

MINUTES
SMITHS GROVE CITY COMMISSION SPECIAL MEETING
SMITHS GROVE MUNICIPAL BUILDING
WEDNESDAY JANUARY 9, 2013 5:00 PM

All Members Present:

Mayor Higginbotham called the meeting to order at 5:18 pm.

Mayor Higginbotham explained that this was the first meeting of new City Officials for 2013 – 2015. This meeting will be a primer and discussion on City Government.

Planning and Conducting Effective Meetings

Mayor Higginbotham read and discussed what the Role of the Presiding Officer (Point of order made by Commissioner Varner that the presiding officer is the Mayor or the Mayor Pro Tem), Role of the Legislative Body & Members, Role of the Clerk, Conducting Business, Minutes, and the Ending the Meeting entails as per the Kentucky League of Cities City Officials Legal Handbook 2011 version states.

Organization of City Governments

Mayor Higginbotham read and discussed The Commission Plan and the Duties of the mayor and commission.

Open Meetings Laws

Once again the laws and procedures on how to properly hold open meetings were discussed.

Open Records Laws

The segment on open records laws was read and discussed. It was pointed out that at no time did anyone have the right to request the Social Security numbers of any employee.

Code of Ordinances

Mayor Higginbotham stated that each Commissioner, the clerk and himself should have a copy of the Code of Ordinances. He gave an example as to what an Ordinance is and explained why ordinances are needed.

Mayor Higginbotham also reported that we have received a quote on getting our Code of Ordinances updated.

Ordinances, Orders and Resolutions

The mayor read what the Kentucky League of Cities City Official Legal Handbook 2011 version, pages 197 – 217

- 1) Ordinances
 - A.) Definition and Nature
 - B.) Relationship of Ordinances to State Law
 - C.) Requirements for the Adoption of Ordinances

- D.) Indexing, Recording, and Revision Requirements
 - E.) Amendment of Ordinances
 - F.) Repealing an Ordinance
 - G.) Incorporation by Reference
 - H.) Whereas Clauses
 - I.) Savings and Severability Clauses
 - J.) Effective Date
 - K.) Enforcement of City Ordinances (is skipped)
 - L.) Drafting Ordinances
- 2) Municipal Orders
 - A.) Definition and Nature
 - B.) Requirements for the Adoption of Municipal Orders
 - 3) Executive Orders
 - A.) Definition and Nature
 - B.) Requirements for the Adoption of Executive Orders
 - 4) Resolutions

Also, the differences between each of these were discussed.

Calendar of Commission Activities

Mayor Higginbotham passed out to each commissioner and the clerk a monthly listing of things that are done every year.

Basic plan for the functioning of Smiths Grove's Commission

Mayor Higginbotham discussed the following:

- 1) Agenda
 - A.) What are Agenda items
 - B.) Who can add an Agenda item
 - C.) Mayor to keep all apprised of when Agenda is finished for meeting
 - D.) Must give public 24 hours' notice on a meeting and the items on the Agenda
- 2) Clerk's duties
 - A.) Bookkeeping
 - B.) Record Keeping
 - C.) Tax collecting
 - D.) Cemetery markings/sales
 - E.) Banking/accounting duties
- 3) Commissioner's office
- 4) Resources

- 5) Departments – Each Commissioner has a department as a way to spread out the work load. Each is responsible for that particular function.

In 2011 the City Commission passed Resolution 03-11 which set out how much the Clerk, Mayor, and commissioners could spend without full Commission approval. It was discussed that this amount was too low and should be increased. This item will be put on the Agenda for the January 28th meeting.

The next item on the agenda was to decide the City of Smiths Grove Departments and responsible Commissioners.

Police & Public Safety

Mayor Higginbotham made the motion to appoint Commissioner Jessie Varner to this position. The motion was second by Commissioner David Stiffey. Roll was called. The motion passed by a unanimous consent.

Cemetery & Public Grounds

Both Commissioner Terry Pierce and Commissioner David Stiffey were interested in this position. Commissioner Varner made a motion to re-appoint Commissioner Pierce to the position. The motion was seconded by Commissioner Pierce. There was a call for discussion.

Commissioner David Stiffey stated that he felt that he was the best person for this position because he was out there most of the time anyway.

Commissioner Varner stated that he felt that Commissioner David Stiffey had done an excellent job with Code & Municipal Ordinance Enforcement in the past two years. He knew that there are some items that Commissioner David Stiffey has started but we have not been able to complete and he would like to see Commissioner David Stiffey see them thru.

Commissioner Lawrence Stiffey stated that he felt that it was a job that would demand a lot of time and since David is out there quite often, and has done quite a bit of work on his own accord, that he would be the best qualified for the position.

Commissioner Pierce stated that he would like to see his existing jobs through and would like to keep the position.

Mayor Higginbotham stated that he felt strongly that either man could handle the job. He feels that Commissioner Pierce did a good job except for being too hard on the mowers.

At this time Mayor Higginbotham called for a roll call vote. Commissioner Varner – yes, Commissioner David Stiffey – no, Commissioner Lawrence Stiffey – no, Commissioner Pierce – yes, Mayor Higginbotham – yes. The motion passed with a 3 to 2 vote.

Public Works

A motion was made by Commissioner Pierce to appoint Commissioner Lawrence Stiffey to this position. The motion was second by Commissioner Varner. Ayes all members so the motion passed.

Code & Municipal Ordinance Enforcement

Mayor Higginbotham made the motion to re-appoint Commissioner David Stiffey to this position. The motion was seconded by Commissioner Lawrence Stiffey. Ayes all members so the motion passed.

Mayor Pro Tem

The motion was made by Commissioner Pierce to appoint Commissioner Varner as Mayor Pro Tem for the next two years. The motion was second by Commissioner David Stiffey. Ayes all members so the motion passed.

Master Commissioner Sale of 510 Cave

Mayor Higginbotham made a motion that, if legal, on January 17, 2013 at 5:00 pm there be a special called meeting at the Justice Center for the sale of the property at 510 Cave. The motion was second by Commissioner Varner. Ayes all members so the motion passed.

With there being no further business to conduct, Mayor Higginbotham made a motion to adjourn the meeting. The motion was second by Commissioner Varner. Ayes all members so the motion passed and the meeting was adjourned at 6:41 pm.

APPROVED _____
BERT E. HIGGINBOTHAM, MAYOR

ATTEST _____
DEBORAH K. BREWER, CITY CLERK

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