

**VILLAGE OF PEMBERVILLE COUNCIL MEETING  
OCTOBER 7, 2008**

Mayor Opelt opened the October 7, 2008 meeting at 7 pm with a prayer and the Pledge of Allegiance.

**Roll Call:** Miesmer, Bowman, Campbell, Cox, King and Madaras. Others present were: Mayor Opelt, Chief Bingham, Bud Kahler, David Eaton, Russell Eby, Dave Marsh, Dennis Henline and the clerk.

**Minutes** of the September 16, 2008 meeting were accepted by Council. The Board of Public Affairs meeting of September 2, 2008 were distributed to Council.

**Treasurer's Report:** The clerk asked Council to approve the payment of bills amounting to \$14,361.44. Campbell made a motion to pay the bills and King seconded. The motion passed unanimously. The following financial reports for September 2008 were distributed to Council. Cash Summary by Fund, Supplemental Appropriation, Fund Status and 2008 Swimming Pool Report.

**ORDINANCE #1432 – 3<sup>rd</sup> Reading is postponed for October 21<sup>st</sup> – ORDINANCE AMENDING ARTICLE V. SECTION 500 OF THE VILLAGE OF PEMBERVILLE'S ZONING CODE ADOPTED IN 1998, AND AS AMENDED FROM TIME TO TIME, BY ADDING FOOTNOTE NUMBER 5.**

Public Hearing is on Oct. 21<sup>st</sup> at 6:45 pm.

**ORDINANCE #1433 – 3<sup>rd</sup> Reading – ORDINANCE AUTHORIZING THE ELECTRIC SUPERINTENDENT TO APPROVE AMERICAN MUNICIPAL POWER-OHIO, INC. PURCHASES OF LONG TERM POWER RESOURCES FOR NWSG POOL.** Cox made a motion to pass Ord. 1433 and Bowman seconded. The motion passed unanimously.

**ORDINANCE #1435 – 1<sup>st</sup> Reading – ORDINANCE AMENDING AND ADOPTING SECTION 75.07(F) AND SECTION 75.08(E) OF THE CODIFIED ORDINANCES OF THE VILLAGE OF PEMBERVILLE, RELATING TO RECKLESS OPERATION OF BICYCLES AND RELATING TO RIDING OR PARKING ON SIDEWALK AREAS.**

**RESOLUTION #705 – 2<sup>nd</sup> Reading – RESOLUTION CONCERNING THE DOWNTOWN STREET ENHANCEMENT PROJECT.**

**RESOLUTION #706 – 1<sup>st</sup> Reading – RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** Miesmer made a motion to suspend the rules and Cox seconded the motion. The motion passed unanimously. King made a motion to pass Res. #706 and Campbell seconded. The motion passed unanimously.

**Clerk's Report:** The clerk asked Council to contract with Palmer Energy/Toledo Chamber of Commerce Group for the Columbia Gas supplier for this winter season. Palmer quoted a variable rate of \$1.07/ccf. The rate should stay within a few cents of \$1.07/ccf until March. The Village can cancel the contract at anytime with no cancellation fee. The best fixed rate was at \$1.17/ccf with Interstate Energy. Cox made a motion to accept the price with Palmer and Campbell seconded. The motion passed unanimously.

**Mayor Opelt:**

Our Solicitor, Mike Marsh, sent a letter to Council explaining the process of selling public property. With the Power of Home Rule, the Village can accept a selling price as deemed proper by the Council.

The Mayor read a complaint letter from Chris Black about inconsiderate treatment he received at the Bingo Tent during the Pemberville Fair. Keith Madaras took the letter to share at the next Fair Board meeting.

Sheryl Sharp wrote a letter to Council to ask that something be done about dogs and cats not staying in their own yards. She also asked Council to do something about stray cats in town.

A letter from Pat Vandersall was read by the Mayor concerning the public parking lot at Elihu Mason Park. There are too many cars parked in that lot for long periods of time. She would like to charge people for long-term parking in this lot. The public parking lot was initially constructed for Opera House parking. Chief Bingham will take this problem to the Safety Committee to work out.

The October Calendar was changed. The Police Levy meeting will not be held on October 14<sup>th</sup> due to a conflict with Eastwood's public hearing on their levy. The Park and Rec Board will not meet this month on October 23<sup>rd</sup>.

The Mayor read a letter from Time Warner Cable concerning changes in TV channel selection and increases in pricing. The Mayor asked that residents contact Time Warner Cable when they have any problems with their cable. When cable service is lost for a time, people should deduct this service time from their monthly bill with a notation. Any problems with cable service should be directed to Time Warner Cable because the Village has no control over cable service.

Mayor Opelt asked Council to hire Matt Reger as the Village Prosecutor effective November 1, 2008 at a rate of \$50/hour. Madaras made a motion to hire Matt Reger and Bowman seconded. The motion passed unanimously.

The Mayor explained to Council that a Privacy Committee had to be established to abide by the Federal Trade Commission regulations. Utility bills cannot show account numbers due to privacy laws. A Privacy Policy Statement needs to be established, also. Mayor Opelt recommended Stephanie Bowe, Marge Cox and Chief Bingham to serve on the Privacy Committee. King made a motion to make these appointments. Campbell seconded and the motion passed unanimously.

David Eaton came to Council to explain his Eagle Scout Project that needed to be completed in October. He plans to construct signs on the street entrances of the village that will say "Welcome" and list the churches within the village. He asks that the Village pay for one sign that will cost about \$150. Campbell will meet with Eaton on Friday, October 10<sup>th</sup> at 4 pm to work out the details of the sign construction. When the final drawings are complete, Council will be notified to come up to the office and sign off on the plans.

Madaras made a motion to go into executive session to discuss property. King seconded the motion. Roll call vote: Madaras – Yes, King – Yes, Miesmer – No, Bowman – No, Cox – Yes, Campbell – Yes. The time was 7:36 pm.

Council came out of executive session at 8:25 pm.

The Garden Club asked Council to approve their use of the front of the Old Ford Garage for the Autumn Fest event. Council agreed that this was acceptable.

#### **Police Chief Bingham:**

Chief Bingham has planned an Officer Phil Program at the Pemberville Elementary on December 17<sup>th</sup> at 11 am. The Council Members were invited to attend.

The Police Department went through town and pointed out several street lights that were blocked by tree limbs. This list will be given over to the Tree Commission for their tree trimming list.

Chief Bingham will have a booth at the fall festival. They will have a 1940's or 50's era police car on display from the Lucas County Sheriff's office and will hand out information to promote the police levy.

Chief Bingham reported that they have written a Police Mission Statement. This is posted at the Police Station for anyone to read.

October will be Citizen Watch month. The Police Department wants to begin a Citizen Watch program where the elderly and those with health issues can complete a waiver form with the Police Department. This will allow police to enter their homes if there is no answer, and then check if the person is alright. The form will also have contact information for next-of-kin. This program was approved by Council.

Chief Bingham will be hiring a new part-time police officer in the near future.

Bingham asked Council to approve selling the old police cruiser online at govdeals.com. The old Water Department pickup truck could also be sold online. Council approved to sell these items and asks that all departments report any other items that could be sold online. Council also agreed to donate the old railroad safe to charity. They would first offer the safe to the Historical Society.

The Ride-along Program waiver was reviewed by our insurance agent, Becky Swisher. A few minor changes were made to the form, and she stated that this program would be acceptable under the Ohio Plan Insurance policy.

**Miesmer:**

The Personnel Committee will meet on Thursday, October 9<sup>th</sup> at 7 pm. They will work on the wage ordinance and health insurance coverage.

The Planning Commission will meet on October 15<sup>th</sup> at 7 pm.

**Bowman:**

The Economic Development Committee has not received a response from Modine Headquarters of the letter concerning the future plans for the Modine plant and property in Pemberville. The committee believes that a realtor has been hired to sell the property.

Dave Steiner from the Wood County Commissioners Office will be gathering bids for the ADA renovations at the Town Hall.

The Economic Development Committee will present a recommendation to Council at the next meeting concerning the Downtown Street Enhancement Program.

**Campbell:**

The Street Committee went over some Ordinances with Chief Bingham and one amendment was issued (Ordinance #1435) for tonight's meeting. The Snow Removal Ordinances and Signs will be reviewed for any necessary updates.

The 2009 Village Calendar will begin to be planned by Stephanie Bowe. Several items need to be reviewed and decided upon so the calendar can be completed.

Three places needed some concrete work done. Pam Hobart's driveway apron needed to be repaired due to a water break. The concrete cost is \$400. The Post Office approach on Walnut Street needed some concrete work at a cost of \$100. Lastly, the "Y" approach at the front of the swimming pool would cost \$100. Jeff Bourdo could do all of the work and the concrete would cost a total of \$600. Madaras made a motion to complete this work and Bowman seconded. The motion passed unanimously.

Campbell asked for a report of overtime hours from the clerk.

**Cox:**

The Tree Commission will be planting seven new trees this fall at a cost of \$1,400.

The BPA has been in discussions with Alton Beeker about his farmland that surrounds the Village wells. The EPA does not allow chemical spraying within a 300' radius around those wells.

The BPA has two options concerning the bucket truck. One option would be to keep the truck chassis and get a new bed. The other would be to get a new chassis and bed. This would be done by state bids.

**King:**

The Police Levy flyer will be updated and is planned to be handed out at the Autumn Fest. The levy will bring approximately \$71,969 annually to the Village. The Levy Chart shown on the flyer gives an annual cost for the police levy of \$141.75 for a home with a market value of \$150,000. There will be a Police Levy Information meeting on Thursday, October 23<sup>rd</sup> at 7 pm at the Town Hall.

Mayor implored Council to inform the residents how important it is to get these levies passed. It would be helpful if anyone would contribute to the levy committee.

**Madaras:**

The Park and Rec Board met on September 25, 2008. They talked about ways to promote the parks levy.

They received word that two grants have been awarded to the Park and Rec Board. The Wood County Park District has awarded a grant for work to be done at the swimming pool filter room. The other grant is an Eastwood Education Foundation grant to develop Oberhouse Park.

The Swimming Pool Fund Report for the year was completed. The operating loss for 2008 was \$5,757 and is less than last year's loss of \$6,406. The Village did not contribute any funds into the swimming pool fund this year versus last year a contribution of \$15,000 was made. Capital Outlay for permanent improvements on the swimming pool totaled \$57,109 in 2008. Mayor Opelt commented that the swimming pool management has lowered the cost of operating the swimming pool over the last several years. Many thanks to Mrs. Marcia Mazur and Mr. Keith Madaras for their fine work.

Levy yard signs need to be ordered right away. The sign supplier is overloaded with orders. They will distribute park levy signs on October 15th. Someone will be presenting the parks levy at both the PIMA meeting and the Police Levy meeting.

Madaras would like to have a newsletter sent out this month. The parks and police levies could be one area that could be addressed in the newsletter.

Madaras asked about needing water pumps and a \$500 list of things needed for the flood committee. It is getting close to the flood season. Campbell has a list of flood preparedness items that need to be purchased at a cost of \$500. This needs to be discussed after the election. Mayor Opelt said that Council will have to stop spending due to the anticipated budget cuts. Mayor asked Council to work on budget cuts for each department. Even if the levies pass, we still need to be conscious of cutting the budget.

Mayor Opelt adjourned the meeting at 9:12 pm.

Debra L. Cartledge

James R. Opelt

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Fiscal Officer

Mayor