

JANUARY 26, 1999

CITY OF HEBRON ESTATES REGULAR MEETING

PRESENT: COMM. FRALEY, HANSEN, MURPHY, RUSSELL, MAYOR RICKETTS, ATTORNEY EDISON, P&Z REPRESENTATIVE JERRY BURKE, CLERK FERGUSON, MR. BARR PIONEER NEWS AND 14 VISITORS.

MINUTES: COMM. HANSEN MOVED TO ACCEPT THE MINUTES AS PRESENTED; SECONDED BY COMM. FRALEY; PASSED 4/0.

BUDGET: COMM. FRALEY MOVED TO PAY THE BILLS; SECONDED BY COMM. MURPHY; PASSED 4/0.

OLD BUSINESS: WEIGHT LIMIT SIGNS FOR TRUCKS ARE IN AND THE MAYOR WILL HAVE INSTALLED BY 3/1/99.

ORDINANCE 98-10 WILL HAVE THE SECOND READING IN FEB. TO GIVE THE COMMISSIONERS ONE MORE MONTH TO READ SINCE THEY HAD NOT STUDIED IT.

TEXT AMENDMENT 98T-01 WAS DISCUSSED. ATTORNEY EDISON ADVISED THAT BY STATUE THE PLANNING AND ZONING COMMISSION HAD TO START OVER WITH ANOTHER PUBLIC HEARING. JERRY BURKE, CITY OF HEBRON ESTATES PLANNING AND ZONING REPRESENTATIVE ADVISED THAT THE P&Z ATTORNEY JENNIFER PORTER AND THE COUNTY ATTORNEY WALT SHOLAR HAD APPROVED THE ORDINANCE AS IT WAS DISTRIBUTED TO BE LEGAL. A DISCUSSION FOLLOWED ABOUT THE CHANGES EXPECIALLY THE ONE GIVING THE CITIES INPUT ON THE ORD. FUTURE CHANGES. COMM. HANSEN MOVED TO REMOVE FROM TABLE ORD. 98T-01; SECONDED BY COMM. RUSSEL PASSED 4/0. COMM. HANSEN MOVED THAT WE ACCEPT 98T-01 AS CHANGED; SECONDED BY COMM. RUSSELL; PASSED 4/0.

SECOND READING OF ORDINANCE 98T-01 WAS CONDUCTED BY ATTORNEY EDISON. A MOTION WAS MADE BY COMM. FRALEY TO ADOPT ORDINANCE 98T-01 WITH THE ADVERTISING TO BE DONE BY THE COUNTY; SECONDED BY COMM. RUSSELL; PASSED 4/0.

JERRY BURKE P&Z REPRESENTATIVE ANNOUNCED THAT THE DRAINAGE PROBLEM BEHIND THE CARWASH WAS 90% SOLVED.

THERE WERE CONCERNS THAT COTTON INSURANCE CO. HAD MOVED IN THE ORVILLE CARPENTER BUILDING AND ERECTED NEW SIGNS WITHOUT PERMITS. PLANNING AND ZONING REP HAD INFORMED THEM ALREADY. ATTORNEY EDISON ADVISED TO SEND LETTER OF VIOLATION AND A COPY OF THE ORDINANCE TO THEM AND GIVE THEM 10 DAYS TO COMPLY AND OBTAIN THE PERMIT.

COMMISSIONERS QUESTIONED ATTORNEY EDISON ABOUT THE PREVIOUS DELINQUENT TAXES PRIOR TO 1993. ATTORNEY EDISON INFORMED THE COMMISSIONERS THAT THERE IS A REVAMPING OF JUDGES SINCE THE ELECTION. A NEW SCHEDULE IS EXPECTED OUT FEB. 1 AND HE WILL KNOW THEN WHO WILL HEAR THE CASE. A MOTION WAS MADE BY COMM. HANSEN TO ADVERTISE THE 1998 DELINQUENT TAXES AFTER FEB.1 AND BEGIN LIEN PROCESS; SECONDED BY COMM. RUSSELL; PASSED 4/0.

THE DRAINAGE AT BERNARDS PROPERTY AND LOT 2 REMAINS A CONCERN. COMM. HANSEN WILL MEET WITH BOTH PROPERTY OWNERS. BURKE SUGGESTED THAT MR. SMITH, DEVELOPER MIGHT HELP.

NEW BUSINESS: A MOTION WAS MADE BY COMM. FRALEY TO CONFIRM THE APPOINTMENT OF ROBERT MCGINTY ON THE ETHICS COMMISSION; SECONDED BY COMM. MURPHY; PASSED 4/0. HIS TERM WILL EXPIRE IN 2002.

COMM. FRALEY LED A DISCUSSION ON THE TAKE OVER OF ROADS IN THE CITY. SHE FEELS ALL LOTS ARE SOLD IN WILLOW WAY AND RESIDENTIAL DEVELOPED AND THE CITY CURRENTLY PAYS FOR CITY LIGHTS SO WE SHOULD TAKE THE STREET OVER. MR. BURKE INFORMED THAT IF THE STREET WAS CONSTRUCTED TO COUNTY SPECIFICATION THEY HAVE TO TAKE THE STREET OVER.

ATTORNEY INFORMED THE CITY THAT THE COUNTY CLAIMS THEY CANNOT SPEND RURAL MONIES ON CITY ROADS BUT THEY COULD SPEND COUNTY MONIES. MR. BLEEMEL, OUR NEW MAGISTRATE INSISTED THEY COULD NOT MAINTAIN ANY STREETS IN OUR CITY. HE REFERRED US TO A LETTER OF APRIL 28, 1998 WHEN BURKLAND WAS NOT LISTED AS A COUNTY ROAD. HE COULD NOT REMEMBER IF EAST HEBRON LANE WAS COUNTY ROAD OR NOT. CLERK FERGUSON HAS BEEN INSTRUCTED NOT TO SPEND ROAD AID MONEY ON COUNTY ROADS. THE DISCUSSION BECAME VERY HOT AS RESIDENTS WERE IN ATTENDANCE TO REQUEST IMMEDIATE ATTENTION BE GIVEN TO BURKLAND BLVD. A MOTION WAS MADE BY COMM. HANSEN TO HAVE THE POT HOLES ON BURKLAND

FILLED; SECONDED BY COMM. MURPHY. IT WAS GENERAL AGREEMENT IN DISCUSSION THAT THE MAYOR GIVE IT IMMEDIATE ATTENTION AND IF RAYMOND STREBLE WITH THE COUNTY ROAD MAINTENANCE WON' T DO IT THAT THE STREET BE REPAIRED FROM GENERAL FUNDS AND BE BILLED TO COUNTY FOR REIMBURSEMENT. MOTION PASSED 4/0. MR. BLEEMEL AGREED TO HELP WITH THIS EMERGENCY ALSO.

ATTORNEY EDISON WAS INSTRUCTED BY THE MAYOR AND COMMISSIONER TO INVESTIGATE WHO IS LEGALLY RESPONSIBLE FOR BURKLAND BLVD, OLD SCENIC TRAIL AND EAST HEBRON LANE. IF THEY ARE CITY ROADS WE WILL HAVE TO MAINTAIN, IF COUNTY THEY WILL BE BILLED AND FORCED TO MAINTAIN. ANY LEGAL ACTION NECESSARY MAYBE TAKEN. ATTORNEY INFORMED US THAT MUNICIPAL ROAD AID MONIES ARE BASED ON POPULATION NOT NUMBER OF ROADS WE HAVE TO MAINTAIN. THE APPROX. \$12,000 WE RECEIVE EACH YEAR WILL NOT MAINTAIN ALL OF OUR ROADS ACCORDING TO THE CITY CLERK.

THERE WAS A SOME DISCUSSION ABOUT THE TURNING LANE AT EAST HEBRON LANE.

A LIST OF COMMITTEES WAS DISTRIBUTED BY CITY CLERK AND MAYOR IN AN ATTEMPT TO RE-ORGANIZE AND TRY TO SOLVE SITUATIONS MORE QUICKLY.

CLERK FERGUSON DISTRIBUTED FINDINGS ABOUT A SENIOR CITIZEN BUILDING GRANT TO BE SUBMITTED BY KIPDA. SHE WILL TRY TO HAVE MR. ROBERTS AT OUR NEXT MEETING TO DISCUSS THE PROPOSED GRANT. COMM. RUSSELL WAS TO HAVE A DRAWING AVAILABE FOR US TO REVIEW.

A MOTION WAS MADE BY COMM. FRALEY TO ADJOURN AND SECONDED BY COMM. RUSSELL. PASSED 4/0. NEXT MEETING WILL BE FEB. 23, 1999.

Herschel Ruskitty Jr.