

Special Meeting: January 7, 1974.

(The regular Board meeting for December 1973 which had been scheduled for the 19th of that month was cancelled.)

Present were Mr. James Bell, Mr. Lucian Flora, Mr. Maurice Marr, Dr. James Hill, Dr. Robert Baum, Mr. William Denham, Mr. J.W. Blue, Mr. and Mrs. Gene Waller with their son Kenneth and Magistrate Richard Kirby.

(1.) The first item of business was the swearing in of Board members James Bell, Lucian Flora, Maurice Marr, James Hill and Robert Baum as well as well as the swearing in of City Marshall William Denham and City Police Court Judge J.W. Blue by Magistrate Richard Kirby. The terms of all these officials will run through December 1975.

(2.) The Board then proceeded to elect its Chairman for the first quarter of 1974. The floor was opened for nominations after the present Chairman, Mr. James R. Bell, declined to continue in that position. Dr. Hill nominated Mr. Flora to be Chairman, seconded by Dr. Baum. Mr. Flora made an attempt to nominate Dr. Hill for the position but Dr. Hill declined noting that normally in Smiths Grove after the general election the person who had received the most votes for the Board became Chairman. Mr. Marr made the motion that nominations cease, seconded by Dr. Baum. There was unanimous approval by the Board of Mr. Flora's taking over the Chairmanship. Mr. Flora assumed the Chair and praised Mr. Bell's performance in that office.

(3.) After the swearing-in ceremony and the election of the Chairman, Chairman Flora recognized Mr. Bell who in turn gave the floor to Mr. Gene Waller and most of the rest of the meeting slipped away while the Board listed to a dispute between the Wallers and the City Marshall concerning the Waller's charge that the Marshall had used undue roughness on their son Kenneth during the early morning hours of January 4, 1974. The Wallers also made the charge that the Marshall had arrested their son for no good cause. Little if any headway was made for the stories of the Marshall and Kenneth Waller varied to such a degree that the view of a third witness was needed. The only other person present when the events in question occurred was Mr. Jerry Marr who was unable to be present at the meeting. After both sides repeated their stories at considerable length, Dr. Hill noted that neither the Marshall nor Kenneth Waller was on trial and he did not see the use in continuing. Chairman Flora added that it should be settled before the county judge.

The matter was continued for a considerable length of time and often rather heatedly. The general view rather changed from the belief that the county judge should settle the dispute to the view that some agreement should be reached on a personal basis between the Marshall and the Wallers as neither side seemed to be entirely sure of their facts. Dr. Hill commented that he appreciated the Wallers bringing their complaint before the Board as so many other people with complaints do not appear. Judge Blue said that whatever one's personal opinion was of the Marshall, the fact that the City was a much more peaceful place with him here than it had been before could not be disputed. Mr. Bell commented that the point is often overstressed that "kids will be kids" and that teenagers need more explanation for why they must do things rather than just being ordered to do them and he added that Marshall Denham needs to try and improve himself in regard to this point.

The situation came to the point where Dr. Baum noted that he was glad to see both sides were calming down and that if some compromise was possible between them, Kenneth Waller should realize that it would not give him the freedom of the streets. Dr. Baum also commented that an end needed to be called to the discussion. Mr. Bell said that the Marshall is the law in the town and Kenneth Waller should have gone home when he was ordered to do so, even if he felt that he had done no wrong. Chairman Flora commented that he believed a solution could be found, adding that the Marshall was a reasonable man and that the City needed the Law and the Law needed the cooperation of the people in order that a good job might be done.

Mr. Marr agreed with the Wallers on the point that the Marshall needed to use more judgement in his actions, but noted that he believed the Wallers were asking for a favor and not justice.

The end of the discussion was finally reached with Mr. Waller saying that if more time and thought were taken and given by Marshall Denham, then he would be of more help to the community than he is by just making charges and sending children to the courts.

Marshall Denham said that he was doing his job according to the way police work should be done and he went on to cite instances of his work that reflected favorably on him.

At this point, Magistrate Kirby, Judge Blue, and the Wallers left the meeting and the Board turned its attention to more usual business matters.

(4.) Chairman Flora, with the agreement of the rest of the Board members set the date for the next regular meeting as January 31 and it was agreed that the February and March meetings would be held on the last Thursday of those months.

(5.) A discussion then followed concerning the allocation of departments among the Board members. Dr. Hill commented that he believed it would be best if the Department of Public Safety was split into separate Police and Fire Departments. Mr. Marr said that since Mr. Flora was in the city a great part of the time, then it would be best if Mr. Flora took over the Water Department.

Chairman Flora appointed Mr. Bell as superintendent of the Street Department, Dr. Baum as Police Commissioner, Dr. Hill as executive director of the Fire Department, with Mr. Marr to continue in his role as superintendent of the Cemetery and Chairman Flora, himself, to be in charge of the Water Department.

(6.) Discussion followed over the fire station and its subdivision after the county fire truck is removed.

(7.) Chairman Flora brought to the attention of Mr. Marr the name and phone number of a man that Mr. Marr might get for the tree cutting which the Cemetery still needs.

(8.) Marshall Denham again brought up the matter of his need to have a day off duty every week. In the subsequent discussion the possibility of perhaps getting the State Police to fill in for the Marshall on his day off was touched upon.

(9.) Regarding the matter of Ricky Moats' non-payment of the bill for the repair of the damage he did to the cemetery wall in 1973, Mr. Marr said that he was in favor of getting the City's legal counsel, Mr. Tad Harlan, to write to the person about the matter.

(10.) The City Clerk reported that an additional \$671.00 had been received from the Federal government for the Revenue Sharing fund--an amount which is for the Second Quarter of the Fourth Entitlement Period which began on July 1, 1973 and ends on June 30, 1974.

(11.) The Clerk also noted that he had received permission from the owners of the Smiths Grove Gulf Station for the City to have the two junk cars on that property removed. The Marshall said that he would get in touch with Mr. Horace Gregory in Bowling Green concerning the proposed City-wide derelict car removal program.

(12.) The meeting adjourned as Chairman Flora reminded the other Board members that the next regular meeting would be on January 31.

APPROVED:

Lucian E. Flora

 Chairman, Board of Trustees

ATTEST:

Robert B. Flora

 City Clerk.

ADDITION TO MINUTES: At the general meeting held on January 31, 1974, the Board of Trustees decided to add to these minutes the note that Kenneth Waller had agreed with his father that he would make an effort to stop his often undisciplined behavior while on the streets of the City.

SBF