

**VILLAGE OF PEMBERVILLE
COUNCIL MEETING
March 20, 2018**

Mayor Bowman opened the March 20, 2018 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 Rahe, Angel, Bailey, Opelt, and Yaniga. Others present Joanne Busdeker, Ed Wozniak, Tom Oberhouse, Gene Steele, Tom Mauk, Eileen Schuerman, David St. Louis, and the Clerk.

Minutes: Rahe moved and Bailey seconded to approve the minutes. Motion passed 4/5. Rahe-yes; Bailey-yes; Opelt-abstain; Yaniga-yes; Angel-yes.

Treasurer's Report: Rahe moved and Yaniga seconded to approve the bills in the amount of \$2,733.24. Motion passed unanimously.

ORDINANCE 1573: ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF PEMBERVILLE, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018. 2nd Reading

Rahe moved and Yaniga seconded to suspend the rules. Motion passed unanimously.

Yaniga moved and Rahe seconded to approve Ordinance 1573. Motion passed unanimously.

Mayor:

Mayor stated that he sent out 5 requests for quotes to remove the lead and asbestos from the building and Volunteer Park. Mayor stated that council has a copy of a quote from Midwest Environmental for \$2,600 to remove 3 windows, 3 doors, scrap the overhang and seal with paint which will remove the lead and asbestos. Mayor stated that he will purchase 8 sheets of drywall to cover up the doors and windows until new ones can be installed. Sue stated that the funds would be taken from Lands and Buildings. Yaniga asked if Midwest would be doing the work from beginning to end. Mayor stated yes. Yaniga asked if there would be a follow-up to make sure that the materials are no longer in the building. Mayor stated they will be doing all the work identified in the TTL report. Rahe made a motion and Opelt seconded, to hire Midwest Environmental at \$2600, to remove the lead and asbestos indicated in the TTL report in the building located at Volunteer Park and paid from the Lands and Building fund. Motion passed unanimously.

Mayor stated that the sale of Forks restaurant did not sell at the auction and therefore the bank has purchased the building. Mayor stated that once all the paperwork and transfer are complete, the bank will offer it for sale.

Mayor reported that PIMA is offering an Easter egg hunt this Saturday, March 24th.

Mayor reported on the BPA meeting that took place last night. Mayor stated that they discussed Amplex putting in Fiber Optics and have been working with John Lockard and BPA to attach to the poles. Mayor stated that they have already installed Fiber Optics in Woodville.

Mayor stated there have been candidates for Lockard's position and two interviews conducted but the individuals did not take the job.

Mayor stated that Joe Hirzel has been working with USDA and Rural Water regarding programs that are available. Mayor stated that BPA has identified water dead-ends and would like to do loops to help eliminate shutting water off when there is a water break or other water main maintenance. Mayor stated that Tom Mauk and Nathan Schultze will be attending the meeting with Joe Hirzel Friday to discuss the programs available.

Mayor stated that there continues to be work at the WWTP. Mayor stated that recently there has been a discrepancy with the flow from Eastwood to the Village and it could be a collaboration issue. Mayor stated the first few months the usage read well but has now been reading low.

Rahe:

Rahe stated the Village has recently received a complaint from resident Jordan Haynes regarding denying of public records. Rahe read the complaint an email for the record:

“A complaint has been filed against you in the above reference case filed in the Court of Claims of Ohio. The Ohio Judicial Center, 65 South Front Street, Third Floor, Columbus, Ohio by: Jordan Haynes, Pemberville, Ohio 43450. A copy of the claim is attached hereto:

This complaint alleges the improper denial of a request for a public record(s). This complaint has been referred to mediation as required by law and all legal proceedings are stayed pending the outcome of mediation. No written response to this complaint is required at this time. If and when a written response is required, you will be notified in writing by the Clerk of the Court of Claims. A representative of the Court of Claims will contact you in the next few days to initiate the mediation process.”

Rahe also read into the minutes the emails. The email wrote by Mr. Haynes, stated the following:

Mrs. Sautter,

I apologize for bothering you with a council related questions, but I wasn't sure where to start.

Would you happen to have any finance meeting minutes from 2015 through 2017?

Thanks,

Jordan Haynes

Mrs. Sautter responded with the following:

“Are you looking for something specific? We did not take Meeting minutes. The council minutes included a report back on the topics covered. You could look there if there is no specific question.

Jesicca

Rahe added the Mike Marsh reviewed the complaint and has made a recommendation via email stating “going forward provide for tape recording of Council meetings and Committee meetings and save those tapes. I know of no particular requirement that the committee's referenced by Mr. Haynes maintain handwritten records. Having tape recordings of those meetings will resolve everything, and while there would not be a written summary that exists, a complete tape recorded record of a meeting could be handed to anyone interested in what had taken place at the meeting.”

Rahe reported that she has a quote from GT Contracting to crack seal the alleys. Rahe stated the GT Contracting has maintained their quote from 2017. Rahe stated that she has spoken to them regarding the complaints and issues with Bierley Ave and they will look at and fix this spring. Rahe stated that the Street Committee recommends that we complete the crack and seal project with GT Contracting for \$18,400. Rahe made a motion and Bailey seconded to move forward with GT Contracting to finish the crack sealing of the alleys for a total of \$18,400. Motion passed unanimously.

Opelt:

Opelt reported that the Lands and Building Committee will have a special meeting Friday, March 23rd to discuss quotes for tuck point and sealing of the Town Hall building. Bailey added that the quotes discussed at the last meeting was not a good apples to apples comparison and have requested from the quotes submitted, clarification. Opelt stated they have identified on going damage around the windows.

Opelt mentioned the selling of the mosquito sprayer that was purchased back in October. It was discussed that the village would outsource the mosquito spraying for 2018. Yaniga asked that the selling of the equipment be placed on hold for at least a year to make sure this was a definite route the village wanted to take. Bailey stated that she has not intentions of changing her mind while serving out her term. It was stated that the cost associated with doing in house, the employee who would obtain license and when or how they would be compensated did not seem to be what is in the best interest of the village. It was also mentioned the maintenance of the machine and the storage of any chemical's and who would properly train the employee to use and maintain the equipment. Clerk asked that if they was going to sell to allow the previous electrical lineman and now the Administrator of Elmore be given the first opportunity to purchase the machine since he is licensed and originally asked to purchase last year if the village did not want the machine prior to his departure. Opelt moved and Bailey seconded to sell the mosquito sprayer. Motion passed 4/5 vote. Opelt-yes; Bailey-yes; Angel-yes; Rahe-yes; Yaniga-no.

Opelt stated that the next Park and Recreation meeting is Monday, March 26th at 3:30pm.

Yaniga:

Yaniga reported that the Tree Commission met last night and are still looking at areas to plant. Yaniga stated that the Tree Committee is still discussing having Arbor Day with the Preschools.

Yaniga stated that Lockard received a request from a resident on Bierley Ave to cut down branches that are hanging onto his property and would like permission to remove them. It was asked to clarify "removing them". Yaniga stated that Lockard did say that residents can trim the trees off of their property but they cannot cut the trees down that are on village property. Yaniga stated that the Annual Tree City Award Ceremony is April 18th and in the past Council has approved to send to of the members. Yaniga stated that the cost is \$25 per person and the village usually covers the cost for no more than 2 members. This year Lockard and Ruth Phillips would like to attend. Yaniga made a motion and Opelt seconded to spend \$50 for the two members to attend the Tree City Award Ceremony this year. Motion passed unanimously.

Yaniga reported that the Flood Committee met on the 14th. Yaniga stated they have one well knowledgeable member and is bringing 2 of the members up to speed and have been discussing proactive measures.

Guest:

Gene Steele stated that they are trying to get the all the down trees cleaned up out of the river. Steele stated that Hirzels can help but cannot do the large logs so they are still trying to find a place to get rid of them. Opelt suggested to come up with a cost and maybe Council can help a little bit.

Steele wanted to remind everyone that the Hazardous Mitigation Follow-up meeting is Thursday at 7:00pm

Steele mentioned bag bugs again this year and the damage caused by them. Steel stated that they look like a pine cone and tend to showing up around April and May. Steel also mentioned Asian Longhorn Beetles are making its way through maple trees. Tom Oberhouse added that they have not been seen around our area but are becoming an issue in other areas.

Mayor wanted to propose to offer as a project to have residents sponsor flower pots for downtown, taking a planter and plant with their own ideas and potentially reimbursing up to \$30 per flower pot to help with the cost. Eileen Schuerman asked who would be watering them. Mayor suggested those who would plant them. Mayor stated that this will be presented at the next council meeting for more discussion.

Mayor Bowman adjourned the meeting at 8:10 pm.