

Agenda

Williamstown City Council

09/14/16

5:30 PM

City Council Chambers

Type of meeting: Emergency Meeting

Attendees: Mayor and City Council Members, City Attorney, and City Clerk

Agenda topics

1. Call Meeting to Order
2. Call Roll
3. Discuss Personnel Matters

****Please state your name and address when addressing City Council**

WILLIAMSTOWN CITY COUNCIL
SPECIAL MEETING
SEPTEMBER 14, 2016

The Williamstown City Council met in special session on Wednesday, September 14, 2016 at 5:30pm. Those in attendance were Councilpersons Marty Seufer, Jim Stage, Barbara Lewis and Ron Erb, City Attorney Blaine Myers, Building Commissioner David VanHorn, and City Clerk/Treasurer Susan Knopp. Mayor Jean Ford was absent.

Councilman Marty Seufer called the meeting to order. Councilman Seufer stated the special meeting was called by himself and Councilman Erb in accordance with City Code 121.01, and was called to discuss personnel matters.

Councilman Seufer stated there has been a formal complaint filed by the State Fire Marshal concerning Code Enforcement Officer David VanHorn. There is a hearing scheduled for October 13th with the State Fire Marshal. Councilman Seufer said Mr. VanHorn was told not to do anything until Council could meet and discuss the matter.

Mr. VanHorn said he hadn't done any work except storm water issues.

Mr. Seufer asked if VanHorn had made a phone call to Gloria Brown about the property at 610 W. 4th Street. Seufer added she isn't even the property owner.

VanHorn said she had come into the office and tried to ask a couple questions and he told her she needed to go to the Planning Commission.

Councilman Seufer told Mr. VanHorn he called Ms. Brown at her job as a surgical nurse.

Mr. VanHorn said he called Ms. Brown about a trash dump on the property.

Councilman Seufer said he was disappointed that Mr. VanHorn was told not to do something and, in his opinion, he did it. Seufer said he doesn't think VanHorn has the authority to do these things since the City has not adopted the Building Code. Councilman Seufer said he didn't want VanHorn doing any more compliance issues.

Mr. VanHorn said he was just trying to protect the homeowners.

Councilman Seufer said he can't do it. There is nothing to back us up.

Mr. VanHorn said he understands not to do anything with compliance.

Councilman Seufer said he didn't have a problem with VanHorn enforcing the Zoning issues. Seufer suggested VanHorn talk with the building official at the County and do what he does.

Councilman Seufer said building permits are under the floodplain ordinance. He said if VanHorn had any floodplain issues, to bring those to Council.

Atty. Myers said the City should adopt the State Building Code or repeal Article 1721 so there is no confusion.

Atty. Myers said he looked at the letter from the State Fire Marshal and he isn't sure they have jurisdiction in this matter. He said there is due process information they have not provided. Councilwoman Lewis said the State Fire Marshal Inspector is the one that filed the complaint. Lewis said VanHorn signed the Certificate of Occupancy for the Dollar General and he didn't have the authority to sign it.

Atty. Myers said the State Fire Marshal shall send the written complaint by certified mail, which they have not done. Also, their jurisdiction is over certified inspectors, which does not apply. Atty. Myers said maybe they are just trying to handle this informally.

Councilman Seufer asked VanHorn to please not do anything with compliance, inspections, etc.

Atty. Myers said it wasn't VanHorn's fault that he had all these different hats to wear.

Councilman Seufer said the City would work with VanHorn and asked him to get a price on getting his certification.

Mr. VanHorn said the certification test is very difficult.

Councilman Erb said he had a question about VanHorn's enforcement of storm water issues. He said one of the main things VanHorn was to accomplish was education of the public. He said very little of this had been done. He said VanHorn fined someone for dumping concrete in the storm sewer. Erb said education was needed before doing complaints.

Councilwoman Lewis said we need to write up something telling the reasons why you can't do things, such as grass clippings in the street.

Councilman Seufer said if VanHorn ever wanted to attend a PR class, the City would be glad to send him.

Councilman Seufer asked if the fine was on a form that stated they had a right to appeal it.

Mr. VanHorn said he sent the contractor a letter and the guy came in and paid the fine.

The meeting was adjourned at 6:13pm.

The image shows two handwritten signatures in blue ink. The top signature is "Susan Knapp" and the bottom signature is "Sean Ford".

