

VILLAGE OF PEMBERVILLE COUNCIL MEETING AUGUST 5, 2008

Mayor James R. Opelt called the August 5, 2008 Pemberville Council Meeting to order at 7 pm with prayer and the Pledge of Allegiance.

**Roll Call:** Miesmer, Bowman, Campbell, Cox, King and Madaras. Others present were Mayor James R. Opelt, Gene Steele, Richard and Jennifer Bingham, Jordon Cravens from the Sentinel Tribune, Meredith Byers from the Toledo Blade, Joanne Busdeker, John Stewart, Russ Eby and the clerk.

**Minutes:** The minutes of the July 15, 2008 meeting were approved by Council. The minutes of the July 14, 2008 Board of Public Affairs meeting were distributed to Council.

**Treasurer's Report:** Bills in the amount of \$12,702.24 were presented to Council for approval to pay. Bowman made a motion and King seconded to pay the bills. The motion passed unanimously. Month end reports for 7/31/08 were distributed as follows: Fund Status, Supplemental Appropriations, and Cash Summary by Fund for July and for Year-To-Date.

**Police Chief Appointment:**

Mayor Opelt explained that he had narrowed the selection down to five candidates. There were two interview committees that interviewed the five candidates last night. One committee was made up of village residents and the other committee consisted of the Village Council. Both groups came together after the interview and came to a consensus to hire Richard Bingham as Police Chief. Bingham is a Lieutenant on the Wauseon Police Department and has 22 years of experience. Bowman stated that the Village was fortunate to have so many good applicants and Mr. Bingham was most outstanding. The Sheriff's Department is running a background check and all references received so far have come back as very good. King made a motion to hire Bingham and Miesmer seconded the motion. The motion passed unanimously. A contract will be prepared by Miesmer and the plans are to swear Bingham in at the August 19<sup>th</sup> meeting. The anticipated start date for Bingham will be August 25, 2008.

**Board of Public Affairs Appointment:**

The Board of Public Affairs recommended Tom Oberhouse as the replacement for Nelson Busdeker. Campbell stated that there could be a conflict since the Village purchases trees from Oberhouse's business. Attorney Marsh would more than likely rule that the Village could no longer do business with North Branch Nursery if Oberhouse was on the Board. Cox thought that Oberhouse would be a good choice for the BPA seat since he has a lot of knowledge in running his business and has done a lot of work with pumps.

Madaras expressed that he plans to vote against a BPA appointment no matter who the appointment is because he wants the Village to move toward a village administrator position. There is no point to bring another BPA appointment on board.

Cox could not see how we could justify the cost of a village administrator after telling the public that the Village would cut costs. Financially we cannot afford a village administrator and the cost would come out of the General Fund, SCM&R and Utility Funds.

Campbell stated that Cox is jumping the gun at her conclusion and thinks along the lines of Mr. Madaras. It would not work to bring a BPA appointment on to fulfill a term when the BPA may not go on much longer.

King stated that the BPA could go on for a long time.

Miesmer expressed that if we keep the lines of communication open between the Council, BPA and our field and office staff, there is no reason why we could not continue to keep the BPA in place. They are doing an excellent job in specialized areas of the utilities and a marvelous job in the water systems and sewer systems. I can find no fault to move to a single person as an administrator. The Council is not well versed in water, sewer and utility matters. The current structure of our village is just fine, very sound and very functional.

Bowman said he was very undecided on the issue.

Miesmer moved to appoint Tom Oberhouse for the BPA appointment and Cox seconded. Roll Call Vote: Miesmer – Yes, Cox – Yes, Bowman – No, King – Yes, Campbell - No and Madaras – No. Mayor Opelt voted No on the tied vote and wanted it made known that whoever the appointment is, that person needs to have a majority of Council's approval and there was nothing personal toward Tom Oberhouse.

**RESOLUTION #700 – 3rd Reading** – RESOLUTION DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY AT THE MAXIMUM RATE AUTHORIZED BY LAW WITHOUT A VOTE OF THE ELECTORS TO BE INSUFFICIENT, AND DECLARING THE NECESSITY OF A LEVY IN EXCESS OF SUCH RATE. (Park Levy 0.6 mills for 4 years.) Madaras made a motion to pass Resolution 700 and Campbell seconded. The motion passed unanimously.

**RESOLUTION #701 – 3rd Reading** – RESOLUTION DETERMINING TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF PEMBERVILLE THE QUESTION OF AN ADDITIONAL TAX IN EXCESS OF THE 10 MIL LIMITATION FOR THE PURPOSE OF PROVIDING PARK AND RECREATION FUNDS FOR THE VILLAGE OF PEMBERVILLE. (Park Levy 0.6 mills) Madaras made a motion to pass Resolution 701 and Campbell seconded. The motion passed unanimously.

**RESOLUTION #702 – 2<sup>nd</sup> Reading** – RESOLUTION DECLARING THE AMOUNT OF TAXES THAT MAY BE RAISED BY LEVY AT THE MAXIMUM RATE AUTHORIZED BY LAW WITHOUT A VOTE OF THE ELECTORS TO BE INSUFFICIENT, AND DECLARING THE NECESSITY OF A LEVY IN EXCESS OF SUCH RATE. (Police Levy – This Ordinance currently reads 2.0 mills for 5 years.)

**RESOLUTION #703 – 2<sup>nd</sup> Reading** – RESOLUTION DETERMINING TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF PEMBERVILLE THE QUESTION OF AN ADDITIONAL TAX IN EXCESS OF THE 10 MIL LIMITATION FOR THE PURPOSE OF PROVIDING POLICE PROTECTION FUNDS FOR THE VILLAGE OF PEMBERVILLE. (Police Levy 2.0 mills.)

**RESOLUTION #704 – 1<sup>st</sup> Reading** – RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF PEMBERVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED. – Planning to make capital improvements to the Waste Water Plant Project – This resolution needs to be passed at the August 19<sup>th</sup> meeting.

**Clerk's Report:**

The churches are hosting a community swim day on Sunday, August 10<sup>th</sup>. They have asked Council to allow them to put a banner up on the swimming pool fence to promote the event. Council approved the banner to be put on the fence.

There will be a joint cemetery and council meeting on September 2, 2008 at 6:30 pm.

**Mayor's Report:**

Police Levy – A Police Levy for November at 2.7 mills would generate \$71,969 per year. The Mayor suggested a five (5) year levy. The cost for a \$100,000 home would be \$82.69 per year and for a \$150,000 valuation would be \$124.04 (or .34 per day). John Stewart has volunteered to head a Police Levy Committee. The Mayor stated that the Police Levy is a safety net. If the economy picks up and new business comes into town, then the levy can be dropped. There was concern that the police levy would be hard to get passed because of the park levy and the Eastwood School levy would total the amount to over 11 mills. Bowman thought the 2.7 mills for a police levy is too high, but would go along with it. King and the Mayor agreed that 2.7 mills is as high as we can go. August 21<sup>st</sup> was the deadline to certify the levy with the Board of Elections. Bowman made a motion to make the police levy for 2.7 mills and Miesmer seconded. The motion passed unanimously.

The Mayor distributed a list of 17 proposed budget cuts for the 2009 budget. They are as follows:

1. If levy passes, a 4% cut across the board.
2. If levy fails an, 11% cut across the board.
3. Reduce leaf and brush pickup.
4. Additional charge for unlimited pickup (2008 about 40 tons costing about \$3,300).
5. Move police to old fire hall / street garage on Walnut.
6. Sell police station on Front Street for retail.
7. Hold all employee raises to 2% or less.

8. Investigate a co-op, buying in bulk, for gas and other supplies.
9. Sell excess equipment and supplies, auction? Like the extra truck in Ford garage.
10. Mandate a no overtime policy except for water breaks and snow removal.
11. Increase pool admission for residents unless parks levy passes.
12. Double pool admission for non-residents no matter outcome of levy along with shelter house fees or add cleaning charge.
13. Have cleaning of town hall every other week, staff volunteers to do light cleaning.
14. Look into a telephone lease per month.
15. Police vehicle every four years at \$9,000, suggest every five years at \$7,200.
16. Increase permit fees.
17. Do not allow vehicles to idle while standing.

**Calendar:**

The Village of Luckey has an Identity theft Workshop on Thursday, from 7 to 9 pm. This is a free seminar.

There will be no Tree Commission meeting on August 28, 2008.

The Park and Recreation Meeting has been cancelled for August.

**COMMITTEE REPORTS:**

**Miesmer:**

The Personnel Committee met last month and worked on the personnel manual.

Miesmer asked for more cooperation with the office staff when coordinating multiple department work.

The Planning Commission will soon hold a public meeting concerning an amendment to the zoning ordinance.

**Bowman:**

The Economic Development Task Force met in July and adopted a boarder scope for development of the Village. The committee will have a presentation at the Pemberville Fair and has asked for volunteers to work at the table.

The next Economic Development meeting is on August 6, 2008 at 7:30 pm.

**Campbell:**

The grant from the Solid Waste District was not awarded to Pemberville. Campbell would like to look into purchasing a leaf box for about \$5,000.

The guardrail at Elmore Road was completed. Asphalt work on Memorial Drive will not proceed this year.

Mosquito spraying is needed right before the Pemberville Fair began. Campbell asked Council to approve one spray for Monday or Tuesday before the Fair. Madaras made a motion to hire Freshcut Lawn Spraying for one spray at a cost of \$225. Campbell seconded the motion. The motion passed unanimously.

The backhoe is in for repairs. Campbell would like to take the responsibility of backhoe maintenance and work up a usage agreement.

Cigarette butts have littered the downtown streets. Campbell asked to have the Police Department contact offenders and landlords about this problem.

There has been a problem with graffiti on the streets and sidewalks downtown. The Police Department was asked to contact known offenders.

**Cox:**

Cox reported items from the BPA meeting last night. The electric line extension is about two-thirds done on Kahler Road.

The EPA was out and inspected the sewer plant.

There will interviews for the utility helper on August 11, 2008.

The BPA will be reviewing the employees over the next few meetings.

**King:**

The new police cruiser will be here on August 11, 2008.

The Safety Committee will meet on August 19, 2008 at 6:30 pm.

**Madaras:**

The Parks and Recreation Board recommends Howard Shirling for appointment to the Board. Shirling would be replacing Matt Philips who had to step down. Howard has volunteered his time in working with the Little League. King made a motion to appoint Howard Shirling and Cox seconded. The motion passed unanimously.

The brochure to advertise the park levy has been completed.

Madaras wanted to thank interim Chief Jim Darling for helping out during the transition period.

Mayor thanked the Wood County Commissioners and the Engineer for getting the Bierley Street Bridge repairs done.

Meismer made a motion to go into executive session to discuss personnel wages. King seconded the motion. The motion passed unanimously. The time was 8:30 pm.

Council came back into regular session at 8:48 pm.

Cox made a motion that Jeff Molnar would receive \$13 per hour as a part-time police officer. King seconded the motion. The motion passed unanimously.

Madaras made a motion to pay interim Chief Jim Darling an additional \$2 per hour up to a maximum of \$160 per the two week pay period retroactive to 8/1/08 until the new chief is placed in service. King seconded the motion. The motion passed unanimously.

The contract for Richard Bingham as Police Chief would include three items: 1.) The annual salary would be \$46,460 per year, 2.) The Village would pay a maximum of \$500 for a police physical, and 3.) The start date is planned for August 25, 2008. Miesmer made a motion to accept the three items and Bowman seconded. The motion passed unanimously.

There was no other business to discuss, so Mayor Opelt adjourned the meeting at 8:52 pm.

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Clerk

Mayor