

ROME CITY TOWN COUNCIL
Regular Meeting
July 9, 2018

The Rome City Town Council held their regular meeting on Monday, July 9, 2018 at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by President Ben Castle. Town Manager Leigh Pranger kept the minutes in absence of Clerk-Treasurer Conley.

Members Present: Gary Furlow Nick Heffner
Ben Castle

Rollcall determined a quorum was present.

Pledge of Allegiance

Member Heffner made a motion to waive the reading of the minutes and approve as submitted. Second by Member Furlow. All in favor-aye. Motion Carried.

Interested parties in attendance: Town Attorney-Bill Eberhard, Conrad White, Wastewater Superintendent, Emeline Rodenas-News-Sun Reporter, Joe Costello, George and Martha DeWald, Ken and Sarah Ehinger, Bonnie McDowell, Terry Williams and Kim Angell, Pete Skinner, Chandra and David Wilson, Kate Nelson, Tracey Kenny, Pam Baker, Austin Miller-Tire Star, Jerry Raber-Raber's Discount Groceries, Max Roesler, Richard and Donna Rahal, Carl Grove, David, Suzette, Nick White, and Michael Edwards.

OLD BUSINESS

David White-452 Spring Beach Loop-seawall ownership between Williams/Angell-448 Spring Beach Road

President Castle moved David White to the beginning of the agenda due to the number of residents present on the issue. In summary, there was a great amount of discussion about the ownership or lack of ownership regarding the seawall along the waters edge of the properties located in the Plat of Sylvan Point. The Town Attorney, Bill Eberhard stated, he cannot give a legal opinion on who owns to the lake. He advised the White's and the Williams/Angell's to file a civil suit for a determination on who owns to the lake. President Castle stated, this is a bad situation and this is the first time this has be brought to town council. He added they will rely on Attorney Eberhard's guidance in this situation. Attorney Eberhard stated the plat does not agree with the survey, with this and other inconsistencies he cannot give an opinion and advised only a Judge's ruling will be enforceable. (Kim Angell submitted into the record a survey, deeds, the Sylvan Point Plat and a letter from Scott Zeigler)

611 Jackson Street, Lora Gage-90 days are up-Attorney Eberhard distributed copies of the lawsuit he prepared and are ready to be filed with the Court. He asked the council to review the document and then to advise Town Manager on Tuesday by email with their approval.

1450 North Shore Dr., Jon Schuster-Wood pile on north side of road. Marshal Sheffield informed the board the property in question was annexed into the town and we can now enforce our ordinances. FYI: This property has received numerous complaints over the years about the amount of wood being stored for only personal use. Attorney Eberhard stated he will send out a

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letter stating the number of days Mr. Schuster must bring the property into compliance. If the property is not brought into compliance by the deadline, a daily fine will be assessed until the property meets code.

Park Drive-Ordinance for No Parking. Attorney Eberhard asked the Council to table this as he did not have the ordinance with him. Member Heffner made a motion to table the ordinance until the August 13th meeting for no parking on Park Drive. Second by Member Furlow. All in favor-aye. Motion Carried.

Ordinance 2018-01-Sewer Rate. Attorney Eberhard advised this is the first reading of the ordinance, and the council will need to accept and set the ordinance for a public hearing. President Castle read Ordinance 2018-01 Sewer Rate increase for 2019. He asked for any discussion, there being none, he asked for a motion. Member Heffner made a motion to accept the first reading of Ordinance 2018-01 and set it for public hearing on Monday, August 13, 2018 at 6:30 p.m. in the Council chambers. Second by Member Furlow. All in favor-aye. Motion Carried. Attorney Eberhard advised he will notify the Newspaper about the hearing.

Road's to do: TM Pranger informed the board she has the documents ready to be sent out to the contractors on Lakeside Drive and Lakeside Circle, she has been trying to find out whether this can be sent out for quotes or bids for the August 13th meeting. Attorney Eberhard stated he will check and contact her on Tuesday, July 10th with the information. TM Pranger stated she just needs to update the road assessment and the numbers on the Lions Drive and all cross streets to Lions Drive for the Community Crossing Project.

Cost of New Aerators for the Wastewater Plant: TM Pranger passed out the quote from Covalen, Jason Bradley, regarding two units which came to \$36,300. Superintendent White stated the \$2000 for the electrical cabinet can be removed as our existing cabinets will be compatible. He noted the \$1000 for help with the installation is necessary for Mr. Bradley's expertise in getting the units up and running. Member Furlow stated we have been fully briefed on these units and feel they will be a good investment for the town. Mr. White informed the board the units run at a much lower HP than our current aerators so this will also save on electricity. Member Furlow made a motion to approve the two Covalen units and the installation in the amount of \$37,300. Second by Member Heffner. All in favor-aye. Motion Carried.

NEW BUSINESS

Budget Meeting to review prior to August 10th budget hearing. TM Pranger informed the board to email her with possible dates on Tuesday, July 10th. TM Pranger reminded the department heads to get their lists and projects together for this meeting.

New addresses: TM Pranger informed the board the addresses come from the Plan Commission with a positive recommendation. Addresses: 9273 N 150 E, Rome City, 1185 Eastgate drive, Kendallville, 103 Sylvan Ave, Rome City, 296 Grant St, Rome City. Member Heffner made a motion to approve the stated addresses. Second by member Furlow. All in favor-aye. Motion Carried.

Rezoning for Austin Miller-Tire Star: TM Pranger informed the council about the rezoning of the southwest corner lot, on Dutch Street and State Road 9, from Agriculture to General Business for the installation of a business sign for Tire Star. TM Pranger informed the council this rezoning comes to them with a positive recommendation by the Plan Commission. Member Furlow asked a question regarding sight distance for the vehicles on Dutch Street pulling onto St. Rd. 9. Mr. Miller stated the sign will be set behind the ROW for State Highway and if everyone knows where the concrete apple is located it will be behind that marker. There being no other concerns, Member Furlow made a motion to approve the Rezoning from AG to GB. Second by Member Heffner. All in favor-aye. Motion Carried.

550 Spring Beach Rd. Joe Poffenberger claim for reimbursement. Superintendent White explained to the board Mr. Poffenberger had a backup in his house and contacted Roto-rooter instead of calling the Emergency number and incurred cost when the problem was an issue with the town's grinder station. The board discussed ways to get the word out to citizens to contact the Emergency number first when they have a sewer problem. TM Pranger stated the number is on the inside cover of the sewer payment booklet and we have applied bright pink stickers to every station. The board suggested the number be added to the exterior of the booklet along with adding it to each payment page and to purchase larger stickers for the stations. TM Pranger stated she will have the Deputy Clerk Pam Kline work on this. Member Heffner made a motion to reimburse Mr. Poffenberger for the Roto-rooter bill \$270.20. Second by Member Furlow. All in favor-aye. Motion Carried

Chautauqua Parade Entry: President Castle stated I think it would be good for the town to have representation in the parade. Superintendent White stated he will be glad to drive one of the trucks in the parade. He added anyone who wants to ride is welcome to join him. President Castle advised there is a new state law prohibiting candy from being thrown from vehicles. It can only be passed out by persons walking along the edges of the street.

MISCELLANEOUS BUSINESS

Town Manager Pranger reviewed the highlights and submitted her written report to the board.

Superintendent White reviewed the highlights and submitted his written report to the board.

Marshal Sheffield introduced Mike Edwards stated Mr. Edwards is here tonight to discuss the Golf Course and its need to be mowed. Mr. Edwards addressed the board stating he has been working to find a contractor willing to do the mowing. He stated the grass is now too high and the contractors will not tackle the job until it has been baled. Mr. Edwards stated he is now working on contacting local farmers: Mike Mast, Bidwell's, and Lawrence Emerson. However, he has not heard back from them. Mr. Edwards asked the board for an extension on the mowing until August 13th. President Castle informed the board he is recusing himself from the discussion due to a familial relationship. Member Furlow asked Mr. Edwards if the mowing will be completed by August 13th. Mr. Edwards responded if it is not done the town can then apply a fine to Mr. Peterman. Member Furlow stated he is concerned about the height of the grass and the animals and insects that come with it and would like a better answer. He noted we don't allow anyone else to leave their grass unmown. Member Heffner asked if Mr. Edwards can report to TM Pranger by or before July 16th, the result of your conversations with the farmers?

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Mr. Edwards stated, yes, he will. Member Heffner stated this way we will know whether it will be mown or not without waiting a month.

Deputy Hoffman read the monthly report and submitted it the board. He noted the boat patrol and three conservation officers were on the lake July 7th to keep everyone safe.

Member Furlow thanked the Sylvan Lake Association for the fantastic fireworks, and the Chamber for working to get the port-a-johns placed around town for the July 7th event.

President Castle stated we need to pay our bills. Town Funds \$90,021.48 and Sewer Operating \$33,346.85 Member Heffner Made a motion to approve paying the bills in the amount \$90,021.45 Town Funds and \$33,346.85 Sewer Operating. Second by Member Furlow. All in favor-aye. Motion Carried.

Next Town Council meeting scheduled: Monday, August 13, 2018 at 6:30 p.m. in the Rome City Town Hall.

There being no further business Member Furlow made a motion to adjourn the meeting at 8:25p.m. Second by Member Heffner. All in favor-aye. Motion Carried.


Ben Castle, President

Attest: 
Leigh A. Pranger, Acting Secretary