

SWEETSER TOWN COUNCIL

Meeting Minutes

April 26, 2018

I. Call to Order/Roll Call of Council Members Present/Pledge of Allegiance/Prayer

The regular meeting of the Sweetser Town Council was called to order at 7:00 pm on April 26, 2018 at the Sweetser Town Hall by Council President Rich Gamble.

Roll Call:

Dave Fox-Absent

Matt Stewart-Aye

Chuck Briede – Aye

Rich Gamble – Aye

Steve Kelley-Absent

The Pledge of Allegiance was led by Rich Gamble. Prayer was given by Matt Stewart.

II. Review and Approval of Minutes / Review and Approval of Bill

Chuck Briede made a motion to approve the minutes of the April 26, 2018 meeting and Matt Stewart seconded the motion.

Roll Call:

Dave Fox-Absent

Matt Stewart-Aye

Chuck Briede-Aye

Rich Gamble-Aye

Steve Kelley-Absent

Matt Stewart made a motion to accept the bills as written and Chuck Briede seconded the motion.

Dave Fox-Absent

Matt Stewart-Aye

Chuck Briede-Aye

Rich Gamble-Aye

Steve Kelley-Absent

III. Public Forum –

- Misty Thorne, 515 Allen Drive – Misty drives a bus for the Oak Hill School system. She has been keeping the bus in an unpaved area on her property for approximately six years. She typically starts the bus about 15 minutes prior to embarking on her route. An owner of an adjacent property (“complainant”) has complained to the town regarding the fumes from the bus engine and the strobe light on top of bus while the bus is warming up. The complainant inquired if the bus being on the property violated any town ordinance. In response, Rich Gamble said that no Town Ordinance addresses this specific situation. He also said that it was the Town’s opinion that the Public Nuisance Ordinance (Ordinance 2014-2) did not appear to apply to this situation. Rich stated that at this time it is the Town’s position that the Town does not want to

mediate a dispute between or among neighbors and if the neighbors are alright with the bus remaining then the Town is okay with it as well.

- Brenda White, 122 North Main – Brenda asked for a reading of Ordinance 2014-2. Rich read the ordinance. Brenda stated that the Ordinance seems rather broad.
- Ted Abdon stated that he had no issue with the bus on the property. He is bothered by the mud that the bus tracks from the property onto the street. Ted suggested that the Town consider an ordinance that any permanent vehicle must be on an improved driveway (gravel, asphalt, concrete).
- Wendy Stamps, 630 Allen Drive – Wendy said she had a “run-in” with Town Marshall Bill Freet. There is a vehicle without a license plate on her property. Wendy said that Bill said there had been a complaint about the vehicle from someone. Bill proceeded to tag the vehicle and gave a deadline for the vehicle to be plated or removed. If the deadline passed, then Bill would have the vehicle towed away and impounded. Wendy questions the legality of Bill’s actions and feels she is being “targeted” for some reason. She stated that there are other examples in town of vehicles without plates and said if there is an issue then the town needs to be consistent in its approach to that issue. She again reiterated that she did not think Bill’s action was legal and stated that “he is not allowed on my property”.
- Town attorney Kim Rogers referenced Ordinance 2009-1 concerning abandoned vehicles. Kim said that the ordinance does not specify a private property exclusion and therefore perhaps an amendment to the ordinance should be considered to clarify its applicability. Until then, the Town will research to see if it can enter private property to issue a citation.

IV. Department Reports

- Town Marshall – no report
- Town Maintenance
 - E & B paving should begin paving first week of May.
 - Ignite Fuel’s private line is disrupting our flow at the lift station. Manholes are the issue. Required repairs will involve a contractor digging up the line. Dave’s excavating may have installed the original line; if so, they should have plans. Devin asked if the Town would be willing to share in the cost of repairs. Town’s response is that the private owner should be responsible for the costs. A letter stating the same from the Town to Ignite Fuel will probably be necessary.
 - Devin asked if Dennis Cole could be hired as part-time help to assist with mowing. Kim Rogers stated that the town should observe the non-nepotism policy. Rich agreed and said no for now. However, if we are unable to find another person the Town may reconsider. In that event the Town may engage Dennis as a contractor rather than an employee.
 - Devin verbally asked the Council’s permission to seek a second job. He said he would submit a written request as stipulated in the Town employee handbook. Rich stated the Council will consider the written request when received
 - Devin has proposed the Town consider adding a second stormwater line going west from Winger Estates to help alleviate the standing water in the streets.
 - Fleis & Vandenbrink (“F & V”) submitted a proposal for design services for a project that would be funded by a 75/25 Community Crossing Matching Grant. The scope of the services is for resurfacing and drainage design along parts of Main Street south to

the pond at Winger Estates and two hundred feet east on Eagle Drive. Estimated cost of the design proposal is \$10,860. Grant application would need to be submitted as soon as possible; in any case no later than June 1. Kim Rogers read the proposal and recommended some changes to some of the wording in the Professional Services Agreement proposal submitted by F & V.

Matt Stewart made a motion to provisionally accept the proposed Professional Services Agreement from Fleis & Vandenbrink for the 2018 Resurfacing and Drainage Design project for the Town of Sweetser, subject to the amendments proposed by Kim Rogers on behalf of the Town being accepted by Fleis & Vandenbrink and subsequently incorporated into the Professional Services Agreement. Chuck Briede seconded the motion.

Dave Fox-Absent
Matt Stewart-Aye
Chuck Briede-Aye
Rich Gamble-Aye
Steve Kelley-Absent

V. Response to TRIAD'S proposal for the Wastewater Treatment Plant

- TRIAD proposed to bury some of the lines and wrap those not buried and to correct and complete the "as-built" documents at their expense.
- TRIAD declined to take any action on the scum beach, roof issue, or lighting issues
- Rich said he will call Jim Sopher on April 28 to ask him to commence the work at their earliest opportunity.

VI. Continuing Business

- Chuck discussed the negative cash balance of the General Fund and pointed out that some of the other funds are in-effect 'propping-up' the General Fund. That being the case, we will have to satisfy some upcoming General Fund obligations from other funds.
- While acknowledging that greatest part of Town expenditures are necessary, Rich suggested the Council consider a spending freeze and/or stipulating a fixed amount that would require written pre-authorization from the council before anyone representing the Town commits the Town to an expenditure that equals or exceeds a pre-determined threshold.
- A budget allocation matter was discussed. It was asserted that approximately 70% of the mowing is for the Parks related areas. If that is the case, then should part of the mowing salaries, repairs, etc., be appropriated from the Parks Budget? Further discussion tabled pending additional information.
- Devin and Ted recommended the Council consider renting a vibrating roller so they could roll some of areas adjacent to the Switch Trail. Ted said that some of the areas are so rough that they have to slow to approximately 1 ½ mph in those areas compared to around 10 mph in other areas. Ted said estimated cost to perform the rolling would be \$900 but that in his opinion the Town would recover those costs in approx. 3 months due to a reduction in the amount of time it takes to mow the areas in question.

VII. New Business

- Ken Geller, resident at north end of Allen Drive, has inquired as to when the stormwater issue in that area will be addressed. Devin responded that we were waiting on the ground to settle.
- Commercial vehicles parked on residential property – tabled.
- Cell phones – tabled.
- Matt discussed a travelling museum exhibit for the Pumpkin Walk. Chuck said the total budget for the event is about \$1,000; so we will have to see if we can afford it.
- It was reported that the Subway property is not assigned to the TIF district. Town will investigate

VIII. Next Meeting

- Next Council Meeting is May 10, 2018, 7:00 pm.
- Next SERC meeting is May 10, 2018
- Next SSWB meeting is May 24

Meeting Adjourned at 8:47 pm.

Meeting Minutes taken by:
John Potter / Clerk Treasurer
