

**Pemberville Village Council Meeting  
11/4/03**

Mayor Oberhouse called the regular meeting of Council to order on Tuesday, November 4<sup>th</sup>, 2003 at 7:30 p.m. A prayer was offered by Councilman Wegman followed by the Pledge of Allegiance to the Flag.

Present for roll call were Vandersall, Panning, Sharp, Wegman, Brann, and Mazur. Also attending the meeting were Jordan Fouts from the Sentinel-Tribune; BPA President, Homer Johnson; Michelle Poturalski and Eric Campbell.

The minutes October 21<sup>st</sup>, 2003 were reviewed. As there were no additions or correction to the minutes, they were approved as submitted.

Bills in the amount of \$3,820.87 were presented for approval of payment. Vandersall moved, seconded by Mazur, to approve payment of the bills. The motion carried unanimously. The bills include one to the lady that was injured on our sidewalk during the Fair and wanted her out-of-pocket expenses paid in the amount of \$142.68. She has signed a waiver provided by Solicitor Marsh.

**BPA**—Homer Johnson reported that the BPA has prints for the Joyce Avenue sewer project but won't accept bids until after January 1, 2004. They will also ask for the cost to do Elm Street between Martin and Joyce Avenues.

Johnson brought attention to the two properties that have not tapped into the sewer. The deadline date was November 1, 2003 and copies of letters sent to the property owners and Ordinance #1134 were given to Council. The BPA is recommending that this matter be pursued as per the Ordinance, which imposes a fine for noncompliance. Sharp moved to accept the recommendation of the BPA. Wegman seconded the motion.

Discussion was held on Panning's property at 907 W. Front Street. He was told by the BPA that installation of the sewer line across his property would have to be engineered with prints approved by EPA. Panning said he does not have a sewer line to connect to because it stops at the Toledo Edison property, which is adjacent to his. Sharp and Wegman withdrew their motion and second to accept the recommendation of the BPA. Sharp moved that no penalties should be pursued against Kurt Panning's property because he does not have a sewer system to connect to and not until the Toledo Edison situation is resolved. Seconded by Vandersall, roll call was as follows: Sharp, yes; Vandersall, yes; Panning, abstain; Wegman, yes; Brann, yes; Mazur, yes. The motion carried by majority vote. Panning will contact Toledo Edison and keep in touch with the BPA.

The Keller property, 412 Bierley Avenue, has a sewer line available to them. They were given several options for tapping in but nothing has been done. Based on the fact that there is a sewer for the Keller's to tap into and they have not pursued getting this sewer put in, Sharp moved to pursue criminal penalties against the Keller's to get them to tap in. Seconded by Vandersall, the motion carried unanimously.

(Continued.....)

Resolution #658, Guidelines for Council Committees, had its third reading. Wegman moved to pass Resolution #658. Seconded by Sharp, vote was as follows: Wegman, yes; Sharp, yes; Vandersall, no; Panning, yes; Brann, yes; Mazur, yes. The Resolution passed by majority vote.

Ordinance #1272, Ordinance Establishing Municipal Employment Positions, Defining Duties and Providing for the Compensation Thereof, had its second reading.

Ordinance #1273, Ordinance Amending Ordinance Number 1141 by Amending and Adopting New Section 904 of the Zoning Code, Providing for Specifications for Fences and Walls, had its first reading. A public hearing will be held at 7:15 p.m. on December 16<sup>th</sup>.

Ordinance #1274, Supplemental Appropriations Ordinance for the Year Ending December 31, 2003, had its first reading. Vandersall moved to suspend the rules. Seconded by Sharp, the motion carried unanimously. Vandersall moved to pass Ordinance #1274 as an emergency. Seconded by Brann, the motion carried unanimously.

Regarding Tom Reiter's request to install a permanent concrete wheelchair ramp on the Village right-of-way in front of his apartments on Hickory Street; the Solicitor said, "private improvements in the right-of-way must be authorized by Village Council. No ordinance is needed but some record or minutes should be done." Sharp moved to allow the devil's strip improvements, which would consist of a curb and permanent handicap ramp to meet ADA requirements. Seconded by Panning, the motion carried unanimously. The Mayor said he also wants to eliminate parking on the devil's strip and move it to the north end of his building. Ownership of that property will have to be established.

**MAYOR:** Received a letter of resignation from Sean Rizer. Vandersall moved to accept Rizer's resignation. Seconded by Sharp, the motion carried unanimously.

The Medicine Shoppe is a participant in the Pharmacy Card program.

Correspondence included a Building Quarterly Report from the County, TMACOG Workshop, November 12<sup>th</sup> and NOMMA Human Resource Workshop and TMACOG Forum "Safety on the Highways" on November 20<sup>th</sup>.

**COMMITTEE REPORTS:**

**PANNING:** Asked when the Electric Superintendent is planning to move the poles for the widening of Rees Road. The Village share of the improvement cost is approximately \$8,305.00.

Morelock will show Panning that the sidewalk over the driveway at 365 E. Front Street is the required 6" thick.

**SHARP:** The junk behind the Utility Building is from the swimming pool. The Pool Board will have to be contacted to see if it is anything they need.

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The roof on the salt bin has been taken care of. The windows in Council chambers need to be fixed. A bid of \$350.00 was received from Dunrite Construction to recaulk around the windows, sand down the plaster and repaint the arch. Sharp moved to have this problem taken care of. Seconded by Vandersall, the motion carried unanimously.

Heating bills for the Opera House in 2002 totaled \$1,026.11. Bills through October of this year have been \$875.08. The Lands & Buildings Committee can't justify subsidizing people making money in the Opera House. Sharp moved that beginning January 1, 2004, the Opera House Committee start paying for the cost of heating the Opera House. Seconded by Vandersall, the motion carried unanimously.

The office could use a new FAX machine. Some prices should be presented to Council.

Eric Campbell had his property surveyed next to the lot owned by the Village at the corner of Main and Pine Streets. His cost was \$600.00 and he asked if Council would pay half the bill since it also established our property line. Council didn't feel they could justify paying half the bill.

At 8:55 p.m. Vandersall moved to go into executive session to discuss Personnel and Property. Seconded by Brann, the motion carried unanimously.

The meeting reconvened at 9:50 p.m.

Sharp moved to have the street garage appraised and a survey done of the property so it can be sold at public auction. Seconded by Vandersall, the motion carried unanimously.

Sharp moved to have the property at the corner of Pine and Main Streets surveyed. Seconded by Wegman, the motion carried unanimously.

As there was no further business to be brought before Council at this time, Sharp moved, seconded by Panning to adjourn the meeting at 9:55 p.m.

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Mayor

Clerk