

**VILLAGE OF PEMBERVILLE
COUNCIL MEETING
September 21, 2010**

Mayor Opelt opened the September 21, 2010 meeting at 7:00pm with a prayer and led those present in the Pledge of Allegiance.

Roll Call: Present at the regular meeting of council were Bowman, Campbell, Cox, Fuerst, and King.

Others present were Howard Shirling, Russell Eby, Ed Wozniak, Nick Pisula, Harold Brown, TJ Tuttamore, Joe Montag, Todd Baugher, Barb Klee, Tony Firsdon, Jon Stewart, Jen Rollo, Jay Rollo, Eileen Schuerman, Solicitor Marsh, and the clerk.

Minutes: Bowman moved and Cox seconded to approve the September 7, 2010 minutes as presented. The motion passed unanimously.

Treasurer's Report:

Campbell made a motion to approve payment of bills in the amount of \$1,040.52 and Fuerst seconded. The motion passed unanimously.

Mayor:

Trick or Treat date and time were discussed. Campbell moved to have Trick or Treat on Saturday, October 30, 2010 and Fuerst seconded the motion. Roll Call: Campbell – yes, Fuerst – yes, King – yes, Cox – yes, Bowman - no

King moved to hold Trick or Treat from 6:30-8pm and Campbell seconded the motion. Roll Call: King – yes, Campbell – yes, Fuerst – yes, Cox – yes, Bowman – no

Barb Klee, Chairman of Halloween Festivities, explained Pemberville-Freedom Township Historical Society will be hosting A Sneeeek! Peeeek! at Trick or Treat an early Halloween Party on October 9, 2010 from 4:30-8:30pm.

Councilman Bockbrader entered at 7:12pm.

Union Bank easement was discussed. Council felt concern with the deletion of the section requiring the bank to take part in a future comprehensive plan. The Mayor explained he had with Mr. Brown from the Wood County Commissioners. A letter was received from the Board of County Commissioners indicating they are working to obtain funding for Portage River flooding issues through Latta's office. Mayor Opelt agreed to discuss with Max Long from Union Bank, Council's feelings on the omission of the bank's participation in a comprehensive plan.

The Biweekly Police Department Activity Report was distributed. Council was asked to approve the purchase of a computer stand and mount for the Durango at a cost \$175.46. Campbell moved and Bockbrader seconded to allow the purchase. The motion passed unanimously.

A letter was received concerning burning. Current ordinances involving burning were distributed. Mayor Opelt appointed Bockbrader to chair a committee and Fuerst will assist in reviewing the ordinances.

Noise complaints are addressed in one of two ways. If associated with vehicles, the village has an ordinance. Other noise complaints are addressed through the Ohio Revised Code.

Bowman:

Personnel met but insurance rate information will not be available until sometime in October.

Campbell:

Streets, Sidewalks, Lands, and Buildings meeting has been rescheduled for this Thursday.

An additional quote for tree trimming on the walking trail was presented. Fisher Tree and Landscaping quoted a price of \$5000 for the work. Cox suggested this work be postponed until after the winter thereby allowing time for the Village employees to do as much of the work as possible during the winter months when the work load is not as heavy. Bowman agreed with Cox. Campbell and Fuerst felt the situation needed to be addressed sooner than the employees were able. Campbell explained he would like to use Permanent Improvement monies for the job. Campbell moved to hire Fisher Tree & Landscape at a cost of \$5000 to remove the dead trees on the walking trail. Fuerst seconded the motion. Roll Call: Campbell – yes, Fuerst – yes, Bowman – no, Bockbrader – yes, Cox – no, King – yes. Motion passed.

Cox:

Tree meeting has been moved to next Thursday, September 30, 2010.

Work continues on the Lift Station on Memorial Drive.

King:

King reported the Park & Recreation committee held a special meeting on September 14 at 7pm. Members of the park and recreation committee, The Edge Soccer Club and residents attended the meeting. The development of the property purchased on Rees Road for a park was discussed. Ideas brought to the table were soccer fields, playground, a walking/running trail, picnic pavilion, batting cage, pitching machine, a memorial and a skate park. After much discussion and debate, the Park and Recreation committee decided the best approach to developing the property would be in stages. King distributed a tentative plan (see attached diagram). The first stage would be to prepare the land and plant grass in the north 8+ acres of the property. The committee recommends this stage be completed this fall as soon as possible. Stage two would be to develop the parking area. The third stage would be to develop a walking trail around the property. The fourth stage would be development of additional activities for the area.

An Ordinance was introduced that would allow the Village to enter into an agreement for the use of the property by the Edge Soccer Club. Joe Montag, President of the Edge Soccer Club, thanked the Mayor and Council for their time and consideration of the agreement. Mr. Montag explained this could be a good opportunity for both parties. Mayor Opelt questioned if the diagram was to scale. King explained it was close to scale but it was not done by a professional. Mayor Opelt explained he would recommend the drawing be done to scale by an architect even though this would add an additional cost to the project. Mayor Opelt questioned what product would be used if asphalt was not available because of EPA mandated regulations of our wells. King explained concrete would need to be used or an area outside of the well radius would be made available. Mayor Opelt asked how many of the soccer members from the club were Village residents. Mr. Montag explained he could not give an exact number but could furnish the data at a later time. Montag explained a large

number are from Pemberville. King added that the club is primarily from the Eastwood district. Mayor Opelt expressed concern with giving so much of the property, purchased with Village residents' tax dollars, over to one group. King reminded Council that the grounds will be open to the public when not in use. Mayor Opelt expressed a problem with who has control over the grounds and the ability of the Club to ask someone to move off a field when games are scheduled. King explained the same is done at the baseball diamonds and the pool for games, practices and meets. Mayor Opelt explained he still has a problem with the property being so open. When not in use, it does not have a picnic area or trees. Opelt felt the Use agreement is better than the lease agreement that was first suggested. Mayor Opelt reiterated his concern with allowing the use of the majority of the park to one group. King and Bowman explained the park would be open for public use anytime the club does not have it in use and could be used for numerous activities because the property is open. King explained the agreement is for 5 years and can be absolved, giving one year's notice, anytime after the term of the agreement. Fuerst questioned whether the club was a youth program and asked if it was one club. Mr. Montag explained The Edge Soccer Club is a youth travel soccer program for youth ages 8 to 19. It is one of many clubs in the Northwest Ohio Youth Soccer League. The league regulations require the three sizes of fields for different age groups. King explained tournaments could be organized in the future and could result in an economic boost for the community. King stated the committee recommends passage of Ordinance 1470 and entering into the agreement with the Edge Soccer Club. King presented four quotes for grass seed. The lowest quote was from North Branch Nursery at a cost of \$2800. The committee recommends using the Permanent Improvement money that was appropriated for the park development. King explained the Edge Soccer Club has been working hard to get donations of labor and equipment to develop the fields. Mayor Opelt acknowledged the commitment and dedication of the soccer club. Campbell questioned Marsh about a possible conflict of interest if the grass seed is purchased from North Branch Nursery. Marsh explained that since Oberhouse is not on Council making the decision there would be no conflict of interest.

King moved to accept the presented tentative plan as the working plan for the park area on Rees Road. Cox seconded the motion. Motion passed unanimously.

ORDINANCE 1470 – ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A USE AUTHORIZATION AGREEMENT WITH THE EDGE SOCCER CLUB FOR VILLAGE OWNED PROPERTY ON REES ROAD – 1st reading

King moved to suspend the rules and Campbell seconded. Motion passed unanimously. King to pass Ordinance 1470 as an emergency and Campbell seconded. Motion passed unanimously.

King moved to purchase grass seed from North Branch Nursery with a guarantee for growth. Bowman seconded the motion. The motion passed unanimously.

King thanked everyone who helped with the pool this year.

ORDINANCE 1469 – ORDINANCE TO APPROVE THE EXECUTION OF AN EFFICIENCY SMART POWER PLANT SCHEDULE GORSUCH PARTICIPANT WITH AMERICAN MUNICIPAL POWER, INC. – 3rd reading

Cox moved to suspend the rules. Cox explained this Ordinance is in response to an USEPA Consent Decree for the Gorsuch project. The participation level was discussed. Bowman

seconded the motion. Roll Call: Cox – yes, Bowman – yes, King – yes, Fuerst – yes, Campbell – no, Bockbrader – no
Bowman moved to pass Ordinance 1469 and Cox seconded the motion. Bowman – yes, Cox – yes, Fuerst – yes, King – yes, Bockbrader – no, Campbell – no

Other:

Ed Wozniak requested council consider naming the park on Rees Road Jay Parker (former Mayor of Pemberville), Herb Martin (former Fire Chief), or Veterans Park.

Eileen Schuerman questioned the size of soccer fields. Montag explained the three sizes are required each for a different age group.

Mayor Opelt adjourned the meeting at 8:14pm.