

By Jan Schultz

The Imperial Republican

An old wrecker and pickup at the corner of East 12th and Wellington Sts., may be allowed to remain at the site, if a change in the city's nuisance ordinance is approved at the next council meeting. Owners of Smokin' Leroy's BBQ discussed the situation at Monday's city council meeting.

Owners Leroy and Lavonne Musick had originally placed the old vehicles there to restrict vehicle traffic from cutting across the parking lot at a curb cut, and in an effort to draw attention to their new business.

Building Inspector Nick Schultz had met with the owners several months ago, indicating the vehicles there, both of which are unlicensed and one inoperable, conflicted with the city's nuisance ordinance, and also violated the city's right-of-way at that corner.

The business owners also attached a business sign to the vehicles advertising the restaurant.

Due to its conflict with the other city ordinances (nuisance and right-of-way), as well as not being a type of sign allowed in the sign regulations, Schultz did not issue them a sign permit.

The Musicks then sought a hearing from the variance board, which voted 5-0 on Aug. 4 to allow the two-vehicle sign system. Their vote was contingent on the council's opinion on the other ordinance violations.

At Monday's meeting, the council directed City Attorney Phil Pierce to draw up a new ordinance that would add such business signage to the exceptions allowed in the nuisance ordinance.

If approved, the nuisance ordinance would then allow for such business signage that advertises the business on that premises even though it incorporates an item considered a nuisance.

Pierce expressed some concern earlier in the meeting that allowing the unlicensed vehicles as "signs" may "open the door" to others hanging a sign on a nuisance item, saying it was advertising. Building Inspector Schultz has similar concerns.

Pierce also noted that state statute does not allow unlicensed vehicles on any public right-of-way.

Council member Doug Gaswick said he felt the sign was an important part of the business and felt it should be allowed.

It was also noted there had been no objections to the sign from the business' neighbors.

The change to the ordinance will be considered at the next council meeting.

Concerning the right-of-way violation, several council members noted there were other violations in town, as well, and didn't appear to be concerned with that.

Linda Pirog, speaking for the owners, said it wasn't their intent to cause problems and said they told the variance board they would move the vehicles off the right-of-way if needed.

Other council business

- Approval was given to staff at the senior services facilities to proceed with repair of roofs, damaged from hail, at the Heights/Parkview complex, garages, gazebo and shelter on the site. They approved the bid from Spangler Roofing for \$129,755.80, which specified they will use

locally-purchased materials. The other bid was from Weathercraft for \$129,750, which did not guarantee local materials would be used. All of the gutters at the Manor and some at the Parkview/Heights complex will also be replaced by Brophy's Seamless Gutters, which had the low bid of \$6 per linear foot. R&W Roofing and Seamless Gutters bid it at \$6.31 per linear foot. The Manor roof will also have to be replaced, but input from an engineer was not completed. The council tabled action on replacing four damaged condenser coils on the Manor's rooftop.

- If a grant is received for an additional owner occupied rehab (OOR) program in Imperial, the city will hire Southwest Community Betterment Corp., of Grant to provide its housing management services. Community Development Coordinator Leslie Carlholm said she could provide the general administration services herself, but council members felt her time might be better utilized on other economic development projects. The city has applied for grant funding for another OOR program that would include homes in the entire city of Imperial for those who are income-eligible. A couple of years ago, the city received a grant for a targeted OOR program that provided energy efficient improvements to six homes in a specific area in the southern section of Imperial.

- The council took no action on a request to use sales tax money to fund a child identification program sponsored by the Imperial Rotary Club. The program takes DNA samples and other ID from the youth, which is then kept by the parents in the event of a missing child. The kits cost \$4 per child. Council members agreed it is a good program, but felt organizations, the school district or the parents should provide the money for the kits. Police Chief Larry Browning said he has sources for such kits at a cheaper cost.