

MINUTES
SMITHS GROVE CITY COMMISSION REGULAR MEETING
SMITHS GROVE MUNICIPAL BUILDING
MONDAY MARCH 24, 2014 7:00 P.M.

All Members Present

Also Present: City Attorney Wes Milliken

Mayor Higginbotham called the meeting to order at 7:03 pm.
All present recited the Pledge of Allegiance

Mayor Higginbotham recognized special guests Debbie Turner with the Smiths Grove Women's Club and Brett Lowe with Atmos Energy.

READING AND APPROVAL OF MINUTES

Minutes of Regular Meeting (February 24, 2013)

The meeting minutes were approved by acclimation.

REPORTS

Treasurer Report (February, 2013)

Report was approved by acclimation

At this time Mayor Higginbotham presented Debbie Turner with a Proclamation Proclaiming the Month of April, 2014 as Child Abuse Prevention Month.

Public Works Report

Commissioner Lawrence Stiffey stated that at this time he had nothing to report however, in April he wants to start working on the alley ways.

Police, Public Safety, Health and Welfare Report

Commissioner Varner started his report by presenting our Daymar College intern, Bridgett Erassarret, with a Certificate of Recognition for the completion of her Internship with our Police Department. Bridgett is the first intern we have had and this was her last day with our department. Commissioner Varner then welcomed Wilmer Diaz, our next intern from Daymar College, to our Police force.

At this time Commissioner Varner read the Police Report for the month of February. Once finished he asked Chief Suoy if he had anything to add. Chief Suoy stated he had recently closed out two Grants and was currently looking for new grants for items the department needed.

Cemetery Report

Commissioner Pierce stated that he is looking for someone to roll the gravel roads in the cemetery and then in April he wants to get more gravel and have rolled again after that is put

down and allowed to settle. Also, he picked up the new signs for the cemetery today and Brian Gaul has put down two (2) loads of dirt and seeded the cemetery in those areas.

Code Enforcement Report

Commissioner David Stiffey stated that the only thing he had to report was that there have been some more changes at the county level and our Code Enforcement Rep. at this time is Kevin Turner.

COMMITTEE REPORT

None at this time

OLD BUSINESS

350 W. Third Street

Attorney Milliken stated that he has been able to get some of the defendants served but not all of them. However, he is still hoping for service on all of them. He has sent letters to all of them by Certified Mail trying to save money but he believes we may end up having to get a Warning Order Attorney to try to locate the ones who have not picked up the Certified mail. If we have to get a Warning Order Attorney involved, the defendants will have fifty (50) days to respond. If they do not respond in fifty (50) days the attorney will file a report stating that they can't be located and then we can proceed to get a Summary Judgment. He hopes to have this completed by summer so the property can be sold during warmer weather.

At this time Mayor Higginbotham stated he would like to update everyone on the status of another old business concerning the survey of the cemetery. He stated that Andrew Hawkins of Anderson Engineering had been in the office today and had informed us that according to the markers in the cemetery and the deed there was a question regarding part of the property located towards Beeler. It seems as though part of this section is not included in deed we have. Mayor Higginbotham has asked Clerk Brewer to double check the PNC Bank lock box to make sure that we do not have an additional deed for this property. He also asked Attorney Milliken to see if he can locate either a second deed or a different deed from what we have.

Attorney Milliken stated that he will do a legal procedure to see if he can get a unified deed. He stated that the city clearly owns this property through Adverse Possession but the city will probably have to get a Commissioners Deed which means the city will have to file a suit.

NEW BUSINESS

Second Reading of Ordinance Number 14-001 550.00 (Natural Gas Franchise)

Mayor Higginbotham stated that after our last meeting there were some questions that had arisen and asked if Mr. Lowe of Atmos Energy would care to address those at this time.

The main question asked of Mr. Lowe was in regards to areas in our city limits, such as parts of Lawson and The Meadows that do not have natural gas lines. Mr. Lowe stated that there are some planning stages where this might be addressed in the near future. Once he gets the final answer he will meet with the city on any plans to extend gas lines. He also stated that if the

Ordinance passed on second reading tonight he would then send it to his VP of Regulatory for his okay. Once this is done it will be open for bids and the city can run the ad and pay for it.

The next question asked of Mr. Lowe was if there were going to be any price increases in the foreseeable future. He said at this time he did not know of any but that he could not guarantee there would not be any.

With there being no further discussion, Mayor Higginbotham made a motion to approve Ordinance Number 14-001 550.00 as it is written. The motion was second by Commissioner Pierce and the roll was called. Ayes all members present so the motion passed with a 5 – 0 vote.

Set Meeting Dates for Commissioners to Individually Work on Fiscal Year 2014-15 Budget
Mayor Higginbotham informed the Commissioners there was a copy of the Month of April calendar in their packets and that they need to pick a date and time to meet with him and Clerk Brewer before the next meeting.

With there being no further business to conduct, Mayor Higginbotham adjourned the meeting at 7:33 pm.

APPROVED _____
BERT E. HIGGINBOTHAM, MAYOR

ATTEST _____
DEBORAH K. BREWER, CITY CLERK

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