

**MINUTES**  
**SMITHS GROVE CITY COMMISSION REGULAR MEETING**  
**SMITHS GROVE MUNICIPAL BUILDING**  
**MONDAY JUNE 27, 2011 7:00 P.M.**

Members present: Mayor Higginbotham, Commissioner Varner, Commissioner Martin, and Commissioner Stiffey.

Members Absent: Commissioner Pierce

Also present: City Attorney Wes Milliken

Mayor Higginbotham called the meeting to order at 7:04 pm.

All present recited the Pledge to Allegiance

Mayor Higginbotham welcomed all of the special guests in attendance at the meeting

Mayor Higginbotham opened the meeting by informing all present that there were two items on the agenda that would have to be tabled at this time, and requested acclimation on these two items. Commissioner Varner moved that the removal be approved by acclimation.

**READING AND APPROVAL OF MINUTES**

Minutes of Regular Meeting (May 23, 2011)

Meeting minutes were approved by unanimous consent.

**REPORTS**

Treasurer Report (May 23, 2011)

Report was approved by unanimous consent.

Public Works Report

Commissioner Varner asked to have deferred to the next meeting because they are working with Judge Buchanon to get the best prices for the city money spent.

Police, Public Safety, Health and Welfare Report

Commissioner Martin read the police report for May, 2011 and then asked to address getting our police officers set up with text messaging capabilities. He explained that there are times when it is not necessary to speak to one of the officers personally and, it is not always convenient for the officers to answer the phone (i.e. writing a ticket or, in pursuit of perpetrator). The cost for unlimited text messaging would be \$10/month per phone or we could get 250/month per phone for \$5/month per phone. Commissioner Martin said he did not believe they would need more than 250 per month and Chief Souy agreed.

However, Commissioner Martin did state that he would have the City Clerk give him copies of the statements and he will monitor the use.

Motion was made by Commissioner Martin to get texting for the Police Officers and was seconded by Commissioner Stiffey. Ayes: All members present. Motion carried.

### Cemetery Report

Since Commissioner Pierce was absent Mayor Higginbotham gave the cemetery report. Mayor Higginbotham reported that out of the 17 trees to be removed 4 have been removed to date and, that Sanders Tree Service is planning to have the balance of the requested \$10,000 removed by the end of June. Mayor Higginbotham also, stated that there have been 3 meetings of the 10 member Cemetery Committee to date.

### Code Enforcement Report

Commissioner Stiffey reported that the yard for the property located at 105 Rumsey has been cleaned up along with the property at 127 Higgins Alley. He has been in contact with one of the property owners of 125 Higgins Alley. The property owners live out of the area and Mr. McDaniel is in the military however, Mrs. McDaniel will try to get someone to clean it up as soon as possible. A letter was sent to the owners of 162 Highland informing them that they were in violation of code ordinance but they have not responded to date. In regards to the property located at 510 Cave Street, City Attorney Wes Milliken has spoken to Ray Lackey and was told to get pictures together and present evidence to District Judge. The District Judge will be able to give the city permission to take necessary action to clean up and force the property owner into auctioning off the property. Sherry Higginbotham to e-mail photos to Attorney Milliken

## **COMMITTEE REPORTS**

### Christmas Parade Report

No report however, Commissioner Martin did update all present that the website has had over 1,400+ visits in the past month and that to date all 50 states have visited it. He also informed that we are now at almost 2,000 FaceBook friends.

### Cemetery Committee

Mayor Higginbotham informed that the committee had made the unanimous agreement that an ordinance needed to be in place to resend the maintenance fee for the cemetery since not being collected at this time and to increase the cost of cemetery plots.

## **OLD BUSINESS**

Second Reading Ordinance #11-006 230.20 the City of Smiths Grove, KY Annual Budget for Fiscal Year July1, 2011 through June 30, 2012.

Motion was made by Commissioner Martin and seconded by Commissioner Varner to accept the budget as is. Ayes: All members present Motion carried.

## **NEW BUSINESS**

Ordinance #11-008 820.00 – Tabled until next meeting due to Jonathan Britt of Planning and Zoning not being able to attend..

Ordinance #11-009 530.00

An ordinance to repeal Ordinance #07-01 530.00 which required an unloading license of \$20.00 per year for doing business in Smiths Grove

Mayor Higginbotham explained that there is no way to track who makes deliveries in the city and therefore is not a fair and just ordinance.

Motion was made by Commissioner Varner and seconded by Commissioner Stiffey.

Ayes: All members present Motion carried.

Ordinance #11-007-630.00

An ordinance to incorporate agreements made by the Cemetery Committee i.e.: Increase cemetery plots to \$500 each; repeal ordinance 06-01 630.00 which increased the plot price to \$375; repeal Ordinance 77-2 which required a \$10 per plot per year maintenance fee be billed on all plot owners and repeal Ordinance #82-1 650.1 which required a \$150 fee for grave openings.

Mayor Higginbotham explained that the \$10 fee and the \$150 fees are not being collected therefore the ordinances are ineffective.

Motion was made by Commissioner Varner and seconded by Commissioner Stiffey.

Ayes: All members present Motion carried.

Resolution 5-11 – Tabled until next meeting

With there being no further business to conduct, Mayor Higginbotham adjourned the meeting at 7:48 pm.

APPROVED \_\_\_\_\_  
BERT E. HIGGINBOTHAM, MAYOR

ATTEST \_\_\_\_\_  
DEBORAH K. BREWER, CITY CLERK

DATE \_\_\_\_\_

Minutes were prepared by Deborah K. Brewer, City Clerk