

**VILLAGE OF PEMBERVILLE
COUNCIL MEETING
JANUARY 20, 2009**

Mayor Opelt opened the January 20, 2009 meeting at 7 pm with a prayer and Pledge of Allegiance.

Roll Call: Bowman, Campbell, Cox, King, Madaras and Miesmer. Others present were: Mayor Opelt, Police Chief Bingham, Russell Eby, Bud Kahler, Gene Steele, Laurie Housholder, Jordan Cravens, Joanne Busdeker, Todd Sheets, Doug Wegman, Eileen and Vic Schuerman, Marietta Johnson, Dick and Nedra Sheets and the clerk.

Minutes of the January 6, 2009 meeting were approved by Council.

Treasurer's Report: Council was asked to approve bills in the amount of \$7,489.61. King made a motion to pay the bills and Cox seconded. The motion passed unanimously.

Lawn Mower Purchase: Council was asked to approve the purchase of two new lawn mowers and trade-in the two mowers from last year for a total of \$1,939.37. This purchase is through the John Deere government purchasing program. Campbell made a motion to make this purchase and Madaras seconded. The motion passed unanimously.

ORDINANCE #1440 – 3RD Reading – ORDINANCE AMENDING SECTION 1 OF ORDINANCE NUMBER 1065, RELATING TO A CURFEW AND CERTAIN MINORS.

Bowman made a motion to pass Ordinance #1440 and Cox seconded. The motion passed unanimously.

ORDINANCE #1441 – ORDINANCE REGULATING PARADES AND ASSEMBLAGES.

Several citizens wanted to discuss this ordinance concerning the cost of police security at parades and festivals. Doug Wegman asked to have this ordinance tabled so this could be discussed with organizations that hold parades and festivals. Wegman was concerned for the American Legion's Memorial Day Parade. Mayor Opelt explained that the Village will lose \$100,000 in income tax revenues each year after Modine Manufacturing closes. The Village needs to cut costs without harming anyone person or group. The Park Levy failed three times and Police Levy failed in November 2008. These levies would have helped to make up for the loss in income tax revenues. There is an application process that the organization would complete for the parade/festival. An estimate of the number of people attending the event will be determined. Police coverage costs would only be for any officers above and beyond the Chief and Sergeant salaries, and auxiliary officers. If one Pemberville Police officer is needed to fill coverage, then the organization holding the event would need to pay for that one officer's pay at \$18 per hour. It is estimated that two major events in Pemberville would need to subsidize the police costs, the Pemberville Fair and the Danger Bothers Concert. This ordinance will filter out any unwanted Parades/Festivals within the Village which could run up a very large police security bill. Dick Sheets was concerned about the charges that the Pemberville Fair would incur for police coverage. He asks to have an estimated cost given to him so he can inform the Fair Board. He asked to have the estimated costs broken out per event, i.e. 5-Miler, Parade, etc. Todd Sheets did not want the costs charged after the event because these organizations need to plan in advance to be able to

raise funds for the event costs. Many thought that the Council should have presented this ordinance to the various groups in the Village before this would be enacted. Thus, they wanted the ordinance tabled so more information can be given to the various organizations. Cox expressed how we should present goodwill to the community and support our businesses. This would hurt our businesses and thought that Item No. 7 on the ordinance needed to be re-worded. Campbell thought that this ordinance should be separated into two ordinances, one for local organizations and one for outside organizations. He also wanted to have the word "assemblages" changed to "festivals." The five day criteria is way too short and the Council should approve any permits per the Ohio Revised Code. Campbell thought we should consider a permit fee aspect rather than a per hour police charge. Madaras agreed that this ordinance was needed to protect the Village from unplanned expenses for the Police Department. Fund raising is a good idea for the organizations affected, but they need to know what their costs will be in advance of the event. Gene Steele suggested that the Fair Board should charge their vendors more to cover these costs. Bowman made a motion to table this ordinance and work on re-wording it. Council needs to approve any applications and the word "Assembly" should be taken out. This ordinance would be brought back for the third reading at the 1st meeting in March (March 3rd). Campbell seconded the motion and the motion passed unanimously.

ORDINANCE #1442 – 1ST Reading – ORDINANCE TO ALLOW ONLY THE VILLAGE OF PEMBERVILLE TO AGGREGATE DEMAND RESPONSE OF RETAIL CUSTOMERS IN ACCORDANCE WITH FERC ORDER 719 AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH AND DECLARING AN EMERGENCY. King made a motion to suspend the rules and Cox seconded the motion. The motion passed unanimously. Cox made a motion to pass Ordinance #1442 and Bowman seconded. The motion passed unanimously.

ORDINANCE #1443 – 1ST Reading – ORDINANCE PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF PEMBERVILLE, OHIO DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2009 AND ENDING DECEMBER 31, 2009. Madaras made a motion to suspend the rules and Miesmer seconded. The motion passed unanimously. Madaras made a motion to pass Ordinance #1443 and Campbell seconded. The motion passed unanimously.

CLERK'S REPORT:

The Clerk asked for Council's approval to have a second appraisal done on the Rees Road park property. The cost would be \$2,250. This will be necessary to finalize the documents for the Ohio Nature Works Grant. Cox made a motion to approve the appraisal and Campbell seconded. The motion passed unanimously.

POLICE CHIEF REPORT:

There will be a Safety Day for kids on Friday. Activities included finger printing the kids.

Charges were filed for vandalism. Tips were received and these calls were helpful to find the violators.

MAYOR'S REPORT:

We received a letter from Time Warner Cable listing changes in programming. This will be displayed on the Pemberville website soon.

Modine Manufacturing announced there will be a lay off of 65 employees in March 2009. They plan to lay off in three groups over the course of their plant closure. The plant may operate in 2009 and maybe 2010.

BOWMAN:

The Economic Development Task Force meeting will be Thursday, January 8, 2009. Prospective businesses for the Modine building will be discussed. They hope to have a buyer or some development plans on the old Ford Garage. The committee is working on a comprehensive plan for the downtown sidewalk improvements. To make the improvements with grant funding would cost around a half million dollars. If the Village would do the work locally, the estimated cost is \$150,000. The next meeting will be February 5, 2009 at 7:30pm.

CAMPBELL:

The crews did not get the brush pick up done due to the heavy snow. Brush will be picked up after a thaw.

KING:

Safety Committee did not meet tonight. The next meeting will be February 17, 2009 at 6:30 pm.

MADARAS:

The 2009 Park and Recreation Schedules were distributed to Council. Madaras asked the Council to review these schedules and plan to discuss these at the next meeting. A \$700 grant for Oberhouse Park was awarded. This will be the third grant received to develop Oberhouse Park.

Mayor Opelt thanked Mr. Madaras for all the work done to obtain these grants. He also emphasized that the Village has saved much expense since the Swimming Pool was taken over by Village management.

MIESMER:

Planning Commission meets on Wednesday, January 21, 2009

The Personnel Committee reviewed three policies: 1.) Travel and Reimbursement Policy, 2.) Credit Card Policy, and 3.) Communication Equipment.

There was no other business to discuss, so the meeting was adjourned at 9:45 pm.

Clerk

Mayor