

City Commission meeting - January 25, 1999 - 7:00 p.m. - City Hall

Mayor McCay called the meeting to order with all commissioners in attendance, as well as numerous interested citizens.

## AGENDA

### 1. Minutes of the November meeting & Special called meeting

The Mayor ask the commission and those in attendance if they wanted these minutes read or had questions or comments regarding same. With none to be heard, Comm. Martin presented a motion these minutes be accepted as written seconded by Comm. Cooke. roll call and vote - Cooke yes, Martin yes, McCay yes, Hardy yes, Howard yes.

### 2. Treasurer's report - 11/13/98 thru 1/15/99

Comm. Howard ask if this report was for the period noted at the top of the report. The Clerk said it was. Mayor McCay ask for questions or comments from the commission and those in attendance. There were none, but the Mayor ask the clerk to alter the report to show the utilities listed under the Fire Dept. in another department. The clerk said this would be done at budget time. With no further discussion, Comm. Hardy presented a motion the report be accepted as printed, seconded by Comm. Cooke. roll call and vote - Cooke yes, Martin yes, McCay yes, Hardy yes, Howard yes.

### 3. Mayor's appointment of commission departments

Mayor McCay said the police Dept. commissioner would remain Commissioner Martin, and the Street Dept. would remain under Commissioner Cooke. He said it is agreed that there was no need for two street dept. commissioners, so he would designate Comm. Hardy as Public Safety, Health and Welfare commissioner. He explained that a portion of his duties would be to back up each of the other departments if needed, a liaison for the city and the fire dept., the COWS warning system. Comm. Howard will be cemetery commissioner with Comm. Cooke as his assistant if needed and Comm. Howard will be Comm. Cooke's assistant on the streets if needed. Comm. Martin will assist Comm. Hardy if needed. The Mayor said that Tommy Hunt our Magistrate had ask that the Mayor be a liaison for the city. Mayor McCay had agreed to do so. Comm. Howard commented that each commissioner in all probability, could handle their respective departments, but a backup was good. Mayor McCay said if there was a time he couldn't attend a meeting, the Mayor pro tem would be Comm. Hardy, and in his absence it would be Comm. Martin. He ask for comments or discussion, with none to be heard, Comm. Howard presented a motion the appointments of the commission as stated above by the Mayor be approved, seconded by Comm. Hardy. roll call and vote - Cooke yes, Martin yes, McCay yes, Hardy yes, Howard yes.

### 4. Quarterly financial statement-Smiths Grove Cemetery

Comm. Howard ask the clerk what the certificates of deposit were for. The clerk said they were to draw interest and hopefully aid in the payment of the cemetery debts. She added the perpetual ones could never be spent, with the exception of the interest they earn. She also said the contract would be up for discussion at the next meeting, and the commission could see that the cemetery funds weren't ample. With no further discussion, Comm. Cooke presented a motion the report be accepted as printed, seconded by Comm. Martin. roll call and vote - Cooke yes, Martin yes, McCay yes, Hardy yes, Howard yes.

### 5. Discussion - weed and lot ordinance

Mayor McCay said this ordinance goes back a ways in consideration by the commission, and he felt it should now be addressed. He then read the ordinance prepared by the city attorney. (copy attached). He ask for comments or discussion. Comm. Martin said she felt the height of the grass should have been left in the ordinance. She also said she didn't think a lien on properties affected some people and a fine would work better, but the amount of a possible fine wasn't addressed in the ordinance. Don Laws wondered how this would affect the city rightaways. He said there were times they really get grown up around his area on Highway 101. Mayor McCay said in his opinion, the city would fall under this ordinance also. Some in attendance wondered if since Highway 101 was a state highway, if this

would be so. Comm. Hardy said this ordinance came about when the commission had numerous complaints about dangerous structures and weed complaints throughout the city. He added that the commission didn't tour the city hunting for things to impose ordinances about, but when a complaint was brought to the commission's attention, they tried to address them to the best of their ability. Keith Howard wondered what deems a structure as an unsafe habitat. Buddy Marr told the commission not to pass the ordinance if they weren't prepared to enforce it. Comm. Cooke said some of the lots were used for agricultural purpose, and in his opinion the commission should be careful when addressing the required height. Debbie Jackson said in her opinion it should definitely be addressed, if people wanted to have agricultural crops they should be out of the city limits. Mayor McCay said when he was campaigning last fall he had talked with several citizens who had real problems with this. He said one lot he was aware of hadn't had attention for three years. Debbie Jackson said she felt the height of the grass should definitely be addressed in the ordinance. She said if people wanted to grow agricultural crops, they should do so out of the city limits. Comm. Howard said he felt perhaps it should be considered, after the violation is brought to the homeowner's attention, they should be given so many days to comply prior to imposing a fine. Mayor McCay then ask all of the commission to consider the particulars of this ordinance, make notes, and it would again be addressed at the February meeting.

#### 6. Discussion - purchase of new patrol car

Mayor McCay ask comm. Martin to elaborate on this. She said the present 1992 car had 150,000 miles on it and needed several things done to it. Chief Sneed said the starter was going to have to be replaced within the week whether they decided to advertise for a new one or not. Comm. Martin said most of the equipment for the new vehicle could come from the present car. There would have to be a shield and a few other accessories purchased. Buddy Marr ask if both of the vehicles were in use at the same time. Chief Sneed said often times they were. He said on several occasions he or Deputy Graves would be on the way to Smiths Grove for duty and the Sheriff or State would call them for assistance. Comm. Martin said this is the main reason why two cars were needed. She said the Sheriff's Dept. was good enough to furnish the gas for both of the city patrol cars. Don Laws said the county was in the process of purchasing their new cars. He wondered if the city could get one at the time they purchased theirs. Comm. Martin said she would check into this. Comm. Hardy said the city definitely needed their own cars to respond to calls. Mayor McCay said they would explore all possibilities for the best price, and again discuss this at the February meeting.

#### 7. Discussion-City leash law

Mayor McCay said he had found in the composite of the city ordinances, a leash law already in existence. (copy attached). He said his concern now was how does the city enforce it. Officer Andy McDowell, Animal Control Officer for the city of Bowling Green was in attendance, and the Mayor ask him to take the floor and assist us in this decision. Officer McDowell said the Kentucky leash law came into existence 1954, and it states a dog must be on a leash. He said if you walked your dog and it responded to your voice, whether on a leash or not, does this apply. He said in his opinion, no. The ordinance stipulates that the dog must be on a leash. It also says the dog must be vaccinated against rabies and wear a tag, or must be confined. Comm. Martin ask Officer McDowell him opinion as to how the city could enforce this law. She said, in her opinion, the city officers had much more to do than chase dogs. Officer McDowell agreed, and added they would work with the city towards enforcing this law. He said they have the proper equipment, when needed, to pick up these dogs, and the city does not. The Mayor said our local police could enforce the ordinance and issue a citation if need be. Maybell Bybee wondered how to handle dead dogs. Officer McDowell said this depended on the location of the dead animal. He said if it was on a state road then the state would have to pick it up. If on a county road, it was their responsibility to see that it is removed. Officer McDowell said if a dog does destruction to your property you have the right to take the owner, if known, to: small claims court and attempt to recover damages. Officer McDowell said he felt the city should first see that the local police, the Sheriff's dept. and the State Police had copies of the ordinance. The Mayor ask the Clerk to see that this was done. She agreed to do so. Karen Akers ask if a dog came on her property and urinated or violated her property as has been done so many times in the past, could she call the Sheriff or the local police. Officer McDowell said the ordinance says she can. Buddy Marr wondered why you had to give your name when you called a problem of this nature in. Mayor McCay ask the commission for their comments regarding this ordinance. Comm. Cooke said he had no comment at this time. Comm. Martin said she needed more time to study what was given to her. Comm. Hardy said he had had several calls from citizens worried that if the ordinance was passed they would have their dog taken away. He said in his opinion the problem wasn't nearly as bad as it was once was. Carrie Lee Jordan

commented she felt if the police would address the problem with the dog owner, they would comply. Buddy Marr ask Officer McDowell to pick up several stray dogs that would be south of the railroad. The Officer said he would check when he left, and if there were stray dogs he would pick them up. Jeff Smith said he felt the ordinance needed to be enforced and every resident of the city needed to be informed of its existence. The Mayor suggested running an ad in the paper or going door to door in the city. Maybell Bybee wondered about posting it in all of the businesses. The Mayor said the enforcement of this would again be discussed at the February meeting.

#### 8. Discussion-computer bids for the city

The Mayor said he and the clerk had met with representatives from BRADD to discuss the possibility of this purchase. They agreed to get at least three bids for the city. (copies attached). He also said these people would train the clerk, and perhaps the city police. They would also set the equipment up for us. Comm. Howard wondered how the expenditure of these funds would benefit the clerk in her work. Mayor McCay said he felt the clerk could start with the word processor, typing letters and perhaps making lists of the Occupational and Unloading licenses. Then when she became more familiar with it, perhaps the city taxes could be done on it. He said he had learned at some of the meetings he had attended that Smiths Grove was one of the city in the BRADD area that had no computer. He said there could possibly be one or two others. He said the police could use it for their reports. The city could have their own web site promoting tourism within the city such as the cave and the antique dealers. Comm. Hardy said their firm had just recently purchased a computer and he could see how, once they got used to it, it would be advantageous. The BRADD people had quotes in the area of \$2,000 or \$3,000. The Mayor said for several years the city had allocated \$7,500 for this purchase. He ask the commission for their opinion. Comm. Cooke said we needed to be careful with the web site as there were over 75 people who purchased occupational licenses. Comm. Martin had no comment at this time until she had time to consider the bids.

#### 9. Discussion - safety at Witherspoon and Lawson St.

The Mayor said Mr. Rone had brought this situation to his attention, and he ask Gerald Brown to elaborate on it. Mr. Brown said a suggestion of a four way stop sign had been discussed. In his opinion, if they didn't stop now, why would they stop if a different sign was erected? Comm. Howard said he used to live in this area and could appreciate Steve Rone's concerns. He said it was very dangerous for the children in the area. He suggested maybe speed bumps would help. There was lots of disapproval for this suggestion. Jeff Smith suggested painting white lines so drivers would know they had to stop. Gerald Brown said there are stop signs in the area now, and if they couldn't stop for them, he didn't think a white line would. The city officers said they had spent considerable time patrolling in the area in the past, and would again give it particular attention. Comm. Martin said the police would report to her their findings and she would report them at the February meeting. The Mayor encouraged anyone who lived in the area to give some feedback on the problem.

#### 10. Department reports

Police: Comm. Martin read the monthly report. (copy Attached) She said she, and the police were going to work a Health Fair at North Warren on Thursday, 1/28 and ask citizens to attend. She said they would be covering Neighborhood Watch. The Mayor said he felt the Neighborhood Watch needed to be revitalized and perhaps an assistant named to assist Shirley.

Streets: Comm. Cooke said he had no complaints about the streets. He added the sidewalk installation was going very well. Buddy Marr said he had reported the outage of six street lights to WRECC and ask the police to check street lights as they patrol. Mayor McCay said all citizens needed to be observant of these lights. Ray Lewis said something needs to be done about the parking on the sidewalks on Main Street. He said if one of the cars damaged the new sidewalks it was his responsibility to repair them in front of his properties. Karen Akers said it is difficult to get down Main with all of the cars parked. Jeff Smith said he hoped they remained parked, because he felt if some drivers had open area to speed it would increase the danger. The police said they had put several warning tickets on cars in the past and the problem eased up for a while. If the commission desired, they said they could now ticket them. The Mayor ask the commission their opinions. Comm. Cooke said he felt they should again issue warnings and ease into the actual citations. Comm. Hardy agreed with this. Buddy Marr commented that Main St. wasn't wide enough for parking on both sides of the street. Karen Akers said she felt they should be told to park behind their houses. The Mayor said he was of the opinion that you can't tell them not to park in front of their homes.

Cemetery: Keith Howard said he was just getting familiar with this. He had driven through it a couple of times and noticed there was a large pine tree down. He will take care of this.

11. Other

Mayor McCay said he had a meeting with an official from CSX Railroad on Tuesday at 10:45 a.m. regarding the possibility of the city purchasing the park area they now lease, as well as some additional property so the city could possibly enlarge the present building, and perhaps in the future, have some sort of recreational facility. He invited anyone that wanted to attend.

Mayor McCay then addressed Shelvie Dubree regarding the possibility of a Kennel restriction within the city. He had the General Assembly paperwork on this and informed her it had not passed the house. He said that perhaps the city would address this in the future. Mayor McCay then thanked James Gilley and the clerk and commissioners for making his transition much easier through their ideas and suggestions. He said he also would like to thank Sheriff Gaines for his assistance to the city. He added that he was pleased with the attendance and encouraged all citizens to participate in the meeting.

Donald Laws ask the commission if they were aware that the semis at the truck stop were driving over the sidewalks. Comm. Cooke said he would talk to the contractors about the possibility of putting a curb in that area. Comm. Martin ask all to look at the two new street lights in the truck stop area. She said in her opinion there was still a dark spot. All of the commission agreed to look at this area.

With no further business to be presented, Comm. Howard presented a motion to adjourn, seconded by Comm. Cooke.

APPROVED: \_\_\_\_\_  
Walter McCay, Mayor

ATTEST: \_\_\_\_\_  
Dorothy J. Neal, City Clerk