

**SMITHS GROVE CITY COMMISSION REGULAR MEETING  
SMITHS GROVE MUNICIPAL BUILDING  
MONDAY JANUARY 28, 2013 7:00 P.M.**

All Members Present: Mayor Higginbotham, Commissioner Lawrence Stiffey Commissioner Varner, Commissioner Pierce, Commissioner David Stiffey

Absent: City Attorney Wes Milliken

Mayor Higginbotham called the meeting to order at 7:03 pm.  
All present recited the Pledge to Allegiance  
Mayor Higginbotham welcomed all of the special guests in attendance at the meeting.

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (December 10, 2012)  
The meeting minutes were approved by acclimation.

Minutes of Special Meeting (January 9, 2013)  
The meeting minutes were approved by acclimation.

Minutes of Special Meeting (January 17, 2013)  
The meeting minutes were approved by acclimation.

**REPORTS**

Treasurer Report (December 2012)  
Report was approved by acclimation

**Public Works Report**

Commissioner Lawrence Stiffey reported that he has had two (2) requests for street lights. One on Highland at the intersection of Rumsey and Lawson and one on Webb Ave. in the corner by the property owned by Sadeghi Mahmoud.

Commissioner Lawrence Stiffey has contacted WRECC and, if there is an existing pole the cost is only Thirty-Five dollars (\$35). If there is no pole and one has to be erected the cost is Three Hundred Thirty-Five dollars (\$335). There are no existing poles in these two locations so it would cost the city Six Hundred Seventy dollars (\$670).

Commissioner David Stiffey moved to go ahead and put street lights in these locations. The motion was second by Commissioner Lawrence Stiffey. Roll call vote was 5 – 0, the motion passed.

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

Commissioner Varner read the Police Report for the Month and then asked Chief Suoy if he had anything to add, the Chief stated that he did not.

### **Cemetery Report**

Commissioner Pierce reported that he has made contact with someone about repairing the pews in the chapel at the cemetery. He also stated that he is still trying to come up with what will be the best conception regarding the garbage cans.

### **Code Enforcement Report**

Commissioner David Stiffey stated that the property at 103 Kentucky Street has been cleaned up since the last meeting.

At this time he introduced Mr. Quentin Hughes who is replacing Mr. Ray Lackey with Warren County Code enforcement. Mr. Hughes reported that the property located across the street at 104 Kentucky Street has been cleaned up, some. He also reported that he had made contact with the occupants of 332 Laurel Street, property belonging to Stephen & Brooke Reynolds, and it has improved in the past ten (10) days.

Mr. Hughes also informed the Commission, that due to budget cuts, Paul Sexton is no longer with the County and they do not plan to replace him until spring.

### **COMMITTEE REPORTS**

Aging Committee

Commissioner Varner reported that the last meeting was on January 15, 2013 and there are no new issues at this time.

### **OLD BUSINESS**

#### **Disposition of 510 Cave Street**

On January 17, 2013 Mayor Higginbotham, Commissioner Pierce, and Commissioner Lawrence Stiffey attended the Master Commissioners auction and purchased the property located at 510 Cave Street with the purpose of cleaning up the property and making it safe.

Commissioner David Stiffey reported that since the purchase Sanders Tree Service has cut down all the trees and removed the debris from the property. When we received their bid the two biggest trees were not included in the bid. However, he renegotiated with them to remove the large trees in return for not removing the remaining trees that are growing inside and behind the partially burned structure on the property, to explain why some brush was still there.

At this time he stated he would like to move on to stage two of the project which is tearing down the old store and the house. He has received three bids to do the work. They are:

Sanders Tree Service in the amount of \$8,000

Lawrence Massey in the amount of \$4,830

Kenway Cont. for \$4,500.

Commissioner David Stiffey stated that he would like to ask for Six Thousand dollars (\$6,000) to give him lead way for any other things that may be added such as top soil and removal of garbage in the garage.

Commissioner David Stiffey moved to accept the bid from Lawrence Massey because he is local and has done removed other houses in town and for permission to spend up to \$6,000 if needed to fully restore the property. The motion was second by Commissioner Pierce.

At this time Mayor Higginbotham asked for any discussion. Commissioner Pierce inquired about the disconnecting the utilities and Commissioner David Stiffey advised all had been contacted.

With there being no further discussion a roll call vote was called for by Mayor Higginbotham. The motion was passed 5 – 0.

## **NEW BUSINESS**

### **Approve Funds for a Supplement to the Smiths Grove “Code of Ordinances”**

Mayor Higginbotham informed all present that every three (3) years we update our “Code of Ordinances” to include all new/changed Ordinances.

He has been in contact with American Legal and sent them all Ordinances since 2009 and, they have reviewed and replied that it will cost the City Fifteen Hundred (\$1,500) to Two Thousand dollars (\$2,000.00) to publish a new supplement to the “Code of Ordinance” for us.

Mayor Higginbotham made the motion to proceed with the updates with American Legal and the motion was second by Commissioner Varner. Roll call vote 5 – 0 so the motion passed.

### **Resolution 01-13, Procurement Procedures**

Mayor Higginbotham explained that this resolution allows the Commissioners to make purchases of Five Hundred and One dollars (\$501) instead of Fifty dollars (\$50) without having to get approval of the full Commission.

Mayor Higginbotham moved to accept Resolution 01-13 and the motion was second by Commissioner David Stiffey.

At this time the Mayor invited discussion from the public in attendance. With there being none the Mayor called for a vote. Roll call vote 5 – 0, the motion passed.

### **Resolution 02-13, Investment Procedures**

Mayor Higginbotham explained that what brought this up was an old Resolution which needed correcting due to spelling and grammar errors. The Mayor explained that basically this Resolution is required by the state. The resolution states that the Commission basically can only invest city money in safe institution guaranteed by the Federal Government. This resolution does not change the policy in any way, just cleans up the Resolution.

Mayor Higginbotham moved to accept Resolution 02-13 and the motion was second by Commissioner Pierce. Roll call vote 5 – 0, the motion passed.

### **Rock Wall at Cemetery**

Commissioner Pierce stated that the rock wall at the South end entrance to the cemetery is on the verge of collapse and needs to be repaired as soon as possible. So far he has only been able to get one bid on this job so he requested that this item be tabled until he can get more bids.

### **Parking on Streets**

Commissioner Pierce reported that the parking on Main Street, 1<sup>st</sup> Street and others is still a problem and he would like to see the Commission come up with a solution.

Mayor Higginbotham informed all present that Smiths Grove has no Ordinance against parking on the streets as it is covered by State Law. Basically is that a street cannot be blocked and parking is only allowed on the curb side of the street in the direction you are traveling.

Therefore, the parking on 1<sup>st</sup> street is against the law but we do not enforce the law at this time because we do not have the man power to do so.

### **Trash on Ground not in Containers**

Commissioner Pierce stated that what brought this up was the property located at 332 Laurel. There have been numerous occasions where they have had garbage bags on the ground instead of in a container and the garbage has been strewn all over the ground. Commissioner Pierce would like for the ordinance regarding garbage having to be in containers enforced.

Mayor Higginbotham stated that, once again, there is no ordinance requiring residents to place all garbage in containers only because Smiths Grove adopted the Warren County codes. It would be redundant to have two sets of rules.

### **150 Main Street – Junk Cars**

Commissioner Pierce stated that he is “tired of looking at all the junk cars” on the lot there and that surely we can come up with something to make Mr. Smith clean up the lot.

Mayor Higginbotham stated that this had been discussed with Paul Sexton and Mr. Smith is not violating any ordinances because of the fact that he is a body shop and not a junk yard. The cars that are on Mr. Smith’s lot are there to be repaired and do leave the lot once repaired.

Clerk Brewer stated that she had talked to Mr. Smith about the wrecked blue Saturn that is on the lot and was told it is not his. He towed it for State Farm and they have not come to pick it up yet. He also stated that he is willing to put up a fence around the lot but was told it would obstruct being able to see from the corner of Second Street on to Main Street.

Commissioner David Stiffey stated that the City of Bowling Green has a “Screening Ordinance” but it only applies to junk yards. Commissioner Lawrence suggested parking on Main and Second street be restricted by not allowing parking within 30 feet of the corner. The

Commission is to take that into consideration after checking to see if there are already laws on the book about how close a car can park near an intersection.

**Resolution 03-13, Project with KOHS**

Mayor Higginbotham added this to the agenda as a walk-in item and asked the Commission if they wanted to discuss it. The Commission agreed to consider the matter. The Resolution is an application for a grant for back up guns, ammo and body armor through the Kentucky Office of Homeland Security.

Chief Suoy stated that this grant would allow the City to purchase backup weapons and extra external armor for a second officer. If we are awarded the grant it will not cost the city anything to purchase these items. This is the same type of grant that we used to purchase the AR-15 last year.

Commissioner David Stiffey made a motion to accept the application for the grant and the motion was second by Commissioner Pierce. Roll call vote 5 – 0, the motion passed.

**Walk in Item**

Mr. Jimmy Cline stated that he wanted to lodge a complaint about the discharge of firearms on Saturday January 26, 2013 on the property located at 0 Kentucky Street. Mayor Higginbotham stated he did not know what Mr. Cline was talking about. Clerk Brewer informed the Mayor and all present that the property belonged to her father and is not in the city limits. The property is being used for the “actual firing range” section of a Concealed Carry Deadly Weapons firearms safety class.

Mr. Kenneth Cline stated that he and his wife felt that the discharge of a firearm should be considered a public safety issue and wants the city to pass an ordinance against all firearms discharges in the city.

Mayor Higginbotham informed the Cline family that since that ‘0 Kentucky’ was not in the city limits there was nothing the city could do about the matter. Mr. Jimmy Cline advised the commission that he wanted the matter of a gun discharge ban in the City of Smiths Grove and asked how to get it on the agenda. Mayor Higginbotham advised him than any of the Commission could add it, but Mayor Higginbotham advised all that he was against any such ban as it would become too cumbersome and unable to enforce. Commissioner Pierce advised Mr. Cline that he would add the matter to the February Agenda.

With there being no further business to conduct, Mayor Higginbotham made a motion to adjourn the meeting at 8:28 pm. and the motion was second by Commissioner Varner. Ayes all members so the motion passed

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

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

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