

City Commission meeting - March 22, 1999 - 7:00 p.m. - CITY HALL

MUNICIPAL AID & LGEAF ROAD FUND HEARING

Mayor McCay called this hearing to order explaining that it was required annually as these were state funds. He also explained that any project suggested could be done that was a part of this hearing, but if one wasn't suggested that needed doing, it would have to wait until the next hearing. He then ask the commission or those in attendance if they had any suggestions for the expenditure of these funds. Comm. Hardy said he had none to suggest, Comm. Hardy said he would like for some of the funds to be expended for stop signs as some of the city's have been stolen or are in pretty bad condition. Comm. Martin or Cooke had no suggestions. Mayor McCay said he would like for some of the funds to be designated for street lights. He then ask those in attendance for comments or suggestions. With none to be heard, he declared the hearing closed.

City Commission meeting

AGENDA

1. Minutes of the previous meeting

Mayor McCay called for additions or corrections from the commission. With none to be he declared the minutes accurate by unanimous consent from the commission.

2. Treasurer's report

The Mayor ask the commission and those in attendance if there were any comments, or corrections regarding this report. With none to be heard, he declared the report as accurate by unanimous consent from the commission.

3. Opening of sealed bids for cemetery maintenance contract

Mayor McCay ask the clerk to open these sealed bids and direct them to Keith Howard.  
The bids were as follows:

Cherry's Lawn Service	\$14,000.00
A Cut Above	\$12,000.00
Chester Whobrey	\$ 9,400.00
Phelp's Lawn & Landscaping	\$ 200.00 per week
Steve's Lawn Care	\$21,500.00
Jarvis	\$13,500.00
Design Lawn Care	\$ 6,900.00

The Mayor then presented a motion the lowest bid from Chris Meredith of Design Lawn Care be accepted, pending commission Howards checking to see if the contractor had proper equipment, experience, and insurance. Comm. Howard said he would check all of these things and report back to the commission. Comm. Howard then seconded the mayors motion of acceptance (conditional). roll call and vote - Cooke yes, Martin yes, McCay yes, Hardy yes, Howard yes.

4. Placement of mailboxes within the city

The Mayor said Frank Page; the city Postmaster had informed him that there were no specific requirements for placement of these boxes. The only requirement that he knew of was that the box had to be 43" to 45" from the ground. Jesse Varner, Postmaster at Park City, and a city resident, said he was sure the Post Office didn't want any of their patrons crossing the street to get to their boxes. As to other requirements of placement, he will check and report his findings to the clerk. Mayor McCay said he had driven Fourth Street, one of the streets in question, and he felt the problem was the street is narrow, but he didn't find any mail boxes protruding into the street. He felt the commission would be overstepping their bounds if they singled one particular street and made them move their mail

boxes back. Comm. Cooke said the sidewalk contractor was taking care of positioning all of the boxes on Main St. as they sidewalks. Comm. Howard wondered about the community mailboxes. Again the Mayor said it would be possible but at a cost of \$1,000.00 each to the city. With no further discussion, the Mayor thanked Mr. Varner for his efforts.

#### 5. Proposed city lot ordinance

The Mayor read the outline of this ordinance to all in attendance. He then stated that this ordinance had been an agenda item since last fall and he would like to see it have a first reading. The clerk said since it was listed as a discussion on the agenda and not a first reading, it would have to be done at the April meeting. The Mayor ask the commission their opinion of the ordinance as it was written. Comm. Martin wondered about burned houses. The Mayor said yes, it would be included in the ordinance. Jeff Blaine said he had received a contract from Phillip Woods to take the remaining structure of the burned house on Main down and level the lot. Carlos Lopez wondered if the fine was a one-time thing. The Mayor said it was a daily fine of \$50.00. Comm. Cooke said he felt the \$50.00 per day was pretty steep. Dewey Smith wondered how the city would enforce this. Keith Howard said if the fine wasn't paid a lien would placed against the property. Porter Martin wondered about the property that belonged to the city. He said he mowed an area close to his house that belonged to the City. Mayor McCay said this would be the city's responsibility to keep these areas mowed and clean. He said, along these lines, he had talked with a lady from the Greenthumb organization about a person to work for the city. There are eight- slots available in Warren County. Currently they are all full, but as soon as one becomes available, she will let Mayor McCay know. He ask those in attendance to let Comm. Hardy they knew anyone, over 55 that would be interested in this. He said they are strictly paid by the organization not the city; it is around 20 hours per week. And they could mow, landscape, and other odd jobs for the city. He then addressed a spring clean-up for the city. He said most other areas were currently engaged in this effort and he would like for the city to do so also. Some of the commissioners expressed their concerns about happenings during the past attempts and the cost to the city. Comm. Cooke said the last attempt resulted in a cost of approximately \$300.00 to the city because residents abused the effort. Comm. Martin said, in her opinion, unless it was well manned, it should not be attempted. Comm. Hardy said he felt we needed a plan and how to enforce it prior to him making the decision to have the cleanup day. Mayor McCay said perhaps the Lions Club would take part in manning the dumpsters. He then set a tentative date of the third week of April, April 24th for the cleanup day. He then called for objections or comments. There were no more to be heard.

#### 6. Proposed leash law for the city

Mayor McCay opened the discussion by stating there was good and bad news. Both meant the city did in deed have a leash law. He said he had checked with the Kentucky League of Cities, the city attorney, and American Legal Publishing. And because the prior commission had passed ordinances accepting what American Legal Publishing had compiled in the ordinance book in the form of General Regulations, the city did have a leash law. He added, in the county the pet owners are required to have their animals confined from 6:00 p.m. thru 6:00 a.m., even though they do not have a leash law in effect. He called for comments. Comm. Cooke wondered about Ordinance #94-1 840.1 which was passed and excluded domestic animals. Mayor McCay said it didn't matter, what was codified was what the law was. He also stated that American Legal Publishing had informed him that if the commission and the citizens wanted to rescind this or any other ordinance it was possible to do so. He called for comments. Comm. Howard said we didn't have the leash law in the beginning, and what the city had seemed to work, so he felt there was no need to go to the expense of rescinding this ordinance at the present time. Comm. Hardy agreed. He commented that the law was on the books and if there was a problem with an animal it needed to be identified and have the owner take care of it. He too felt there was no need, at this time, to rescind the ordinance. Eva Webb commented that she did not want dogs on her property destroying her property. Connie Vincent wondered what you should do if you didn't know the dog's owner and it was causing destruction. The Mayor said then you should call the Animal control Officer. She said she had done this in the past and was told the animal must be her yard before they could pick it up. Mayor McCay said in this regard if the owner was known and failed to confine his dog, the Police could issue a citation. Bill Pierce addressed the commission stating that he didn't like the leash law. He said his dog had his tag and rabies shot and was a good watch dog for his entire neighborhood. The Mayor said he understands the owner's passion for their animals, as he too had a large black Lab dog. But his pond in his yard had been destroyed by dogs three times in the past, and if it happens again, he will contact the owner. Jessie Varner, Postmaster at Park City, said if a dog approaches on of their carriers, the mail could be stopped and the owner fined. He said if the animal posed a threat, then he feels something should be done. Connie Laws said she felt there should

be a leash law. Buddy Marr said he felt the ordinance was a good one and should be imposed. Carlos Lopez agreed. Comm. Martin said she works on Main Street every day and she rarely sees any dogs. It was agreed that the Smiths Grove Police couldn't pick up a problem dog, but they could indeed issue a citation to the owner. With no more discussion to be heard the discussion was closed.

#### 7. Placement of building on Jeff Blaine's property

Prior to opening this discussion, Mayor McCay informed everyone in attendance, there would be no loud conversation, name calling allowed. He will limit the total discussion to 20 minutes, giving each person a maximum of 5 minutes to speak. Mayor McCay then addressed Mr. Blaine. He informed him that his building was indeed not in compliance with the zoning ordinance requirement of a 10' set back from the property line. He added, since at least 55% of the building had been altered, it too was not in compliance. He ask for comments from Mr. Blaine and Mrs. Vincent. Mr. Blaine said he had come to an agreement with the Vincent's, and he will move the building on Ed.M. Vincent agreed that this agreement had transpired. The discussion was closed.

#### 8. Upgrade of Lawson Street - Jimmy Cline

Mr. Cline addressed the commission stating that because of Mr. Blaine's heavy equipment on the street constantly; he would like to ask the commission to upgrade the surface to at least 4". He said 2" was not enough to carry the weight. Mr. Blaine said the surface of the street was at least 4", and it wasn't his equipment that was causing any problems to the surface. Mayor McCay said there was in affect and ordinance which prohibits heavy equipment or junk motor vehicles in residential district. (copy attached) Mr. Blaine said he owned a small company which installs septic systems and he didn't feel he was in noncompliance by bringing the equipment home. He was ask if he could find some other place to park it. He said he had moved it once, out of the city, but it was really inconvenient to have his workers go out of the city to pick it up each morning prior to going to a job. Mr. Cline ask: if perhaps he could rent Jeff Cannon's building on Laurel. Mr. Blaine said he had talked with Jeff and he couldn't rent it. Comm. Martin said Mr. Blaine was the only one in the city that was not in compliance with the ordinance, and she feels that if you impose on one individual, all should have to comply. Eva Meek agreed that Phillip Woods needed to have to enclose his wrecked vehicles. Comm. Hardy said the entire city needed to work together to work out these problems. Think through it and try to work it out. Comm. Howard commented that he realized the heavy equipment was an integral part of Mr. Blaine's job, but wondered if there wasn't another place he could find to store it. Mayor McCay said he was sworn to uphold the ordinances of the city as they were on the books for a reason. Connie Vincent ask Jimmy Cline if compliance of the ordinance would satisfy him. Mr. Cline said it would him as well as his neighbors. Comm. Martin said she was in favor of enforcing the ordinance if all others were made to comply also. With no further discussion to be heard the matter was closed.

#### 9. Delinquent taxes

The clerk had supplied the commission with a list of all delinquent taxpayers. Comm. Howard wondered what the recourse was for the city to collect these. The Mayor said the only recourse was after five years a lien could be filed. With no further discussion to be heard, Mayor McCay directed the clerk to send these delinquent notices. She agreed to do so.

#### 10. Department reports

Streets: Comm. Cooke said he had had no complaints, and the maintenance of the alleys would be done soon. He added the sidewalk installation was going very well, with almost complaints from the citizens.

Police: Comm. Martin read the monthly report, (copy attached). She then stated she had received two bids for the new patrol car. One in the amount of \$22,695 from Greenwood Ford, and one through the state on a fleet purchase price of \$21,090. She is to hear further from both sources at the end of the week. She added, that it wouldn't cost very much to equip this one as the equipment we had could be used. The Mayor said he had tried to contact the COPS grant program for the bulletproof vests on the internet as directed, but couldn't get through. He will continue to pursue it. Comm. Martin said there was a COPS grant available for officers on school premises, but none of the commission felt there was a need for it at this time.

Public Safety & Welfare: Comm. Hardy said it had been brought to his attention that there is a bad drop off at Vincent & 101. Comm. Cooke said there was one at Hedge and 101 also. The clerk agreed to contact the State Highway Dept. to see if they would help with this situation.

Cemetery: Comm. Howard said he would contact the owner of Design Lawn Care to see if he had the proper equipment to maintain the cemetery. The Mayor ask Comm. Howard to get estimates for a chainsaw for the cemetery. Comm. Howard wondered if there weren't some type of grants available for the cemetery. The clerk will check. Bill Pierce said his cemetery took up donations on Memorial Day and the received considerable donations. All agreed this was a good idea. Buddy Marr commented the cemetery needs to be in good shape for Memorial Day. Comm. Martin said the chapel needs to be open and also it needs to be painted.

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

APPROVED: \_\_\_\_\_ ATTEST: \_\_\_\_\_  
Walter McCay, Mayor Dorothy J. Neal, City Clerk