

Smiths Grove City Commission meeting - October 24, 1994-7:00 p.m.

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

AGENDA

1. Minutes of the previous meeting

Mayor Gilley ask if anyone in attendance would like these minutes read, or if there were any questions regarding them. With no comments to be heard, Comm. Lacy presented a motion, the minutes be accepted as written, seconded by Comm. Martin. roll call and vote - Belcher yes, Gilley, yes Martin yes, Hardy yes, Lacy yes.

2. Treasurers report

The Mayor again called for additions, questions or corrections to this report. With none to be heard, Comm. Hardy presented a motion it be accepted as printed, seconded by Comm. Belcher. roll call and vote - Belcher yes, Gilley, yes, Martin yes, Hardy yes, Lacy yes.

3. First reading Ordinance #94-4 220.124 real property tax rate -1994

Mayor Gilley read the ordinance to those in attendance, and explained the rate for 1994 is 1¢ lower than 1993. Comm. Martin presented a motion to accept this ordinance for a second reading, seconded by Comm. Lacy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes

4. First reading Ordinance #94-S 220.125-tangible tax rate - 1994

Mayor Gilley stated this rate was 1.8¢ lower than 1993. Comm. Belcher presented a motion to accept this ordinance for a second reading, seconded by Comm. Lacy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

5. Resolution #94-7 - ADA Affirmative action plan

The clerk explained this resolution was one of the requirements for ADA that went along with receiving the grand funds. Comm. Belcher presented a motion the above named resolution be accepted, seconded by Comm. Martin roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

6. Municipal Order #94-2 ADA Grievance policy

Again the clerk explained this Municipal Order is a requirement that goes along with the sewer grant funds. She said she has a grievance committee and if there are any handicap complaints, the committee would refer to this municipal order. Comm. Lacy presented a motion to accept the reading of this Municipal Order, seconded by Comm. Hardy. roll call and vote- Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

7. First reading Ordinance #94-1 840.1 relating to keeping of livestock within the city limits

Mayor Gilley ask each one in attendance to show the courtesy to let one person speak on this ordinance at a time. Lucian Flora took the floor and asks who, if this ordinance was passed, would check to make sure that the 100' was being complied with along with the allowable number of cattle. Will this Ordinance affect the zoning that is now residential? Who do we complain to? Mayor Gilley told Mr. Flora that 2/3 of Smiths Grove is zoned AG exempt because a number of people have tobacco bases. He added that as far as checking for compliance once the ordinance is in place, would be a part of the police departments job.

Kenneth Lowe said this was a very strict ordinance and would be very difficult to enforce. Why doesn't the commission leave well enough alone and leave the present city ordinance in place. Mayor Gilley responded this problem arises constantly and the commission has to try to reach a happy medium.

Harold Walker said he totally agreed with Kenneth Lowe. Lawrence Stiffey stated he felt the city had spent considerable amount of money to return to step 1. Comm. Lacy responded to Kenneth Lowe stating that the ordinance that was now in place evidently hadn't worked all that great or the commission wouldn't be getting these complaints all of the time. Mr. Flora stated that he had talked with several people that agreed with him and his family and he was of the opinion that this ordinance would definitely cause problems in the future. He asks the commission to consider everyone.

Chris Alderson said if there had been definite guidelines in place when he considered buying the property he purchased he could have checked them out prior to making his decision to purchase the property. Mr. Flora stated he felt the Bowling Green ordinance that addresses this subject was passed to protect farmers in the past and now if there are cattle within the city limits there would be problems. Comm. Belcher said he knew of over 100 head of cattle in the city limits of Bowling Green right now.

Velta Rose Smith asked, weren't the farms in this area here first? She is concerned that in the future they would be taken away. She thought at the last meeting there had been a compromise met. Kenneth Lowe ask who would maintain the 100' buffer zone? Mayor Gilley said this would be the responsibility of each property owner. Chris Alderson wondered what would be done if a new house was built within 100' of an existing piece of property that had cattle on it. Would the present owner have to move his fence? Mayor Gilley said we would have to ask the city attorney to answer that.

Velta Rose Smith ask if this would affect the surrounding farms. Mayor Gilley said just the ones in the city limits. Ray Lewis what was the ordinance really taking away. The proposed one was much more specific. Mayor Gilley ask if there were any more comments from those in attendance. Lucian Flora said he guessed it would just have to be tried and if the ordinance was effective, then it could be amended.

Mayor Gilley ask the commission their opinions. Commissioner Hardy said that the people had elected the commission to handle situations that arose to the best of their ability. A formal complaint had been filed regarding the cattle, and the commission decided it should be something that the city attorney handled. In his opinion, this new ordinance addresses the problem for the majority of the citizens. He said he was definitely not for more restrictions on the people and he feels this ordinance is as fair as the commission can be. Comm. Lacy said he agreed with Comm. Hardy as did Comm. Martin. Mayor Gilley then called for any final comments. With none to be heard, Comm. Lacy floored a motion that the first reading of Ordinance #94-1 840.1 be accepted, seconded by Comm. Hardy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes. Mayor Gilley said the final reading of the ordinance would be at the November, 1994 meeting.

8. American flag presentation

Jackie Bessette had presented a flag and staff to the clerk prior to the meeting, alone with the staff and holder.

9. Code of Ethics

The clerk ask the commission if they had read the rough draft of this ordinance that she had given to them and if so were there any changes. The clerk ask them to consider part B of Section 12, which says that all elected officials along with the board of adjustments members and the planning and zoning representative must file a financial statement. All were in agreement that as long as these board members weren't elected they should not be a part of those who had to file a financial statement. The clerk ask how they felt about leaving the nepotism in the ordinance. Comm. Hardy, said in his opinion, since it was already in there it would be left. Comm. Belcher presented a motion the clerk now draft the code of ethics ordinance to be heard for the first reading at the Nov. meeting. She agreed to do so.

10. Department reports

- a. Police report attached.

Comm. Martin said she would again like to get the commissions permission to order the uniforms for

the chief and deputy. She said she had checked prices at R&R uniforms in Louisville and Galls, and the prices at Galls was much cheaper. All of the commission agreed they were needed. Comm. Martin presented a motion the uniforms be ordered, seconded by Comm. Hardy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

b. Insurance for the patrol car

The clerk said the insurance for the patrol car was due 11/2 and the premiums had gone up so much with the present company she had gotten a quote with Blake-Hart-Taylor & Wiseman which was considerably cheaper. (quotes attached). Comm. Martin presented a motion to accept the quote of Blake-Hart-Taylor & Wiseman of \$1,380.40, seconded by Comm. Lacy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

c. cemetery –

Comm. Lacy said there was a dead tree at the cemetery that needs to be cut. He had gotten bids, (attached), the lowest bid being from Gills for \$1,000.00. Mayor Gilley ask Ms. Jordan her opinion of this. She said she would have to cash a certificate of deposit to even meet November bills, so she would cash one to cover the cost of both if the commission felt it should be cut. Comm. Hardy presented a motion that Ms. Jordan cash a CD to cover the cost of the tree cutting and November cemetery bills, seconded by Comm. Lacy. roll call and vote - Belcher yes, Gilley yes, Martin yes, Hardy yes, Lacy yes.

11 Other

Comm. Hardy said Jimmy Cushenberry had approached him about some gravel behind his house on an alley where he parks his school bus. The alley being located between Beller St. and Highway 101. Comm. Belcher said he felt it was a little premature to do any maintenance work anywhere in the city until the sewer was completed. Maybell Bybee said here alley needed attention too as well as the walnut tree on the alley. Velta Rose Smith said the storm sewer located at the corner of Rumsey and Main was a real hazard. She said small cars would get hung up on it. The commission felt this was a problem for the state highway to look at. COMM. Hardy said he would look at these complaint areas.

Mayor Gilley reminded the commission of the special called meeting, Tues. October 25 to hear the second reading of the two tax ordinances.

With no further business to be presented, a motion to adjourn was heard.

APPROVED: _____
JAMES R. GILLEY, MAYOR

ATTEST: _____
DOROTHY J. NEAL, CITY CLERK