

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY JANUARY 23, 2012 7:00 P.M.**

Members Present: Mayor Higginbotham, Commissioner Varner, Commissioner Martin, Commissioner Pierce and Commissioner Stiffey

Absent: City Attorney Wes Milliken

Mayor Higginbotham called the meeting to order at 7:01 pm.  
All present recited the Pledge of Allegiance

Mayor Higginbotham welcomed special guests David Gilbert of Gilbert & Gilbert CPA and Bob & Marie Ownes of Building Blocks Day Care

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (December 12, 2011)

Meeting minutes were approved by acclimation

Minutes of Work Session (January 10, 2012)

Meeting minutes were approved by acclimation

**REPORTS**

Treasurer Report (December 2011)

Report was approved by acclimation

Public Works Report

Commissioner Varner reported that he had traveled to Frankfort to the Division of Fleet Management and Surplus Property to view what vehicles they had to offer as the City of Smiths Grove plans to purchase a utility vehicle. He stated that every vehicle that he looked at had "well over 100,000 miles on it" and was in poor condition. He suggested that we explore other avenues for purchasing a vehicle.

Police, Public Safety, Health and Welfare Report

Commissioner Martin read the Activity Report for the Month of December 2011 and for the Year End 2011. Also, Chief Suoy updated all present on the outstanding Grants he has applied for. The earliest he will have any information on them will be mid February.

Cemetery Report

Commissioner Pierce reported that Sanders Tree Service only likes 2 and a half (2 ½) trees having their contract fulfilled, in addition to removing stumps.

### Code Enforcement Report

Commissioner Stiffey reported that the building that had fallen into Orion, which actually belongs to 110 Fourth Street property, has been torn down and cleaned up. He also reported that some of the property on Higgins has been cleaned up even more. Carl Boards has been working on cleaning up the property at 0 Higgins Alley which belongs to James Murrell. Commissioner Stiffey stated that he thought Paul Sexton, the new Warren County Code Enforcement Officer, is doing a great job. Commissioner Stiffey asked if we have heard anything more on the 510 Cave Street property. Mayor Higginbotham informed him that we were informed by Paul Sexton that they had heard from the mortgage company and the mortgage company stated that they have not foreclosed on the property and have no intentions of doing so. They claim that all aspects of the property are still the responsibility of Mr. Foushee. This includes property taxes and any maintenance issues. Mr. Sexton had suggested that we get the building inspector to inspect the property and if condemnable we could possibly have the property cleaned and the building torn down. Mr. Sexton also suggested we get with our City Attorney and check our legal actions of recourse.

At this time Commissioner Stiffey stated he would like to ask Commissioner Varner where our status was on getting rock for the alley ways. Commissioner Varner said he was aware of the situation with the alleys but that it would probably be spring before we would be able to get any rock because the State Department was busy at this time with the winter road needs.

## **COMMITTEE REPORTS**

### Aging Report

Commissioner Varner reported that the Aging Committee met on January 11, 2012. During this meeting they were informed by Aleshia Johnson that there will be a less than 1% cut for State funding aging services for the remainder of fiscal year 2012. Commissioner Varner also stated that there is a large list of upcoming events for the Aging Council.

### Christmas Parade Report

Commissioner Martin reported that he has received several comments from spectators stating they thought it was our best parade yet. Commissioner Martin has spoken to Insight and there is a slim chance that they may record the parade for free next year. Commissioner Martin is to contact Insight later in regards to this. This would save the City \$400.00. Commissioner Martin also stated that this year will be his last year for coordinating the Christmas Parade. Commissioner Martin also wanted to complement Commissioner Varner and the Fire Department for the exceptional job they performed which helped to make the parade such a large success.

## **OLD BUSINESS**

Cave Street and Second Street water runoff problem.

In the past the City has spent hundreds of dollars putting pipe and digging a water runoff pool for this area. The standing water problem has only increased, partially due to the work at the Library. Commissioner Pierce has tried to contact the owner of the property at 110 Second Street to see if they would be interested in selling the property but has not been able to reach them. He will make sure to reach them before the next meeting and have something to report back to the Commission.

Purchase of a maintenance vehicle for the City

Commissioner Pierce asked if there has been a value set for the purchase of a vehicle. He travels around the area with his daily job and sees several vehicles for sale by owner along his route. Commissioner Stiffey stated that he has a friend that works for an auction and if we could give him a price range he could look for a good vehicle within our price range. It was decided that we would like a pick up truck, possibility with 4 wheel drive, that has a cru-cab and is in the eight thousand (\$8,000.00) to ten thousand (\$10,000.00) price range. Commissioner Martin said he had contacted Greenwood Ford and given them an idea as to what the City was looking for but has not heard back from them at this time.

Rural Mailboxes

Mayor Higginbotham once again discussed the Federal Law regarding the American Disabilities Act and stated that he thought we should be looking at releasing the form letter presented back in December. Mayor Higginbotham stated his concerns regarding what the public response would be to the letter that would be sent out to the list of residents that are in violation of the Ordinance and Federal Law. The list was supplied to the City Clerk back in November. Commissioner Varner inquired as to what the Regular Meeting target date would be for Residents to attend for discussion and concerns. Mayor Higginbotham suggested that it be put on the Agenda for the March meeting, all agreed. All members were in agreement that the letters should now be sent.

Budget Work Session

A group Budget work session has been set for April 17, 2012. All Commissioners will have met individually with the mayor before this date.

City Hall Gutters and Gutter Guards

The gutters have been cleaned out and the new gutter guards were installed. The work was completed last Thursday.

## **NEW BUSINESS**

The Mayor publically announced this year's commission responsibility

**Mayor Pro tem** - Terry Pierce

### **Department Heads**

Police & Public Safety – Commissioner Porter Martin

Cemetery & Public Grounds' – Commissioner Terry Pierce

Public Works – Commissioner Jessie Varner

Code & Municipal Ordinance Enforcement – Commissioner David Stiffey

### **Bids for Painting Interior of City Hall**

We have received four (4) bids for the job of painting City Hall. All bids are for labor only.

Able & Ready Painting - \$3,840.00

Rodger Cook \$3,750.00

Scott Cummings' Painting - \$3,590.00

Scott Shields - \$2,779.21

Mayor Higginbotham moved to advise Scott Shields that he had been awarded the job since his was the lowest bid. Commissioner Martin asked if anyone knew Mr. Shields and the clerk introduced Mr. Shields. Commissioner Stiffey asked Mr. Shields if he was licensed and insured and Mr. Shield replied that at this time he was not but that he was looking into getting both.. Commissioner Pierce at this time asked if it was required and Mayor Higginbotham answered that he did not know if it was a requirement or not. Mayor Higginbotham stated that the only time he knew a person needed to be bonded would be if there was a possibility of damage to equipment or property. Mayor Higginbotham was asked to check with City Attorney Wes Milliken to see if it would be required. Commissioner Varner made a motion to amend the Mayors motion until we could check with the attorney. Mayor Higginbotham moved that if everything should be cleared that he would be given permission to award the contract to Mr. Shields. Motion was seconded by Commissioner Stiffey. Commissioner Martin stated that if Mr. Shields could not do the job and it were to be awarded to Cummings he would have to abstain because Mr. Cummins is his wife's' first cousin. Ayes: All members Motion passed

**Ordinance Number 12-001 530.00** An Ordinance Establishing A Tax for Occupational Licensing of Occupations, Trades and Professions.

Commissioner Varner made a motion that since the ordinance was fair and reasonable the first reading should be accepted. Motion was seconded by Commissioner Martin.

Commissioner Stiffey asked if we wanted to consider increasing the cost of the license and it was decided we did not want to. Ayes: All members Motion passed.

Mayor Higginbotham asked if there were any further business and Mr. Lawrence Stiffey stated he wanted to address a problem with the parking on the corner of Second and Main Street. He stated that Mr. Smith of Smith's Paint and Body was blocking the road by

parking his large truck and trailer on the sidewalk and that Mr. Stiffey had to pull into the middle of Main Street to see around it. Mayor Higginbotham informed Mr. Stiffey that he has spoken to Mr. Smith in regards to the problem last week and has not noticed the truck and trailer there since. Commissioner Varner stated that if parked on the street it is public parking and the City does not have any signs posted stating no parking therefore we can not enforce. Commissioner Varner stated that he will get some no parking signs and see what we can do about putting them on the appropriate areas where Main Street intersects with other streets.

It was also brought up that now that the trees in front of City Hall have been cut we need to get the sidewalks pressure washed.

Commissioner Martin wants everyone to keep in mind that the City is still planning on purchasing a new police cruiser.

With there being no further business to conduct, Mayor Higginbotham adjourned the meeting at 8:08 pm.

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

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

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