

CITY COMMISSION MEETING  
Smiths Grove Municipal Center  
Monday, January 27, 2003

Mayor Gilley called the meeting to order at 7:00 p.m. with all commissioners present.

AGENDA

The commissioners had an opportunity to review the November and December 2002 Treasurer's Reports prior to the meeting. Mayor Gilley observed that Legal and Professional Fees and the Mayor's Cell Phone Expense were excessive. With no further discussion, Commissioner Martin moved that the Treasurer's Reports be accepted as written; Commissioner Pierce seconded the motion. The roll call vote was as follows: Cooke yes, Watt yes, Gilley yes, Martin yes, Pierce yes.

The commissioners also had an opportunity to review the Quarterly Cemetery Report prior to the meeting. Commissioner Pierce asked a question regarding the feasibility of combining a number of the Perpetual Certificates of Deposit. Martha Watt responded that that is a possibility in the future as the CD's mature. With no further discussion, Commissioner Cooke moved that the Report be accepted and was seconded by Commissioner Watt. The roll call vote was as follows: Cooke yes, Watt yes, Gilley yes, Martin yes, Pierce yes.

In a discussion of the Cemetery Maintenance Contract, Mayor Gilley stated that the "Option to Renew" paragraph needs to be reworded. Commissioner Martin said that after receiving several complaints regarding the condition of the cemetery, former Commissioner Varner had sent a certified letter to DLF Lawnscape, after which the quality of their work improved. Commissioner Pierce remarked that the City had given the former maintenance man an increase to offset higher gas prices, and that that might be necessary in the future. It was decided that any further discussion be tabled until DLF had been contacted as to whether or not they wish to exercise their option to provide services for an additional year.

The contract with Monarch Environmental Inc. for trash collection has expired and their option to renew for three years has been exercised. However, the City has extended the contract until March 31, 2003. It was decided to ask for a further extension until September 30 in order to allow sufficient time to advertise for bids.

The first reading of Ordinance 03-01 to rezone property on College Street and Laurel Avenue was held. There was no discussion, so a straw vote was taken as follows: Cooke yes, Watt yes, Gilley yes, Martin yes, and Pierce yes.

Mayor Gilley moved that Resolution 02-2, designating the Municipal Center as tobacco-free, alcohol-free and allowing no weapons on the premises, be amended to "No Smoking," striking the other items. Mayor Gilley further stated that carrying weapons on

government property is a violation of the law, and that Smiths Grove is a dry city; therefore, a resolution against those is unnecessary. The roll call vote was as follows: Cooke yes, Watt yes, Gilley yes, Martin no, Pierce no.

A discussion ensued concerning the need to dispense with the services of the current City Attorney and hire a new attorney to represent the City. Mayor Gilley stated that the City has spent \$40,000 in legal bills in the last six months. Since the lawsuit against the City is not on the court docket until November 2003, he fears the expenses will double between now and then. He also remarked that the current attorney's primary focus seems to be clearing the name of the former mayor; therefore, an attorney needs to be hired that will work for the City. After further discussion, Commissioner Pierce moved that the issue be reconsidered at a later date, and Commissioner Martin seconded the motion. The roll call vote was as follows: Cooke yes, Watt yes, Gilley yes, Martin yes, and Pierce yes. It was decided that a Special Called Meeting will be held Thursday, February 6 at 7:00 p.m. In the meantime, various attorneys will be contacted for prices, etc.

### **Department Reports:**

#### **Streets:**

Commissioner Cooke reported that there has been one complaint about a bad chuck hole at Fourth Street and Church Alley. Street repairs are considered maintenance and do not have to be bid out. Repairs can be done when the weather improves.

#### **Police:**

Commissioner Martin read the report and remarked that Chief Sneed continues to do an excellent job. She noted that a new siren is needed for the police car. Chief Sneed commented that significant vandalism has occurred this month, which will be on the January report.

#### **Public Health, Safety and Welfare:**

Commissioner Pierce read the monthly report from the fire department, as well as the report for the year 2002. The fire department answered 343 calls in 2002. He reported that the library showed a significant increase in patrons for 2002 over 2001. Since the Park is closed for the winter, there was nothing to report.

#### **Cemetery**

Commissioner Watt mentioned the trouble that reoccurs with the door on the south side of the chapel. John Wayne Smith has offered to repair the door and the opening. He will do that as soon as the weather permits.

Mayor Gilley appointed commissioners to oversee the various departments as follows:

- Streets - Commissioners Watt and Pierce
- Police - Commissioner Cooke
- Cemetery - Commissioner Martin

Mayor Gilley also stated that Ben Kirtley will chair the Christmas Parade Committee, with Porter Martin's help. He asked that they choose the committee members. He will not appoint a Beautification Committee until a later date.

**Other Pertinent City Business and Miscellaneous:**

Commissioner Pierce said that there are several old photographs of Smiths Grove at the library, and the librarian has offered to lend them to the City to have copies made to display at the Municipal Center. He will also contact BRADD about getting an aerial picture similar to the one at the old city hall, only smaller.

Commissioner Pierce also asked why a copy of the December Daily News bill was included in the commissioners' packets. Mayor Gilley stated that the publication of the annual audit cost the City \$2500, and he just wanted the commissioners to be aware of it.

Chris Alderson, a citizen in attendance, questioned whether the City intended to retain the current attorney until the Special Called Meeting. Commissioner Pierce said he did not think the City needed to be without representation until then. Mr. Alderson suggested that Mr. Priest be instructed not to conduct any additional business for the next 10 days. Connie Laws, a citizen, remarked that all attorneys charge for their phone calls.

The meeting was adjourned at 7:50 p.m.

APPROVED: \_\_\_\_\_  
James R. Gilley, Mayor

ATTEST: \_\_\_\_\_  
Phyllis J. Bessette, City Clerk