

Property Tax Ordinance for 2013 – Delayed, waiting on figures from PVA

Mayor Higginbotham reported that again this year we will have to have a special called meeting for reading of the Property Tax Ordinance as we still have not received the figures from Warren County PVA. He and the clerk have been working on trying to get the figures for the last few weeks. The clerk has been in contact with Wanda Chyle and the mayor spoke to Bob Brandstetter today, who told him he would call him back tomorrow.

First reading of Ordinance 13-006 230.10 Property Tax for Water Craft & Motor Vehicles

Mayor Higginbotham explained this was our standard Ad Valorem tax which we do every year. The Mayor then read Ordinance 13-006 230.10 adding a tax of Twenty Cents (20.000) per One Hundred Dollars (\$100) assed value.

Commissioner David Stiffey made a motion to accept Ordinance 13-006 230.10 and the motion was second by Commissioner Terry Pierce. Roll was called, Ayes all members so the motion passed with a 5-0 vote.

Wax City Hall floors

Mayor Higginbotham stated that it has been almost two years since the floors at City Hall were stripped and waxed, and it was not done correctly then so he thought it was time to have them

done again. The commission agreed that if it could be done under Five Hundred dollars (\$500.00) we should have it done. Mayor Higginbotham will talk with Scott Shields who currently does the cleaning and see if he can do it for this price.

Smiths Grove City Flag

Mayor Higginbotham explained that we only have one (1) more city flag in stock and that we have been looking at the cost to reorder them. The last time we purchased them was September 2010. We purchased three (3) from Boss Patriotic Products and the cost was One Hundred Fifty-Five dollars (\$155) each plus shipping. We have contacted them and the cost this year would be One Hundred Sixty-Two dollars (\$162) each plus shipping. Clerk Brewer has gotten another quote from an online company called AAA Flag & Banner. The cost through them would be One Hundred Twenty-Two dollars and Fifty cents (\$122.50) each if we ordered 3. We would still have to pay shipping charges on top of that.

Mayor Higginbotham asked the commission if they thought we needed the city flag at such extreme prices. Commissioner Piece wanted to know what we would put on the third pole and Commissioner Stiffey and Clerk Brewer told him we have a POW/MIA flag that is not being used that we could use and since they are common flags would cost less. Commissioner Pierce stated he did not feel it would be right to fly a POW/MIA flag with the Country & State flags and he thought having a city flag made us unique.

Commissioner Varner stated he would be willing to try to get some more quotes for our city flag so the item is tabled at this time.

At this time Commissioner David Stiffey asked what we were going to do about our Christmas tree that was damaged last year. Clerk Brewer told the commission that display Sales said that since it was a closeout item they did not have any replacement parts and could not help us with the problem. Mayor Higginbotham stated he would still like to try and see if there was someone that could try to fix it.

Commissioner David Stiffey stated that he had seen a tree at Garden Ridge in Louisville for four Hundred dollars (\$400). He was asked if it was an outdoor tree and stated he was not certain but would check. Mayor Higginbotham stated that if it was it was within the price range of our last tree and we could possibly consider purchasing.

With there being no further business to conduct, Mayor Higginbotham adjourned the meeting at 7:50 pm.

APPROVED _____
BERT E. HIGGINBOTHAM, MAYOR

ATTEST _____
DEBORAH K. BREWER, CITY CLERK

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