

RECORD OF PROCEEDINGS

Minutes of

PEMBERVILLE VILLAGE COUNCIL

Meeting

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Held

December 19, 2000

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Mayor Oberhouse called the regular meeting of Council to order on Tuesday, December 19<sup>th</sup>, 2000 at 7:00 pm. and led those present in the Lord's Prayer and the Pledge of Allegiance to the Flag.

Present for roll call were Panning, Mazur, Foulke, and Sharp. Vandersall and Wegman were absent. Also attending the meeting were Police Chief, Dan O'Connor; Solicitor, Michael Marsh; BPA members, Homer Johnson and Kenneth Henline; Polly Weitzel from the Sentinel Tribune; Attorneys, Nigel Davies and Doug Ruck; and Raymond and Pat Keller.

The minutes from December 5<sup>th</sup>, 2000 were reviewed and as there were no additions or corrections, the minutes stand approved as submitted.

Bills in the amount of \$136,619.89 were presented for approval of payment. Sharp moved, seconded by Panning, to approve payment of the bills. The motion carried unanimously.

BPA-Johnson reported that they are trying to get started on repairing the damage to the North Water Plant caused by the chlorine accident. The cost will be approximately \$10,000.00 and is not covered by our insurance.

Chief O'Connor informed Council that on Sunday, the river came up a little bit and the water blew the lid off the new manhole and shot two feet in the air for six hours. He put the lid back on after the water quit running. Johnson said Brian Heestand should take a look at it.

**COMMITTEE REPORTS:**

**FOULKE:** The Utility Committee is going to work on the water study and prioritize the project with input from Water Superintendent, Mike Fritz.

**MAZUR:** The Fire Department will give a report to Council after the first of the year.

The transmission is getting fixed on the small dump truck and Modine Manufacturing is going to work on the radiator on the large dump truck.

**MAYOR:** Asked if there were any recommendations or suggestions concerning the Keller property. Two proposals were offered to them:

- A. Revise the existing agreement such that the Village would be granted an easement only on the Exclusion Zone (300-foot radius) surrounding each well (#5, #7, #8 and #9). Development could occur on any other area of the property.
- B. Vacate the current blanket easement and remove well #5, providing:
  - 1. Kellers would allow the Village to purchase approximately 8.5 acres at the south end of the property including a 60' strip abutting the north side of the residential lot (616 Bierley Avenue)

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Held

(Continued) December 19, 2000

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adjacent to the water plant so that the Exclusion Zones for wells #7, #8 and #9 would be in the Village's control. Consistent with normal Wood County farmland values, the purchase price would be \$3,000.00 per acre.

2. Well #5 will be removed at a point in time when development of the property deems it necessary. The Village shall have one year from the start of construction to remove the well.
3. When well #5 is removed, the Kellers will be required to pay for water supplied by the Village, the Kellers will be responsible for maintaining their water service from the inside edge of the sidewalk to the residence, the Kellers will be responsible for maintaining the grass boulevard and sidewalk along Bierley Avenue, and the Village will no longer maintain the driveway leading to the Keller residence.

Feller, Finch and Associates, Inc. estimated the cost to remove the old well and drill a new one would be between \$40,000.00 and \$60,000.00.

Nigel Davies talked about the history of the well easement on the Keller property beginning in 1946. The Village wells on and off the property cause exclusion zones (300-feet from the wells) and all the Kellers want is the right to develop their property. He said Option B has some merit and the Kellers are willing to sell the approximately 8½ acres adjacent to the water plant to the Village at the offered price. The Village will be responsible for the cost to survey this area.

The Kellers will have plans drawn up for the development of their property and present them to the Planning Commission. They had concerns about the charges to tap into the sanitary sewer when developing takes place and were told the cost would be the sewer system charge according to the Ordinance along with a \$700.00 tap fee. They would not have to pay a frontage per foot charge because the line was installed by Modine Manufacturing. There would also be a \$900.00 water tap fee and were told there is no storm sewer line in front of the property.

As there was no further business to be brought before Council at this time, Sharp moved, seconded by Panning, to adjourn the meeting at 8:20 p.m. The motion carried unanimously.

*Justina Oberhouse*

Mayor

*Russ Panning*

Clerk