



**REGULAR COUNCIL MEETING MINUTES OF THE CITY COUNCIL OF  
NEOGA HELD IN  
CITY COUNCIL CHAMBERS, MUNICIPAL BUILDING, 533 CHESTNUT  
MAY 4, 2009, AT 7:00 P.M.**

## **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Mayor Russell and the Pledge of Allegiance was recited. Those present were: Commissioners Modglin, Lindley, Kepp, Varner, Mayor Russell, and City Clerk Evans. Others present were Public Works Superintendent Stan Hagerstrom, and Jim Smyser.

## **MINUTES**

After reviewing the regular session minutes from April 20, 2009, Commissioner Varner made a motion to approve the minutes as presented. The motion was seconded by Commissioner Kepp. Ayes, Commissioners Varner, Modglin, Lindley, Kepp and Mayor Russell. Nays, none. Motion carried. 5-0.

## **PUBLIC AFFAIR**

Mayor Russell told the Council that he spoke with Larry Hymes before the meeting regarding the property located at 130 E. 10<sup>th</sup> Street. Mayor Russell said that he was given a highlighted list of items that the owners were in violation on. City Clerk Evans said that she discussed the situation with City Attorney Braden, and that a letter was being sent to the owners. There was also a lengthy discussion held regarding the property at 696 Oak Avenue. After the discussion, it was the consensus of the Council to create an ordinance regarding rummage sales / flea markets and to regulate businesses in Neoga.

## **FINANCE**

No report.

## **PUBLIC PROPERTY**

### SUPERINTENDENT HAGERSTROM REPORT

Superintendent Hagerstrom was welcomed back by the Council. Hagerstrom said that it was hard at first, but he was glad to be back to work. Superintendent Hagerstrom and employee Jim Smyser discussed the trench that caved in on April 16<sup>th</sup>. The Council explained that safety was very important in the City. Hagerstrom was instructed to set up weekly safety meetings with the public works department.

**REGULAR CITY COUNCIL MINUTES**  
**PAGE -2-**  
**MAY 4, 2009**

Superintendent Hagerstrom said that he has spoke with Greg Gustafson regarding the water tower stimulus money. Hagerstrom said that Gustafson can meet with the Council on May 18<sup>th</sup> at 6:30 to discuss the process.

**STREETS AND ALLEYS**

Superintendent Hagerstrom told the Council that another sewer line has collapsed on West 5<sup>th</sup> Street. Hagerstrom said that TeleScan, Inc. was here to look at the area, but due to the high water level they were unable to see any breaks. Their suggestion was to dig up the manhole and the five lines. A motion was made by Commissioner Varner to allow TeleScan to televise the sewer line and if possible to repair it. The Council put a limit of \$12,000 on this repair. The motion was seconded by Commissioner Kepp. Ayes, Commissioners Varner, Modglin, Lindley, Kepp, and Mayor Russell. Nays, none. Motion carried. 5-0.

POOL ADJUSTMENTS

A small discussion was held on pool adjustments for the year. According to City Clerk Evans, the EPA does not want consumers to empty pool water out on the ground. They prefer that pool owners send the water through the city sewer system. It was the consensus of the Council to continue giving the pool adjustments one time per year per household.

WARRANTY DEED – WHITAKER

Commissioner Modglin said that he reviewed the letter from City Attorney Braden which stated that the contract between the City of Neoga and Mowers and More required Mr. Whitaker to have a net profit over \$15,000 for five (5) years. However, according to Braden, Mr. Whitaker did not meet that requirement. Commissioner Modglin's opinion was that most new businesses do not want to show a profit the first few years and the City should not be concerned about a business net worth as long as it is making a profit. Commissioner Modglin then made a motion to waive the \$15,000 profit requirement. The motion was seconded by Commissioner Kepp. Ayes, Commissioner Modglin, Lindley, Kepp, Varner, and Mayor Russell. Nays, none. Motion carried. 5-0.

2008 MFT AUDIT

City Clerk Evans explained that the audit was completed in April. After reviewing it, the Mayor ordered the audit to be kept in the files of the City Clerk.

**HEALTH AND SAFETY**

Superintendent Hagerstrom said that the fire hydrant was scheduled to be replaced; however, it was postponed due to the water and sewer problems.

**REGULAR CITY COUNCIL MINUTES  
PAGE -3-  
MAY 4, 2009**

**ADJOURNMENT**

A motion was made by Commissioner Kepp to adjourn the meeting at 8:30 pm. The motion was seconded by Commissioner Modglin. Ayes, Commissioner Kepp, Varner, Modglin, Lindley, and Mayor Russell. Nays, none. Motion carried. 5-0.

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Jay Russell, Mayor

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Brenda Evans, City Clerk

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Date