

Special Called Meeting: August 18, 1973.

The Board met informally during the afternoon at the Smiths Grove Cemetery. Present were Chairman James Bell, Mr. Maurice Marr, and Mr. Lucian Flora. Mr. Marr led the Board in a survey of certain dead and decayed trees in the Cemetery which needed to be cut and quite a bit of trimming work which needed to be done. Mr. Marr noted that he had an offer from one man to do all the work for \$500.00 and there was general agreement that this was a fair price.

After a period of discussion, Chairman Bell agreed to call a special meeting for the evening of Monday, August 20th at Mr. Flora's office to discuss the question of the Cemetery trees and other matters of immediate concern.

Before the Board members went their separate ways, they were joined by Mr. Jerry Marr who spoke to them concerning the state of the Water Works (including the fact that more tools and spare parts were needed in that department), the occupation tax situation and other topics. Mr. Jerry Marr also promised to start work on the Cemetery's stone wall during the next week.

Called Meeting: August 20, 1973.

The meeting was called to order at 7:40 PM by Chairman James Bell in Mr. Lucian Flora's office with Board members Mr. Maurice Marr, Dr. James Hill and Mr. Lucian Flora present. Also in attendance was Mr. Herbert Leopold.

(1) The first matter brought before the Board was that of the countersuit drawn up by Mr. Maxie Harlan on behalf of the City against the William Kelley Corporation, a firm which installed a water meter for the City, which has filed a suit against the City trying to make the Water Department pay for a water meter which the state had earlier agreed to pay for. Chairman Bell read the countersuit. Mr. Flora noted that Mr. Harlan had said that it might be established that the meter caused the present major leak hurting the water system. Chairman Bell also read the resolution appointing Mr. Harlan the City's official counsel. The motion was made by Dr. Hill and seconded by Mr. Marr that the resolution be accepted. Discussion followed with Mr. Flora saying that Mr. William Powell had told him that the state was supposed to pay for the meter; questions concerning how and to what amount Mr. Harlan was to be recompensed; Chairman Bell commented that probably Mr. Harlan was trying to just get the original suit dropped; Dr. Hill said that the state had not expected the meter to cost as much as it finally did and refused to pay the full amount to the company and, since the state cannot be sued, the company was suing the City. Dr. Hill's motion eventually passed unanimously.

(2) Mr. Marr made the motion that the Cemetery make a contract with Mr. Louis Jenkins of R.F.D. #1, Franklin, Ky., for him to cut five dead and decayed trees in the cemetery and to completely dispose of the said trees and to trim various other trees which are obstructing free movement through the Cemetery. This work to be done for the sum of \$500.00 with the understanding that Mr. Jenkins must pay for any damage to Cemetery property that he may cause in the said removal. Motion seconded by Mr. Flora. Mr. Marr noted that the funds for the work would come out of Cemetery money. Motion unanimously approved. Mr. Marr noted that the City needs to draw up an agreement to be signed by all parties concerned and stating the above conditions in which it must be emphasized that there must be a complete clean-up and that Mr. Jenkins will be held liable for any damage to stones, etc., and that he will not be paid any part of the amount until the work is approved by the Board.

(3) On the matter of the insurance bill from McGuffey Insurance Agency for the renewal of the comprehensive liability policy in the amount of \$274.00, Mr. Flora made the motion that the policy be renewed. Seconded by Dr. Hill. Accepted unanimously.

(4) On the People's Farm Supply noise situation, it was reported that Marshall Denham had told a couple of Board members that he had talked to Mr. Henry Potter, the County Attorney, who said that a warrant would have to be taken out by Mr. Leopold or another citizen before anything else could be done. Mr. Leopold said that the noise was not as bad now as it was previously. He added that he needed to have a letter from the Board setting forth its position and what it advises as the next step.

Mr. Flora made the suggestion that the Clerk write such a letter and refer Mr. Leopold to Mr. Potter if any further action was needed. It was generally agreed that the Board should get in touch with Mr. Potter and get his opinion in writing. Dr. Hill suggested that the Board could perhaps get Mr. Potter to write a letter to the Board and to Mr. Leopold on this matter and concerning what the next possible steps might be if they are needed. Mr. Flora made the motion that the Clerk write to Mr. Potter and ask him to send his opinion and suggestions to the Board and to Mr. Leopold, if possible. Seconded by Mr. Marr. Unanimously approved.

(5) Dr. Hill brought to the attention of the Board the matter of the "scourge of mini-bikes" in the City and the dangers which they pose. Chairman Bell said that he believed it was illegal for such bikes to be on the road as they are not licensed. Mr. Marr added that he believed they were only to be used on private property. Dr. Hill put the question before the Board as to whether or not Marshall Denham should be advised to enforce the prohibition of them on the streets of the City. Chairman Bell said that warnings were needed first. Mr. Marr spoke of the need to post notices concerning the state law (which there is bound to be) against riding such machines on the streets. Mr. Leopold volunteered to do research on the law and bring what he might find to the Board's attention, an offer which was accepted by the Board.

(6) Mr. Flora spoke concerning the increased work load on the Clerk and the fact that the Clerk's salary was the same as it was in the mid-1950's. As a result, Mr. Marr made the motion that the Clerk's salary be raised to \$75.00 per month from the present \$50.00, retroactive to July 1st. Seconded by Dr. Hill. Unanimously approved.

(7) Mr. Flora brought before the Board the bids he had received concerning the street work from McClellan's, Scotty's and Lawson's. Chairman Bell spoke of the need to send the bids for the streets covered under the state aid program to the state engineer and get them approved. McClellan had a bid of \$13.00 per ton, Scotty's was \$14.00 and Lawson's was \$10.00 per ton. After a discussion period, Chairman Bell called for a motion to be made on the matter. Mr. Flora made the motion that the Board employ Leonard Lawson and Co. of Bowling Green to do the street work for this year which the City has money for (with a combination of its revenue sharing funds and the amount allocated for Kentucky and Wayne Streets by the State Highway Department under the Municipal Aid Program) as Lawson had the low bid of \$10 per ton for the resurfacing of the following seven streets: (with hot-mix): Rumsey Avenue (from Main Street to Highland Avenue), Kentucky Street (from Broadway to Sixth Street), Fourth Street (from Main to Hedge Street), Wayne Street (from Broadway to Fourth Street), Sunset Street (from the Smiths Grove-Oakland Road to First Street), Fifth Street (from College Street to Cave Street), and First Street (from College Street to where Sunset Street comes into it). Mr. Flora added to his motion that in the event the City had money left in the above mentioned funds after doing these seven streets, another street should be done if possible. Seconded by Dr. Hill. Unanimously accepted.

Mr. Flora was given the procedures by Chairman Bell through which to go to get state acceptance of the proposal.

(8) There being no more time to bring any other matters to the attention of the Board, Chairman Bell called for a motion of adjournment. Mr. Marr made the motion that the meeting be adjourned. Seconded by Mr. Flora. Unanimously approved with Chairman Bell noting that the general meeting set for the 27th was still to be held.

APPROVED:

James R. Bell
Chairman, Board of Trustees.

ATTEST:

John B. Flora
City Clerk.