

Council Meeting
Town of Nutter Fort
12/12/17

Mayor Maxson invited attendees to join in prayer offered by Councilor Benincosa, followed by the Pledge of Allegiance.

Mayor Maxson called the meeting to order in council chambers at 6:30 pm.

Attendance: Mayor Sam Maxson, Recorder Charlene Louk, Councilors William Benincosa, Natalie Haddix, Karen Phillips and Brenda Riley and Donald “Duck” Webster.

Also present: Fire Chief Jeremy Haddix, Code Enforcer (CE) Keith Kesling, acting Police Chief Pat McCarty, Nathan Rohrbough (representing Public Works Dept.)

Absent: Police Chief Ron Godwin, Treasurer Julia Foley, Public Works Supervisor Taylor Keith (all absent due to illness).

Guests: Brad Morris (407 Maryland Ave. sump pump drainage issue), Jim and Charlotte Link, Linda Blake, and Raetta Allen.

Minutes: Minutes from the November 28th, 2017 Council meeting (attached) were approved by unanimous vote after a motion by Karen Phillips and second by Brenda Riley.

Treasurer’s Report: None

- Accounts payable (attached) were approved after a motion by William Benincosa and a second by Donald “Duck” Webster. Recorder Louk asked about the purchase of extension cords for Town Hall? Chief Haddix explained the cords used last year for decorations couldn’t be found. It was noted by several Council members that similar items, which normally last a long time are on accounts payable time after time. Mayor Maxson commented that hopefully we won’t see as many of these purchases in the future.

Unfinished business: There was discussion on the amended property maintenance ordinance, including the amended property maintenance ordinance. These have been updated by our attorney and include a lot of information. Mayor Maxson asked Council to review these and bring comments, corrections and questions to the next meeting.

- Mayor Maxson asked Council to please think of possible new businesses. He shared a list of businesses he has contacted so far. Ideas provided this evening were Jimmy Johns, Mexican, Dickies Barbeque, Starbucks, and a pretzel business.

New Business:

- Brad Morris appealed to council for a Notice of Violation regarding basement water draining into the street from his property at 407 ½ Maryland Ave. He gave his account of the situation and possible solutions to correct the issue. Mr. Morris told Council he went through all the necessary channels in order for Basement Systems to install the sump system. He also does not feel specific areas in the codes included in the *Notice of Violation* (1705, 1109.04) are applicable to his situation. He added there is no structure to support the appeal requirements described in 1109.09. Mayor Maxson agreed this code is written poorly and needs corrected. Nathan Rohrbough explained the most permanent solution would be to dig and bury pipe underground, add a new catch basin in front of the Morris property and tie into the closest storm drain (quote attached). Mr. Kesling advised the

closest storm drain is 160 feet from Mr. Morris' drainage pipe. Mr. Rohrbough advised this solution would also catch alley water and be a mechanism for any new construction to tie into in the future. Mr. Morris doesn't feel he should have to pay the entire amount if this will benefit others. He did ask if paying for half the cost would be reasonable? He will have to check with his business partners on this. Council felt this should be discussed with Mr. Keith before a decision is made. Mayor Maxson advised he would get back to Mr. Morris with more information.

- Mr. and Mrs. Carl Hartzel at 211 Maryland Ave. were congratulated for the *2017 Christmas House*. They were unable to attend. Linda Blake will deliver their certificate and gift.
- Mr. Benincosa moved to cancel the Dec. 26th council meeting. Motion carried after a second by Karen Phillips.
- Mayor Maxson advised Council we need to consider having our ordinances professionally updated by a company who specialized in municipal law. This hasn't been done since 1994. *Walter Drain* has updated ordinances for Clarksburg and Bridgeport as well as many others. This will be costly and needs to go out for bid to interested companies. No action was taken, but council is aware the ordinances are lacking in many areas and need updated.

Committee Reports:

Police Dept: Lt. Pat McCarty reported Chief Godwin continues to recover. There have been a few vehicle break-ins reported. Otherwise, things are running smoothly.

Fire Dept: 1) Chief Haddix reported the Christmas Dinner was a success. Council thanked the dept. for a very nice evening. The Santa Run went well. Two truckloads of food were collected.

Public Works (PW): 1) Mr. Rohrbough reported there was a significant 6" water line break on the Pike yesterday. They were able to fix it under pressure, which avoided the shut down of businesses. T. Keith estimated 20,000 gallons of water were lost. 2) Preventive maintenance has been done on all vehicles and plows. 3) There was a preliminary meeting with Dominion for their line replacement project on Ohio and PA Avenues. The Mayor added this would mostly be under the sidewalk. The project will be sometime next year. 4) We will be getting the 2004 Ford Escape donated by the Sheriff's Dept. Code Enforcement and Public Works will use the vehicle.

Code Enforcement: 1) Mr. Kesling reported a letter went out to *Go Mart*. They were the only vacant business that met the criteria in the ordinance at this time. T. Thompson is now using a calendar with a red flag option to track when deadlines occur for *Notices of Violation*. 2) Natalie Haddix said she had researched the daily fee mentioned at the last meeting. It was in reference to nuisances not being corrected and a possible daily \$100.00 fee/fine.

Public Comment: Charlotte Link asked if an issue is tabled, does it just go away? Mayor Maxson responded an issue can be tabled indefinitely and asked if we had forgotten something? She said it was the incentive pay ordinance. He responded this was probably a dead issue right now, but could be brought up at a later date.

Meeting adjourned by acclamation at 7:32 pm.

Respectfully submitted,

Charlene Louk, Recorder

Sam Maxson, Mayor

