

CITY OF MAROA MEETING MINUTES

JULY 28, 2014

CITY HALL

7:00 pm

Meeting called to order at 7:07 p.m., roll call taken by Clerk Edwards. Aldermen Peart, Stoutenborough, Kissinger, Wilkey, and Mayor Agee were present. Alderman Sims is absent.

Previous Meeting Minutes

Mayor Agee asks if everyone had a chance to go over the minutes. Alderman Wilkey made a motion to accept the June meeting minutes. The motion was seconded by Alderman Peart. All council members present vote aye. Motion passed.

Police Report

Chief Wilkey is absent. Officer Gaddy states that Chief left the monthly activity report for everyone. Officer Gaddy discusses the ordinance notices that have been served and the follow up.

Alderman Peart asked if any tickets have been written for cell phone usage, Officer Gaddy states he does not believe that any have been written but he would have to go back and look for sure.

Attorney Report

Attorney Antoline is present. Attorney Antoline discussed the Millers. Father and son appeared in court, the Millers admitted to being in contempt of court from the 2012 order. The judge found the Millers in contempt. The judge ordered a continuing purge order. Meaning that the lawn has to be kept up and the trash has to be kept up continually. If not the Millers are subject to immediate sanction by the courts. The weed height was reduced to 6". The Millers were told the officers would be checking weekly.

Attorney Antoline discussed the cable satellite dishes, the letter was sent to the wrong company. It is hard to trace the ownership of the cable company. Attorney Antoline has a pretty good idea of who the owner is and will work on getting the dishes removed. Attorney Antoline has a call into Crystal Broadcasting. Attorney Antoline asked if we will have the satellites removed or if we want the company to remove them. Mayor Agee states that the City is willing to remove them but the City will bill the company for the cost. If it is determined that since it served at least 80% of the TIF district, then TIF funds should be able to be used for the removal if needed. Attorney Antoline states to check with Keith Moran, of Moran Economic Development to be sure.

Engineer's Report

Steve Bainbridge, Engineer is present. Steve Bainbridge, Engineer, discussed the MFT budget. Presented the board with the resolution to appropriate MFT budget for 2014 calendar year of \$29,000. Alderman Wilkey made a motion to appropriate \$29,000 to MFT for 2014 calendar year, seconded by Alderman Peart. All council members present vote aye. Motion passed.

Steve Bainbridge, Engineer, discussed the resurfacing of Wood St. by Caseys. Mr. Bainbridge discussed different grants that may be available for the work. The grant money will be available July 2015 but have to get the grant request in by September 2014. Steve Bainbridge, Engineer, discussed the cost of the repairs to the road. Steve Bainbridge, Engineer, will submit an application for the TART fund grant on behalf of the City.

Steve Bainbridge, Engineer, discussed the Zoning map. The last change was in 2009. Mr. Bainbridge states that there are some updates that need to be made. Mr. Bainbridge asks what has to happen to make the updates, Attorney Antoline states there has to be a public hearing with a notice to the city in the paper for at least two weeks before the meeting, then present to the council the recommendations so the council may vote on them. August 21, 2014 at 7 pm is the next meeting for the Zoning and Planning Board.

Alderman Wilkey asks if the City will apply for the ITEP grant again this year. Mr. Bainbridge states that there are such limited funds available. Mr. Bainbridge states that he will look into the grant.

Zoning/Public Works

Old Business

Discussion about the newsletter status. No changes made.

Mayor Agee states that there are two people interested in appointments for Ward III. Richard Laswell and Gretchen Underwood. There was discussion about both parties for the vacant Ward III seat. Mayor Agee makes a recommendation for Gretchen Underwood to be appointed. Alderman Peart makes a motion to appoint Gretchen Underwood as Ward III Alderman. Seconded by Alderman Wilkey. Alderman Peart, Wilkey and Stoutenborough vote aye, Alderman Kissinger abstains, Alderman Sims is absent. Motion passed.

Mayor Agee appoints Gretchen Underwood as Ward III Alderman. Clerk Edwards swears her in and she takes her seat at the council table. Seat will expire April 2015. The seat will be on the next election ballot in 2015. There will be 2 people running at that time and one seat will be for 2 years and one seat will be for 4 years.

New Business

Attorney Antoline discussed the ordinance pertaining water rates. After changes were made to the ordinance, Alderman Wilkey made a motion to accept ordinance 07/28/2014-1, seconded by Alderman Kissinger. All council member present vote aye. Motion passed.

Mayor Agee asks for discussion about the last seat to be filled on the Zoning and Planning board. Discussion is held about the final seat to be filled on the Planning and Zoning Board. Alderman Stoutenborough makes a motion to appoint Doug Kennedy to the Planning and Zoning Board, seconded by Alderman Wilkey. All council members present vote aye. Motion passed.

Mayor Agee appoints Doug Kennedy to the Planning and Zoning Board.

Citizen Comments

Attorney Antoline discussed the pool fence height. Officer Gaddy states that there is not a fence around the pools of Rollin Earles and Kevin McCullough. The ordinance states that there has to be a fence that is 48" but the pool height of each of their pools is higher than 48" so the two parties are questioning why they have to have a fence lower than the pool. Rollin Earles addressed the council regarding the ordinance of fences around pools. He states that he would like to put up a fence but would like a nice fence not just one to meet the ordinance. Both parties take the steps out of their pools when not in use. Mayor Agee states that he feels the fence ordinance was made for pools that are in ground pools where there was no barrier. Kevin McCullough states that you can drive around and see how many fence gates are open too. Attorney Antoline addresses the council about the ordinance. Attorney Antoline states that the council may make a change if they would like. If changes are made, it will have to be changed in the Zoning Code also, so may be done at the next Zoning meeting. Mayor Agee asks what everyone thinks. Alderman Wilkey states to require fences on only in ground pools. Alderman Kissinger states that trampolines are the same. He has one in the back yard by his house and the kids are always on it. Alderman Stoutenborough states that he does not know what the difference is. Alderman Peart states that he agrees that it should be for just the in ground pools. Alderman Underwood states that she agrees it should be changed. Kevin McCullough states that many of the pools are not permanent. He takes his down every year and puts it back up. Rollin states that his is not permanent either, he also takes his down each year and puts it up in the summer. Alderman Stoutenborough states that right now there are two parties who are not in compliance. Attorney Antoline states that if it is the council's intent to change the ordinance to apply to only in ground pools, there can be concessions made for the two in question. Mayor Agee asks if it is the intent of the council to change this ordinance, council members state that it is so Officer Gaddy will not enforce the issue with Rollin Earles or Kevin McCullough. The council decides that Attorney Antoline will draw up a new ordinance for the fence to apply to only in ground pools.

Fall City sale dates set for September 11th from 4-8, 12th from 8-5, and 13th from 8-noon. There is discussion about a fall clean-up day. Alderman Wilkey will check with United Waste and with the Fire Department to see their availability. Tentatively set clean-up day for September 27, 2014.

Committee reports

Alderman Kissinger states that he had a call about 329 N Pine from Mr. Wiseman. Mr. Wiseman is upset about the junk outside this residence. The carpet was pulled up and other stuff from inside was set outside, and it is still sitting there. The garbage man will not pick it up because it is too large. Alderman Kissinger drove by and it looks terrible. Discussed with Alderman Wilkey to have it picked up, Alderman Wilkey states that he will discuss with United Waste about the removal of the items. Alderman Kissinger states that there is another property down the street to the west. This property is in the lawyers hands.

Alderman Wilkey states that September 20, 2014 is tentatively the Fall Festival. He will have an agenda by next meeting. Homecoming is Friday night and the festival is the next night if the council will allow.

Treasurer Modro-Peters states that we did get a payment from the state for taxes. First installment is always the largest installment.

Bills

Mayor Agee asks if everyone has looked at the bills. Alderman Wilkey asks if we received the bill for Wood Printing, Clerk Edwards states that it has not been received yet. Alderman Wilkey states that it should be paid when it comes in, it is for signage on for the new fence. Attorney Antoline asks if his bill has been received, he states it was sent on Friday by email, Clerk Edwards states that she did not get it. Attorney Antoline requests that it be added to the bills tonight. Alderman Kissinger questions the park program payments. Clerk Edwards states it is for the programs at the park. Invoice for legal services is \$2,762.50 for Attorney Antoline, he states it was sent on Friday at 11:14 am. Clerk Edwards asks that he resend the bill. Alderman Wilkey asks what the Pezzelle bill was for. Clerk Edwards states it is for the water & sewer. Alderman Stoutenborough asks where we stand with Striglos? Clerk Edwards states that the bill for the desk is still outstanding, and was not put on the bills this month. Alderman Wilkey made a motion to pay the July bills, seconded by Alderman Peart. All council members present vote aye.

Executive Session

Mayor Agee asks if there is anything that needs a closed session on tonight? Alderman Wilkey states that there is nothing he knows of.

Adjourn

Mayor Agee asks for a motion to adjourn. Alderman Wilkey makes a motion to adjourn, seconded by Alderman Peart. Alderman Kissinger, Peart, Wilkey, and Underwood vote aye, Alderman Stoutenborough abstains, and Alderman Sims is absent. Motion passed, meeting adjourned at 8:35 pm.

Diane L. Edwards, City Clerk