

**VILLAGE OF PEMBERVILLE  
COUNCIL MEETING  
August 2, 2016**

Mayor Bowman opened the August 2, 2016 council meeting at 7:00pm with a prayer and led those present in the Pledge of Allegiance.

**Roll Call:** Present as the regular meeting of council was Campbell, Opelt, Rahe, and Yaniga. Others present Gene Steele, Sarah Szymanski, Russell Eby, Mr. Dierker, and the Clerk.

**Minutes:** Rahe moved and Yaniga seconded to approve the minutes from July 19<sup>th</sup> meeting. Motion passed 4/6 vote. Rahe-yes; Yaniga-yes; Long-abstain; Campbell-yes; Opelt-yes; Sautter-abstain.

**Treasurer's Report:** Rahe moved and Sautter seconded to approve the bills in the amount of \$14,449.48. Motion passed 5/6 vote. Rahe-yes; Sautter-yes; Yaniga-yes; Long-yes; Campbell-no; Opelt-yes

**Mayor:**

Mayor read into the minutes a correspondence from Capital Telecom (Attachment A) regarding the buyout of lease term in the original contract. Mayor stated that Capital Telecom have chosen to exercise the Rent Buyout option. Mayor stated that rather than receive \$500 a month for the next 40 years, we have received a lump sum payment of \$50,000. Mayor stated that if this agreement had been carried to term with the monthly payments being made this is a shortfall of what we could have received as rent. However, in Mayors correspondence with Capital Telecom asking when Verizon was going to complete this project their response to the Mayor was no completion of the cell tower in Pemberville is due until 2017 and therefore has been a lower priority to them. Mayor stated that yes there is a shortfall but there's a couple different ways to look at this. There's a payment for \$50,000 we don't get those every day. Whether the contract term would be completed, whether it would go for 40 years is highly suspect in his mind. The rate technology change is such that there is no guarantee that we will even have cell towers in 2056. Therefore Mayor has asked Mr. Marsh to look at it and asked if he had anything he wanted to add. Mr. Marsh stated no, he feels it's a windfall. Opelt asked what we would have received if the rental term would have been carried through. Campbell replied \$45,949.16. Campbell added that we should have earned over the full course of 15 years with ten percent incremental increases every five years \$99,300 if it had gone on that far. Based on their exit clause and how we agreed to it, they now have rent on the property for 40 years based on \$53,350.84 which gets them on there for \$111.21 a month. Campbell included that he is not too happy about it. Mayor stated that we signed the agreement and council approved it and as part of the original contract they exercise that clause. Long added that from their perspective you have to look at the time value of the money. Long asked that if you was to put \$50,000 in whatever format of investments that you would want, are you going to in 40 years come to that total? Long responded. Likely no. However, the time value of those dollars is not going to be 15, it's going to be an exceedance of that and stated that when comparing apples, compare to other apples. The loss likely is not as extreme.

Mayor read a letter from an individual seeking permission to bow hunt on village property at the woods located off of Kahler Rd. It was stated that this is a well field and could potentially open it up for others to request permission too should this be granted. After further discussion it was decided not to allow any form of hunting on village property. Long made a motion and Opelt second to decline the request to bow hunt on village property and to repost No Hunting signs. Motion passed 5/6 vote. Long-yes; Opelt-yes; Rahe-yes; Sautter-yes; Yaniga-yes; Campbell-no;

Mayor stated that on Tuesday, August 18<sup>th</sup> there will be "The Eyes of Freedom Iraq War Memorial" coming to Pemberville and on display and the Pemberville Legion. Mayor stated that they will be gathering at Webster school at 6:45pm. A truck with the memorial will be escorted by the sheriff and

roughly 100 hundred motorcyclists to Pemberville Legion. Therefore, Mayor is calling for a change in venue to have council meet at the legion at 7:00pm and reconvene at 7:30pm in council chambers.

**Long:**

Long reported on the BPA meeting from last night. Topics included the leak in the water tower that has been temporarily fixed. Long stated that a permanent fix will be done during the annual draining of the tower.

Long stated that they discussed briefly Eastwood and the annexation agreement.

Long reported that there was a residential home that had a lead sample come back high. Long added that the other samples taken were negative. Long stated that there could be a possibility of lead pipes in older homes he would like continue to encourage people to have it tested by purchasing home tests that are available.

**Campbell:**

Campbell stated that there was a post construction meeting regarding State Route 105 and the various concerns located at the west end of the business district. Campbell stated the discussion was very positive and seemed more than willing to address all the issues presented to them. They will address the berm on the west end and should be completed yet this week. Other areas discussed at the post construction meeting was catch basins and the double yellow lines.

Campbell presented council with a quote from Nabco for ADA automatic door openers for town hall and the public restroom. The Nabco quote is for the equipment and installation, Lockhard would have to provide electric for the installation. The cost for town hall is \$1,811.38. The quote for the public restroom on Walnut St. which includes the front door and the handicap restroom stall inside for \$3,745.83. Campbell stated that after discussing with the Fiscal Officer, we felt it would be okay to move forward with the one at town hall this year and the public restrooms next year. Campbell made a motion and Long seconded, to have an ADA automatic door opener installed at town hall at the door located on the ramp side for \$1,811.38. Motion passed unanimously.

Campbell stated that he received the second quote for the repairs at the public restrooms for \$4,995.04. Campbell stated that this amount was 50% of the competitor's estimate that was roughly \$10,000 and that did not include the repairs needed for the second bathroom. Long asked what the scope of the work entailed. Campbell stated that the estimate for the men's restroom is to cut the concrete floor and replace all drains below grade in the men's restroom with a pvc drain. Pour new concrete where it had been removed, furnish and install stool with open front seat, lavatory with lavatory faucet, urinal with Sloan Regal flush valve. Bottom 4' of wall behind lavatory and urinal would be covered with white FRP board. This quote also includes disposal of all waste materials and fixtures and does not include new floor tile. For the Woman's restroom the quote is for repairing or replace stool flange, replace stool with open front, stool supply, wax ring, stool bolt kit, and labor. Yangia made a motion to accept the quotes from Bob's Plumbing & Heating not to exceed \$5,000, Sautter seconded. Motion passed unanimously.

Campbell stated that he has a quote from Jeff Bourdo for the emergency flasher lights on the 2007 1-Ton. The actual cost for the lights is \$115. The labor is roughly \$95 per hour with roughly 3 to 4 hours to complete. It was asked to check with Eisenhours to see if they can perform the installation. Sautter made a motion and Opelt seconded to purchase and install the emergency lights for the 2007 1-Ton not to exceed \$1000 and go with the lowest labor cost.

**Opelt:**

Opelt reported that the dumpster has arrived for the scrap metal.

Opelt reported that they have purchased some pool chairs. Opelt stated that what they did was purchase some chairs out of the fundraised money so it was not taxpayer money. Opelt stated that they purchased 12 chairs but two of them have been paid for personally so they only actually used money from our fundraising for 10 chairs. Opelt stated that the Mayor had already purchased a chair, he himself purchased a chair and so did the Schuermans. Opelt added that they are getting them from North Branch and they are \$210 each if anyone else on council would like to purchase one or go together and purchase one, the committee would appreciate it or if anyone in the community would like to purchase a chair. Opelt felt they wanted to get them now since it takes almost 2 weeks to get them and they will have them for day one of next year's opening for a total of 13 chairs. Sautter asked the style of the chair. Opelt replied that they are a folding chair and come in 12 different colors.

Opelt stated that the pool liner committee has stopped that committee and moved into committee that is going to be called Friend of the Pool. They will become a non-profit organization and will not be connected to the village but they will raise funds and donate to the village for projects as they come available. Sautter asked if the village will house the money. Opelt replied they will be a non-profit that will hold the money and if a project comes up as. Opelt gave the example that if the pool needs new decking and it's going to cost roughly \$20,000 then the village would pay \$10,000 and this non-profit would write a check to the village for the other \$10,000.

Opelt announced that they are going to have a doggie paddle at the pool with 2 sign ups on the last day the pool is open which is September 6<sup>th</sup>. In addition, they will also have a family movie night the last Saturday in August which is the 27<sup>th</sup>.

**Rahe:**

Rahe wanted to discuss sidewalk reimbursements. There are a few minor revisions the committee will be making to the permit. Rahe also has a reimbursement as a result of a tree being removed 5 years ago and caused the sidewalk to sink. Rahe asked if the village should pay the entire amount since it is a result of a tree the village removed. There was discussion however, there is a policy for 50% reimbursement and should remain as such. Sautter stated that it was the homeowner's choice to replace the sidewalk and had the village asked them to correct she would feel differently but agrees it should stay at the 50% reimbursement. Campbell stated that he does not agree because the village has had a long standing policy of placing street lawn trees along sidewalks that as they grow tend to destroy sidewalks that are the responsibility of the homeowner to maintain. Campbell stated that we do have, he would assume some record of what trees were planted where and is pretty sure that if a tree was removed and one was planted in the same spot he would questions as to whether or not the homeowner was ever contacted by the town as to the type and location. Sautter stated that they are contacted every time. Campbell stated that he knows they are now but in the past as the precedent always stood the same and it takes time for once a tree has been cut down for the root system to rot and the sidewalks to sink so long term effects of cutting a tree down are obvious. But leaves it up to council because it is his feeling that if he can attribute sidewalk damage to a city owned or planted tree that we should at least work on a higher level with homeowners to replace and maintain those sidewalks to a degree. Mayor stated that 50% reimbursement is more than most cities do. Campbell stated that we do have a long standing problem with trees that are destroying sidewalks. Sautter stated that every time a tree is planted by the tree committee they consult that person and then they pick the type of tree they want. Long asked if there is a round of trees being planted this fall. Sautter replied yes. Long asked if the tree committee is making a valid attempt to put in trees that are not known for shallow driven. Sautter replied that yes, they put together a list a trees that they feel is a good size to plant and makes the recommendation of a size.

**Sautter:**

Sautter reported that the Finance Committee met and discussed the liability insurance with is PEP also known as USI and the Ohio Plan. Finance has spoken on the issue and just have one question for the Ohio Plan which is the builders risk and just want to make sure the coverage is comparable with the upcoming projects the village has. Yaniga has three areas that she will formulate questions

regarding the difference with coverage. Sautter asked the clerk to send out those questions so they can make a decision at the next council meeting as to stay with the Ohio Plan or change to PEP.

**Yaniga:**

Yaniga asked if we are changing the time for next council meeting does it have to be in a form of a motion. Mayor replied no that he set the times. However, Marsh stated that it does have to be posted.

Yaniga asked the progress of the security cameras. Chief stated that Lockard has installed two of the cameras at the police station and will install the other two cameras yet this week. Yaniga asked how they seem to be working and Chief replied they are working well so far.

Yaniga asked about placing a dead end sign on Perry St. Campbell stated it's just a matter of letting Bourdo know what signs are needed by compiling a list of signs. Long stated that the signs on Bierley and Martin are in need of being replaced. Long stated that Bourdo should take an inventory of needed street signs in the village.

Yaniga reported from the Promote Pemberville Committee about the village and PIMA approaching the Rahe's that have their home for sale on Front St. about advertising their home as a potential Bed and Breakfast idea. Yaniga stated that for \$100 they can advertise the house as a Bed and Breakfast and is asking if council would be willing to donate \$50 to the advertisement and PIMA can donate the other \$50. Yaniga stated that they have had three potential buyers but the financing did not go through because they are zoned commercial and not residential. Opelt stated that turning a home into a Bed and Breakfast is extremely expensive. Opelt does not feel that we should be using taxpayer money to help sell residential homes.

**Guest:**

Mr. Dierker was present and voiced his concern to the Mayor and Council about semi-trucks turning from Front St. onto Hickory St. Mr. Dierker stated that he had a semi-truck drive over the curb and into his yard and is very concerned for the safety of the kids on that street that ride their bikes with semi's turning there. He would like to see something done, possibly posting a sign at each end that says no trucks.

Gene Steele reported that the bag bugs are out and killing off trees and bushes. Steele stated that he has purchased a spray for the evergreens that kills the bug and is willing to donate some to the village to help kill off the bug and stop the damage they are doing to the evergreens.

Steele stated that the Harrison Trucking is still coming through and stated we should post a No Thru Truck sign.

Steele asked if there are two scrap bins labeled steel and aluminum. Opelt replied there is just one dumpster and that the scrap yard separates the metals out for us.

Steele wanted to know what the outcome was regarding the Boy Scout Cabin and the help they asked for. Mayor replied that council approved the amount they was seeking and as they submit receipts they will be reimbursed.

Mayor Bowman adjourned the meeting at 8:25 pm.

