



**REGULAR COUNCIL MEETING MINUTES OF THE CITY COUNCIL OF
NEOGA HELD IN
CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING, 533 CHESTNUT
MAY 23, 2011, AT 7:00 P.M.**

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor Modglin, and the Pledge of Allegiance was recited. Those present were: Commissioners Kepp, Hartke, Groves, Mayor Wayne Modglin, and City Clerk Evans. Commissioner Lindley was absent. Others present were City Treasurer Diana Foor, City Attorney Glenn Braden, Joyce Baker, Engineer Tom Overmyer, Engineer Matt Johnson, Fred Honaker, and the Toledo Democrat Editor Billy Chambers.

MINUTES

After reviewing the regular session minutes from May 2, 2011, Commissioner Kepp made a motion to approve the minutes as presented. The motion was seconded by Commissioner Hartke. Ayes, Commissioners Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

PUBLIC AFFAIRS

FIREWORKS SOLICITOR PERMIT

City Clerk Evans informed the Council that Matt Burrell has applied for a solicitor permit to sell fireworks, as he had in previous years. However, this year he is requesting to sell the products on the corner of Oak Avenue and 6th Street (4 way stop). Evans explained that the corner seems to be a popular place because others vendors have asked for that location. After a brief discussion, Commissioner Kepp made a motion that if a solicitor wanted to set up on that location a \$50 per week rental fee would be required. The motion was seconded by Commissioner Groves. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0

MOWERS AND MORE

City Clerk Evans explained that Mowers and More owner Gary Whitaker would like to install a new sign located along RT #45 but he has not returned his application so we do not have any information at this time.

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ORDINANCE #815-05-11 AN ORDINANCE FIXING THE SALARIES OF THE CLERK AND TREASURER OF THE CITY OF NEOGA
After reviewing the proposed ordinance, Commissioner Groves made a motion to accept the ordinance as presented. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Groves, Hartke, Kepp, and Mayor Modglin. Nays, none. Motion carried. 4-0.

ORDINANCE #816-05-11 AN ORDINANCE RELATING TO THE PREVAILING RATE OF WAGES IN THE CITY OF NEOGA
After reviewing the proposed ordinance, Commissioner Kepp made motion to accept the ordinance as presented. The motion was seconded by Commissioner Hartke. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

FINANCE, COMMISSIONER GROVES

BILLS

After reviewing the proposed bills, Commissioner Groves made a motion to pay the bills totaling \$31,390.42. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Groves, Kepp, Hartke, and Mayor Modglin. Nays, none. Motion carried. 4-0

TREASURER REPORT

After reviewing the treasurer report, Mayor Modglin ordered the financial report to be placed into the files of the City Clerk.

PUBLIC PROPERTY, COMMISSIONER KEPP

WASTE WATER DISINFECTION EXEMPTION REQUEST – MATT JOHNSON

Matt Johnson with Foth Infrastructure explained the reason the City of Neoga is working on the waste water disinfection exemption request. Johnson said that the public works employees will have to test the waste water every week in the month of May. Other requirements are pictures of the areas along the Copperas Creek to the Little Wabash River, letters to each property owner that abuts the creek, law enforcement agency, and public officials.

IKE PROJECT – TOM OVERMYER

Phoenix Consulting Engineer Tom Overmyer said that he is still waiting the awarding of the IKE Grant and will notify the city if he hears anything.

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WATER TOWER INSPECTION

Engineer Overmyer explained to the Council that before bids are taken to repaint the tower, an internal and external inspection should be done. When asked the process, Overmyer said that the tower would have to be drained, then power washed, and inspected. Mr. Overmyer also informed the Council that when the tower is drained, the water plant would be the only way to keep pressure on the distribution system. This means that the plant will be running 24 hours per day until the tower was back on line, which could take up to 3 days. It was the consensus of the Council to proceed with the inspection so that the project could get done as soon as possible.

BULK WATER SALES

City Clerk Evans said that she has received phone calls the last few weekends due to problems with the bulk water sales which is costing the city overtime hours. It was the consensus of the council to gather data and review it at the next meeting.

PAYREQUEST FROM EVERHART & EVERHART

After reviewing the pay request from Everhart & Everhart, Commissioner Kepp made a motion to pay the request in the amount of \$3,630.00. The motion was seconded by Commissioner Groves. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

PAYREQEUST FROM BRADEN LAW OFFICE

After reviewing the two pay request from Braden Law Office, Commissioner Kepp made a motion to pay both request totaling \$2,126.00. The motion was seconded by Commissioner Hartke. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

ORDINANCE #817-05-11 AN ORDINANCE CREATING A COMMERCIAL
WATER RATES

City Clerk Evans did not have the Ordinance back yet from the attorney office so this was tabled until the next meeting.

NEOGA MEMORIAL CEMETERY

City Clerk Evans explained that she received a new written intergovernmental agreement from the Neoga Township however; it stated that the Council only had 10 days to act upon the agreement. Evans reminded the Council that due to the state statutes, this agreement would have to be posted for at least 10 days before it could be voted on. After a lengthy discussion, Commissioner Kepp made a motion to write a letter explaining the 10 day viewing for the public and ask that the township lengthen that deadline and to schedule a meeting to negotiate the agreement. The motion was seconded by Commissioner Groves. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

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TIF AND BUSINESS DISTRICT.

Glenn Braden and Hank Stephens updated the Council on the TIF and Business District. Braden explained that Westmore Developers asked that the City repeal the 1% tax in the Business district because Dollar General Corporation does not want to be located in a business district. It was the recommendation that the Council not repeal the tax because the City can recoup their expenses through the Business District. No action was taken.

STREETS AND ALLEYS, COMMISSIONER HARTKE
WEIGHT LIMITS ON CITY STREETS

A lengthy discussion was held regarding setting a weight limit on 4th, 5th, and Locust Avenue. After a lengthy discussion, no action was taken.

HEALTH AND SAFETY, COMMISSIONER LINDLEY
CITY WIDE CLEANUP

Commissioner Lindley was not able to attend the meeting so Mayor Modglin opened the bids for conducting a citywide cleanup. The bids were as follows:

- Veolia \$910 per Packard truck
- Coles Co. Sanitation \$885 per Packard truck
- Baby Huey's \$5,000 for entire community.

After a brief discussion, Commissioner Kepp made a motion to award the cleanup to Baby Huey's Sanitation and Recycling. The motion was seconded by Commissioner Groves. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

Fred Honaker thanked the Council for the opportunity to work for them again, and asked that the City look into having a contract hauler for everyone in the City limits. Honaker feels that this would be a savings to the residents and the City because one sanitation company would be guaranteed a predetermined dollar amount which could allow the company to lower their price per household. According to Honaker, another savings is that they would be able to pick up everything which would eliminate the yearly city wide cleanup and if the residents knew they could place items out weekly with their trash it would not be around the property until the next citywide cleanup. This would be a contract between the company and the city and all the billing would be done by the city. The City Council said that they would contact other communities and look into it again.

JOYCE BAKER, 353 MAPLE AVENUE

Homeowner Joyce Baker asks that the city address the water in her ditch located at 353 Maple Avenue. Ms. Baker said that she has had water in the ditch all the time which is stagnant and holding mosquitoes. Commissioner Hartke said he would look in to it.

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ADJOURNMENT

A motion was made by Commissioner Kepp to adjourn the meeting at 9:05 p.m. The motion was seconded by Commissioner Hartke. Ayes, Commissioner Kepp, Hartke, Groves, and Mayor Modglin. Nays, none. Motion carried. 4-0.

Howard W. Modglin, Mayor

Brenda Evans, City Clerk

Date