

The Smiths Grove Town Board met Monday, August 25, 1980, at 7:00P. M. in City Hall. The meeting was called to order by Chairman Wolff. The invocation was given by Mr. Walker. The minutes of the previous meeting were discussed. Mr. Wolff reported that thanks were due Mr. Kirby for the loan of a mower and operator with which he and the operator mowed the right-of-way of city streets.

Mr. Barner asked about responsibility of mowing the corner of second and Main and it was decided that was the property owner's responsibility.

Mr. Crousore moved to approve minutes as printed, Mr. Pearson seconded, motion carried. Printed Treasurer's Reports were presented. (attached) Mr. Walker reported the fire dept check had been given to Mrs. Edwards to be mailed to Judge Griffin to endorse. Mr. Wolff asked that he hand carry to Judge Griffin and Mr. Walker agreed. Mr. Crousore asked the status of Occupational License fee collection. This was included on the Treasurer's Report. Motion made by Mr. Walker to approve the Treasurer's Report, seconded by Mr. Barner. Motion carried.

#### COMMUNITY DEVELOPMENT

Mr. Keen distributed the C. D. Financial report. (attached) A lengthy discussion was instigated by Mr. Keen's report on the Rosevelt Pearson estate. It was reported by Mr. Keen that the heirs were suing to sell the property at a master commissioner's sale. Mr. Keen recommended that the board approve condemnation of the property prior to the master commissioner's sale. Mr. Pearson was asked to comment by Mr. Walker and Mr. Pearson said he'd like to stay out of it. Mr. Walker asked Mr. Keen the legal fee cost of the condemnation. He appointed it as \$500. Mr. Pearson said the cost would be less if sold at the courthouse. Mr. Keen painted out that the occupants are not eligible for benefits if it is sold at the courthouse and that the family wants the property to go to the project. Mr. Pearson said he doesn't want to go over the family wishes and we should let the family do as they want. Discussion was held as to which partials were involved. Mr. Keen stated that only Elizabeth Cook is eligible for the \$15,000 housing payment and not the family. If the property is not bought from the estate she is not eligible for \$15,000 for another home. Mr. Pearson asked if Rommie's dad was eligible for benefits and Mr. Keen stated that he was not eligible for benefits and Mr. Keen stated that he was not eligible for relocation benefits and it was up to HUD if he was eligible for moving payments. Mr. Wolff asked for a motion for condemnation of Rosevelt Pearson estate. Motion was made by Mr. Crousore and seconded by Mr. Wolff. Mr. Wolff stated that the family would get more money through condemnation than any other way. Mr. Pearson stated that he doesn't think it fair to the rest of the family. Mr. Keen stated that buying at the courthouse makes them not eligible for benefits of the project. Mr. Walker asked the standing of the project. Mr. Keen replied it was pretty good and that all monies had been spent according to regulations. Mr. David Bybee requested the status of the Odessa whitney property. Mr. Keen reported that it was in the process of condemnation. Mr. Pearson stated concerning the Rosevelt Pearson estate that it was the principle of the thing and Mr. Keen reported that the family wants the project to buy in order that eligible family members can receive the benefits. The vote on the motion was called for. Mr. Crousore-yes, Walker-no, Barner no, Pearson-no, and olff-yes. Motion failed.

Further discussion was held on the financial statement of payments to be made and proposed expenditures. Mr. Keen stated that we should leave out the Ronnie Pearson payment because of the previous motion because he was now not eligible for benefits.

Mr. Walker asked the number of lots the city will have left and Mr. Keen replied probably none. Mr. Keen explained the status of previous drawdowns

251

which had not been spent and the requested drawdowns on this statement. Mr. Pearson asked if the city planned to give the lot (former Cook Property) to the church. Mr. Keen replied that this was probably the best use of the ground. Mr. Pearson moved to give the Cook property ( Partial # 17) to the Pleasant View-Baptist Church for \$1.00, seconded by Mr. Walker. Motion carried.

Mr. Wolff discussed the payments to the contractor for street and concrete work in the project. Mr. Walker moved to approve the financial report with the deletion of Ronnie Pearson payment. Mr. Barner seconded. Motion approved.

Mr. Barner asked about streets in front of the Christian and Baptist Churches and Pre Pearson is going to check into the water district completing their street repairs. Mr. Pearson asked if we are going to locate Mrs. Tisdale and Mr. Keen stated that a vacant lot would probably go to her.

Mr. Wolff reported that Mr. Bryant continues to bill the project for legal fees at \$50.00 per hour but that we will continue to pay him at \$40.00 per hour as in the contract.

#### PROPERTY TAX RATE

Discussion was held on the property tax change. Mr. Wolff explained that property taxes are to be collected during the year for which they are due. Smiths Grove has not been doing this for many years. Since the city cannot receive the property valuations until August, the only way the City can abide by this is to send out tax bills in Sept. for that calendar year rather than sending bills in Sept. for the year which ended the prior June 30 as has been done in the past. Thus to get on a calendar year basis, bills could be sent this Sept. for It times the yearly rate to cover 18 months or separate bills could be sent for the year ending June 30, 1980. Rather than doing either Mr. Wolff recommended that the property owners be given 6 months free taxes for the period from July 1, 1979 through Dec. 31, 1979. The bills to be sent in Sept. would reflect the change for taxes for July I, 1979 through June 30, 1980 but would pay up the property owners taxes through Dec. 30, 1980. Mr. Wolff moved that we bill the property owners at the previously approved rate for a 12 month period ending June 30, 1980 and payment thereof would cover property owners taxes through Dec. 31, 1980. Seconded by Mr. Pearson. Mr. Wolff pointed out that we would continue our fiscal year from July 1 through June 30 and would probably change our revenue sharing budget to the same fiscal year but in the future property taxes would be collected for a calendar year during the year for which they are due. Question was called for and passed unanimously.

Mr. Barner reported on the cemetery that there were still trees on the ground but they were in the process of trying to remove them. David Bybee stated that the cemetery was not being kept well. Mr. Barner stated that there was money to care for it but that it was difficult to get people to do it. Mr. Walker asked if they could require a financial report from Mrs. Jordan monthly. Mr. Barner said that he would give a financial report.

Mr. Crousore reported that all was quiet with the police dept.

Mr. Pearson reported that the streets are in good condition and Mr. Rice wants to know if city can blacktop Lawson Ave. to meet his blacktopping in his sub-division. Mr. Wolff stated that this has previously been approved and we should have the money within a year. Mr. Wolff also stated that money was available to double seal 800 ft. of the Jackson Manor subdivision with the county's assistance and that he had given approval to Mr. Kirby to do this when the county equipment was available as this had previously been approved by the board. Mr. Wolff stated that the

252

board had previously agreed to accept the streets in the Stanley Rice subdivision and he made the following motion- The Smiths Grove Town Board will accept the right of way by deed to the Rice addition subdivision in Smiths Grove concurrent with the recording of the subdivision plats. Street are to be constructed to standards agreeable to the town board and Stanley Rice or his assignees. Seconded by Mr. Pearson, Motion carried.

Mr. Pearson said he would like to consider paving the street between McGuffey Insurance and the Post Office. Mr. Walker asked about a gravel street in his subdivision and Mr. Wolff stated that we could put a load of gravel on it if Mr. Pearson thought necessary. Mr. Pearson discussed drainage on 101 by the cemetery and it was decided that this was the state's responsibility and that Mr Pearson would check into it.

Mr. Walker next reported on the fire dept. He no has 16 names. Mr. Anderson would serve as instructor for at least 12 people and that he planned a possible dinner for graduation. Mr. Wolff asked if Mr. Walker had found out anything about the 911 system and if the County planned on purchasing a new fire alarm. Mr. Walker said that no one knew much about it. Mr. Wolff asked that he check with Judge Griffin. Mr. Walker suggested rebuilding the present alarm but Mr. Wolff said that Mr. Peirce had rebuilt it 3 times already and it was worn out. Mr. Walker stated that the fire hydrant would soon be repaired for the Hayes Road area.

Mr. Wolff reported on the City liability insurance. He had been able to secure a policy with Blake, Hart, & Wiseman for \$280 per year with increased benefits over the previous policy. Motion was made by Mr. Walker, seconded by Mr. Pearson to approve. Motion carried.

Mr. Wolff presented a building Permit for Jimmy Anderson house in Jackson Manor and requested that a Street light had been installed. Motion to approve the building permit by Mr. Walker, seconded by Mr. Pearson. Motion carried.

Mr. Walker questioned parliamentary procedure of the Board meetings. It was agreed by the board that they would generally follow Robert's Rules of Order. Mr. Walker asked was it not necessary then that the Chairman leave the chair when making a motion. Mr. Wolff read the following from Robert's Rules of Order Rev. (Section 50) "In large boards business is transacted the same as in the society meetings; but in small boards, the same formality is not necessary or usual, the informality observed by committees being generally allowed. In a board meeting where there are not more than about a dozen present, for instance, it is not necessary to rise in order to make a motion nor to wait for recognition by the chair before speaking or making a motion nor for a motion to have a second; nor is there any hint to the number of speakers, not does the chairman leave the chair when making a motion or discussing a question." (Section 52) "Instead of the chairman abstaining from speaking and voting, he is usually the most active participany in the discussions and work of the committee".

Mr. Walker asked if the agenda could come out earlier. Mr. Wolff stated that if it came out earlier it would not be as complete.

The City Hall yard was discussed and it was generally agreed that next year someone would be hired to care for the yard.

Being no further business, Motion to adjourn was made by Mr. Pearson seconded by Mr. Barner and passed.

Approved: Clarence N. Wolff  
Chairman, Board of Trustees

Attest: Sue M. Edwards  
City Clerk