



**REGULAR MEETING MINUTES OF THE CITY COUNCIL
OF THE CITY OF NEOGA, CITY COUNCIL CHAMBERS
MUNICIPAL BUILDING 533 CHESTNUT
MAY 6, 2002, 7:00 P.M.**

CALL TO ORDER

Mayor Mercer called the meeting to order at 7:00 p.m. Those present were: Commissioners, Modglin, Varner, Altman, and Mayor Mercer.

MINUTES

Commissioner Altman made the motion, seconded by Commissioner Varner, to approve the regular meeting minutes of April 15, 2002. Yeas, Commissioners Altman, Varner, Modglin. Nays, none. Mayor Mercer abstained. Motion carried. 4-0

Commissioner Modglin made the motion, seconded by Commissioner Altman, to approve the executive session minutes of April 15, 2002. Yeas, Commissioners Altman, Varner, and Modglin. Nays, none. Mayor Mercer abstained. Motion carried. 4-0

PUBLIC AFFAIRS

REQUEST FROM FIRST NATIONAL BANK NEOGA

Carol Jo Fritts and Bob Carr representing the First National Bank of Neoga discussed with the Council their request for permission to construct a 100 ft. communication tower. Carr explained the Banks need to process and transmit huge amounts of data. He noted that they have out paced the phone companies ability to provided the needed service. He said the construction of the 100 ft. tower would provide the most efficient, reliable, secure, serviceable, affordable solution. It is their intent to fence in the tower. Council viewed pictures of towers located in Charleston at various Banks which are already in service. Carol Fritts explained they have already obtained permission from Charleston, Toledo, and Newman to place like towers. Commissioners expressed some of the following concerns; Possible icing of the tower in winter, tower ability to stand up during bad wind storms, and concern that several more requests for towers might be made. Fritts said that they did not think ice would be a problem anymore than any other structure additionally it will be fenced. Also, they addressed the wind and ice issue with the contractor who has been in business for over 30 years and he said that they are rated for wind speeds of over 300 miles per hour and realistically if the wind blows that hard everything will be gone not just the tower. Building Inspector Gary Kastl said that we do not think anything about putting up telephone poles and other ugly poles and in his opinion this tower would certainly be less intrusive that many other types of poles. Motion: Commissioner Modglin made the motion, seconded by Commissioner Altman, to approve First National's request to construct the tower. Ayes, Commissioners Modglin, Varner, Altman, and Mayor Mercer. Nays, none. 4-0

REGULAR COUNCIL MEETING MINUTES

SPEED LIMIT ON TROWBRIDGE ROAD

Discussion was held on the 20 mile an hour speed limit presently posted on Trowbridge Road from city limits on through town past the Post Office. It was noted that signage is sparse through town. It was the consensus of the Council that more signs need to be posted on both sides of the street. Motion: Commissioner Varner made the motion, seconded by Commissioner Modglin, to amend the Street Ordinance to post warning of reduction in speed signs at city limits and reduce the speed limit to 30 miles an hour, beginning at the western most street at Heartland Christian Village. Then reduce the speed limit at 5th and Cedar to 20 miles an hour with the proper reduction in speed signs posted for both speed reductions. Yeas, Commissioners Varner, Modglin, Altman, and Mayor Mercer. Nays, none. Motion carried. 4-0

ZONING VARIANCE LARRY LINDLEY

After review of the recommendation of the Zoning Board Commissioner Altman made the motion, seconded by Commissioner Modglin, to amend the Zoning Ordinance to approve the following Zoning Variance recommendations of the Zoning Board. 1. Allow a 30' X 33' addition to existing building, which will make a building 34' X 68' (current zoning ordinance states maximum size to be 30'X36'). 2. Allow eve height of 12' (current ordinance has maximum height of 10'). 3. Allow door height of 10' (current ordinance has maximum height of 9'), for the Larry Lindley property at 695 Burrows. Yeas, Commissioners Modglin, Varner, Altman, and Mayor Mercer. Nays, none. Motion carried. 4-0

REPORT FROM SUPERINTENDENT DOUGLAS

Douglas reported on the following; The new culvert has been installed on 10th street; Commercial Electric repaired the bubbler system at the sewer plant; Received estimates to replace the clutch in the dump truck. The heavy duty clutch will cost \$900, Commissioner Varner instructed him to proceed with purchase of the clutch.

**ORDINANCE NO.715-05-02A ORDINANCE WAIVING THE BID PROCESS UNDER
EMERGENCY SITUATION BY VOTE OF FOUR OF
THE FIVE ELECTED COUNCIL MEMBERS.**

Commissioner Varner made the motion, seconded by Commissioner Modglin, to move forward with purchase and replacement of the pump and valve at the sewer plant under an emergency situation and to dispense with the bid process and to approve Ordinance No. 715-05-02. Yeas, Commissioners Altman, Varner, Modglin, and Mayor Mercer. Nays, none. Motion carried. 4-0

STREET'S AND ALLEY'S

ALLEY NORTH OF 7TH STREET BETWEEN WILSON & SHAFFER

Brief discussion was held on the possibility of making the alley North of 7th Street between Wilson and Shaffer into a street instead of an alley because it is used by the Varner trailer court residents. However, it was noted that the City right-of -way is only 30 ft., not large enough for a

REGULAR COUNCIL MEETING MINUTES

MAY 6, 2002



street. Additionally, it directly accesses the High School parking lot. It was the consensus of the Council to place no parking signs in the alley.

PUBLIC HEALTH & SAFETY

MOSQUITO SPRAYING

Superintendent Douglas reported that they have 7 or 8 weeks of chemical for spraying. Commissioner Altman told him to use his judgement on a start date.

RECESS INTO EXECUTIVE SESSION

Commissioner Altman made the motion, seconded by Commissioner Modglin, to move into executive session at 8:40 p.m., to discuss 2 (c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body. Yeas, Commissioner Altman, Modglin, Varner, and Mayor Mercer. Nays, none. Motion carried. 4-0

RECONVENED AND ROLL CALL

This meeting reconvened on motion by Commissioner Modglin, seconded by Commissioner Varner. Those present for roll call were: Commissioners Modglin, Varner, Altman, and Mayor Mercer.

APPOINTMENT OF CITY CLERK AND TREASURER

Commissioner Modglin made the motion, seconded by Commissioner Varner, to appoint Patricia Ehrhart as City Clerk with a salary of \$14,500 per year and appoint Cheryl Eastin as Treasurer with a salary of \$9000 per year. Yeas, Commissioners Varner, Modglin, Altman, and Mayor Mercer. Nays, none. Motion carried. 4-0

ADJOURN

Commissioner Modglin made the motion, seconded by Commissioner Varner to adjourn the regular meeting of May 6, 2002, at 11:06 p.m. Motion carried, via voice vote.

Gary A. Mercer, Mayor

Patricia D. Ehrhart, MMC, City Clerk

