

**Council Meeting
Town of Nutter Fort
05/08/18**

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

Mayor Maxson called the meeting to order in council chambers at 6:31 pm.

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

Treasurer Julia Foley, Fire Chief Jeremy Haddix, Public Works Supervisor Taylor Keith and Code Enforcer Keith Kesling.

Absent: Police Chief Ron Godwin.

Guests: Brad Morris, Linda Griffith, Jim and Charlotte Link, Sandy Goodin, Dennis Dutchess, Shirley Sheets, Kathy Powell, Janet Conrad, Art and Libby Rohrbough, Bill Mullooly, Charlene Burrows, Barbara Palmer and Monica Godwin.

Minutes: Minutes of the 4/10/18 Council meeting and 4/17/18 Levy meeting (both attached) were both approved after a motion by William Benincosa and second by Brenda Riley.

Treasurer's Report: Mrs. Foley will report as *New Business* items are discussed.

- Accounts payable (attached) were approved after a motion by Natalie Haddix and second by Donald "Duck" Webster.

Unfinished Business: Mayor Maxson advised there's been no progress on the *safety crossing*. He plans to make some phone calls to check on this.

New Business:

- Mayor Maxson presented a certificate honoring WV Community Educational Outreach Services, to the Lady Bug CEOS. William Benincosa moved to accept the proclamation. Motion passed after a second by Karen Phillips. Barbara Palmer invited everyone to CEOS meetings at Vincent Memorial United Methodist Church the second Tuesday of every month at 10 am.
- Mayor Maxson presented a resolution adopting a five-year Multi-Jurisdictional Hazard Mitigation Plan. Mrs. Foley added that by adopting this, we are eligible for grant money. Recorder Louk moved to adopt the resolution. Motion passed after a second by Karen Phillips.
- Council discussed a new article for the Town's codified ordinances, creating a crime-free and rental housing registration program. Brad Morris voiced concerns with sections of the wording, primarily that there is no *burden of proof* in section 1767.04.1 (a), which could cause unfounded problems for landlords. It was suggested, to require a police report, not just accepting blanket complaints to add more control to the ordinance. Recorder Louk stated there are some grammatical corrections also. She moved to table the item until verbiage is changed and Johnnie Brown can review changes. Motion passed after a second by Karen Phillips.
- Mayor Maxson gave an overview of the meeting on 5/7 with Johnnie Brown related to implementing a municipal fee for paving. Mr. Brown said if we borrow money, it must be paid off by the end of the fiscal year, cannot obligate an incoming council, and cannot be paid with municipal fee funds. He gave ideas for using allowable, remaining 2017/18 funds in addition to

2018/19 appropriated funds, plus \$123,000 currently in Line 108 for paving. This would give us approximately \$218,300.00 for paving this year. Taylor estimates this will pave about two miles of streets. We have about 11 miles of streets and alleys in the town. Milling is required on most streets and nearly doubles the cost of paving. Concerns were shared that use of the fee funds would be used for repairs not directly related to street maintenance and paving. Mrs. Haddix suggested striking the words "but not limited to" to further clarify this. The sentence now reads: *The fee shall be for the purpose of street improvements and maintenance including, street resurfacing, street repairs and materials, directly related to street improvements and maintenance.* Natalie Haddix moved we accept the first reading of the ordinance with the editing. Motion passed after a second by "Duck" Webster.

- Mrs. Louk moved to accept the 1st reading on the 2% employee wage increase for FY2018/19. Motion carried after a second by Brenda Riley. Mrs. Haddix abstained due to conflict of interest.
- FY 2018/2019 Water Account Budget was approved after a motion by Natalie Haddix and second by Karen Phillips.
- FY 2018/2019 Sewer Account Budget was approved after a motion by Natalie Haddix and second by "Duck" Webster.
- Board Appointments (attached) to fill expiring terms were approved after a motion by Charlene Louk and second by Karen Phillips.
- License approval for RG's Almost Heaven Harley-Davidson at 100 Alexander Ave. (B&B Harley-Davidson) was approved after a motion by Karen Phillips and second by Brenda Riley. A new business *Joy Missions* is opening at 100 Burton Ave. They will be teaching music lessons. They haven't filed for a business license yet, but have applied for use and occupancy.

Committee Reports:

Police Dept: Written report attached. Overview:

- The Dept. has been using the Highway Safety Grant overtime. Citations have been issued.
- Occupants at the *problem* house on PA Ave. have been evicted. Now working on similar issue on Maryland Ave.
- Work continues on dead storage vehicles.
- The Chief talked with John at Jenkins Ford. He wants to keep our business and will sell vehicles we need at or below state bid. He will give Taylor the same deal on the truck he needs.
- 4 drug related arrests have been made from traffic stops.
- New Holsters and lights have been ordered. The holsters allow a light to be attached to the weapon at all times. Quotes and paperwork are nearly complete to purchase rifles to replace weapons being returned to the WVSP.
- They are getting very busy. There is much more activity at the park now with warmer weather.

Fire Dept: Chief Haddix reported they controlled a 20-30 acre brush fire on Hastings Run last week. Companies from Harrison and surrounding counties assisted, as well as individuals who brought in heavy equipment. This was the largest event NFFD has taken the lead on and it went very well. They are assisting with the *Sound the Alarm* smoke detector program. The Ultimate Giveaway was a success. They are working through a few issues related to the drawing.

Maintenance Dept : Taylor Keith reported they have used 25 tons of blacktop for patching and are repairing drop inlets. He and Abe are in the updated Water Distribution class. Public Works

will then have 4 licensed and certified water operators. Last week Thrasher completed all inspections for the sewer project. They will now start drawing up a design.

Code Enforcement: Everything is going smoothly. Go Mart is supposedly working on a tenant. Papa John's move has been delayed due to a foundation problem at their new location.

Public Comment: Brad Morris spoke in disagreement to a citation he received. He plans to take care of the violation, but disputes the wording "public nuisance", when the issue is between two neighbors. He feels this could have been handled with a phone call rather than a seriously worded citation. He was told this is used as a tool to get things done. Mayor Maxson and Mr. Kesling met previously with Mr. Morris on this issue. Mr. Morris acknowledged that the meeting was positive. He also asked if there is now an application, which is requested as part of our appeals process? This came up previously when he wished to file an appeal.

- Monica Godwin asked about the newsletter item where trash collection is being moved from the alleys to the front streets. This is only a proposal to preserve the alleys due to the weight of the refuse truck. Residents voiced concerns of placing their trash cans in the front due to physical difficulties and hilly terrain in their front yards.
- Art Rohrbough and Mr. Mullooly voiced concerns over the location of the construction dumpster across the street from their property at a home being remodeled. Mr. Morris is the owner and will see it is moved. He apologized for the inconvenience.
- Janet Conrad showed the group a sign the Girl Scouts made for Mothers Day, to be displayed at the island. There are four spots available at the Community Garden if anyone is interested. Mulch is down. She asked who will be mowing the grass and when the fence will be put up? They want to plant corn and beans once the fence is up. Mrs. Haddix and the Mayor advised Mr. Keith would be able to answer her questions, when he returns to the meeting.

Meeting adjourned by acclamation at 8:10 pm.

Respectfully submitted,

Charlene Louk, Recorder

Sam Maxson, Mayor