

**VILLAGE OF PEMBERVILLE  
COUNCIL MEETING  
April 16, 2019**

Mayor Bowman opened the April 16, 2019 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, Bailey, Long, St. Louis, and Yaniga. Others present were, Joanne Busdeker, Gene Steele, Ed Wozniak, Sarah Enright, and the Clerk.

**Minutes:** Rahe moved and Bailey seconded to approve the minutes from the April 2<sup>nd</sup> meeting. Motion passed unanimously 5/6 vote.

**Treasurer's Report:** Yaniga moved and Long seconded to approve the bills in the amount of \$14,292.24. Motion passed unanimously.

**ORDINANCE 1586:** ORDINANCE TRANSFERRING PREVIOUSLY APPROPRIATED FUNDS. 2<sup>nd</sup> Reading

**RESOLUTION 757:** AGREEMENT TO PARTICIPATE IN THE WOOD COUNTY ONSOLVE MASS NOTIFICATION SYSTEM CONTRACT. 1<sup>ST</sup> Reading

**Mayor:**

Ms. Poppy: Mayor stated that every year council receives a visit from Ms. Poppy. Mayor stated that Ms. Poppy, Melody Myer, will be at the next council meeting, May 7<sup>th</sup>.

**Park and Recreation:** Pool: Mayor reported that the early pool signups have been scheduled for Saturday, April 27<sup>th</sup> and Saturday May 11<sup>th</sup> from 9am to noon at village town hall. Mayor stated that the early signups are for swim lessons, swim team and pool membership passes. The pool manager, lifeguards and members of the park committee will be available at the early signups. Mayor stated that currently the pool has 9 lifeguards hired for the 2019 pool season.

Eagle Scouts and Oberhouse Park: Mayor reported that the Eagle Scouts have set the dates of May 4<sup>th</sup> and 5<sup>th</sup> to clean up at Oberhouse Park. All volunteers will sign a waiver of liability form. Yaniga stated that she had touched base with Mike Marsh just to make sure there was nothing more expected from the village. Yaniga reported that Marsh encouraged to let this project be the efforts of the volunteers and discourages village employees and volunteers to work alongside of each other. Rahe stated that Bailey had made comment to the liability insurance during the personnel/finance meeting. Rahe asked if there was no village equipment necessary for when they start this project, she does not that the village employees will come in at a later time with the chipper and do some things. Yaniga stated that was a good follow-up question and that if there was something specific to ask she could do so all in one email. Mayor stated that the agreement we have with Mr. Stoner, is that he will rally his friends in the troops, as well as parents and leaders and they will come in with their own equipment. There is a question about what damage could be done by heavy equipment from the village if the ground is soft, so the plan at this point would be to have them come in do clearing, gathering and put branches into one pile so that when the ground gets firm enough for us to go in with heavy equipment we can take care of it at that time. Yaniga stated that it sounds like those two actions will be operating independently anyways. Mayor stated that the village employees would run the chipper anyways and they would do that on regular work hours.

Portage River Water Trail: Mayor stated that he had spoken to council at the last meeting about putting a letter of support together for the development of the Portage River Water Trail and would like council's approval to send the letter. He read the letter to council indicating that the "village fully supports and encourages the development of the Portage River Water Trail. The opportunity to increase recreational interest on the beautiful yet underutilized portage river that includes Pemberville is a win, win for our village and all the communities along the trail and on out to Lake Erie. We look forward to working with you and the other partners in developing access points for canoers and kayakers. Please contact us about playing our part and possible access points in Pemberville."

**Rahe:**

**Street Committee:** Rahe reported that the street committee met on April 10<sup>th</sup>. One of the two mowers have been received. Rahe stated that there is some concrete work that needs to be completed for the installation of the new diving board and Schultze has asked Bourdo for some assistance.

**Front St. Property:** Rahe stated that the property on Front St. that the village purchased as potential site for a new water tower was discussed. Rahe stated that the property was cleaned up a few weeks ago with some tires and trees that were removed to help better keep up on the maintenance. Rahe stated that was comment made by the property owner Mr. Rife and him not happy that his driveway has not been maintained by the village as promised and he is not at all happy about it. Rahe stated that back when the 105 sewer line went in, there was an agreement made with Rife that the village would help maintain the drive. Mayor stated that he does have that document. Long asked that if he could please share with council.

**Street Sweeping:** Rahe stated that Bourdo had received a quote for street sweeping for 2019 from Dublin. The quoted price is the same as last years which is \$650 for the initial spring sweep and then \$475 for each additional sweeps thereafter. Rahe moved and Long seconded to accept the quote from Dublin. Motion passed unanimously.

**Salt Barn:** Rahe reported that the salt barn is in need of a new roof. Rahe stated that if there is interest to move the location of the salt barn, now would probably be a good time. There was a brief discussion about the trustees and a new building and seeing if sharing a salt barn was possible.

**Street Security Cameras:** Rahe touched briefly on the cameras at the street garage not working and if there has been contact with the gentleman who set them up. Yaniga stated that she has reached out to him on a few different occasions and still has not received any return correspondence.

**Pressure Washer:** Rahe stated that the pressure washer is broke and the part to fix it would be over \$300 or they could purchase a new one for \$350 to \$400. Rahe made a motion to purchase a new pressure washer, Bailey asked if that was necessary since it was going to be less than \$500. Clerk indicated that the purchase would be split by three different departments and each would be less than the \$250 threshold for purchase. Rahe withdrew her motion and it was agreed to allow the street department to purchase a new pressure washer.

**Personnel Committee:**

**Zoning Inspector:** Rahe stated that the Personnel Committee discussed the zoning inspector and if anyone has reached out to him with council's expectations and when he would be expected to come to council to report. Rahe stated that personnel has not nor has the Mayor, reached out to Mr. Coon. Long asked the Mayor if he still had the document he created that outlined the expectations. Mayor replied that he did still have it. Long asked about Bourdo coming to council. Rahe replied she thought that by him attending the Street Committee meeting, which Yaniga and Rahe could report back to council instead of having Bourdo come to a council meeting. Bailey stated that she will reach out to Bourdo and ask him to begin attending the Lands and Buildings Committee meetings.

**Solicitor:** Lastly, Rahe asked about action regarding the solicitor now that St. Louis has been sworn in. Rahe stated that personnel committee discussed it and all of the committee supports Kuhlman. Rahe stated that Kuhlman would resign from the school board. St. Louis stated that Mr. Kuhlman has already resigned from the school board. Rahe moved and Bailey seconded to hire Robert Kuhlman as village solicitor. Motion passed unanimously.

**Angel:**

Absent

**Bailey:**

**Lands and Buildings:**

Bailey stated that Lands and Buildings next meeting is tomorrow at 3:30pm.

**Website & Facebook:** Bailey mentioned updating the webpage and had reached out to Rus Eby who agreed the software is way outdated and in need of a change. Bailey, Yaniga and Rus will be looking at other software that Rus can maintain for the village. Bailey would like councils support to work with Rus, Yaniga and members of the community that would like to be involved, by creating a subcommittee to research a user-friendly

web company that Rus would be comfortable with. Bailey stated that the setup could cost approximately \$1000 and then roughly \$300 to \$400 yearly maintenance. It will be hosted by Amplex. Bailey also mentioned at the last meeting using a platform with Facebook as a communication tool.

Historical Society: Bailey stated that this year's Historical Society Fundraiser is the German Festival that will be held at the Legion of April 27<sup>th</sup>. Bailey stated this is one of the major fundraisers set for this year.

**Long:**

**Pember Grove:** Long stated that the village engineer now has a complete set of drawings as well as storm sewer calculations and will work this week on reviewing it. Planning Commission meets tomorrow at 7pm.

**BPA: Water:** Long stated there was conversation on how quickly they could design and do grant work and try to get on the board for waterline replacement for College Ave. in order to try and get in line with the pavement schedule and to everyone surprise Feller Finch thought they could have that project designed and out to bid by August of this year for 2020 construction and have been doing survey work already.

Long stated that survey work is done for the south water line loop.

Electric: Long stated that BPA has received another bid for the substation repairs and that is down to \$750,000 from 1.1 million.

Utility Bills: Long stated that the utility bills were discussed and that there has been an ongoing issue with residents not getting their bills. Bill suggested indicating on the bills that bills go out by the 10<sup>th</sup> of each month and that if future bills are not received by the 15<sup>th</sup> to please contact the town office to obtain their billing amount.

Committee Seats: Long asked if there were any open committee seats. Yaniga stated that she had reached out to a few that were interested. Rahe asked if there should be discussion around the Planning Commission terms. Long stated he would have to look at the next set of terms and see what the vacancy is. Rahe stated that for some reason she thought Long, Miesmer and Madaras term was close to being up. Long stated that his term is associated by the revised code and once his with terminate with his term.

**St. Louis:**

No report.

**Yaniga:**

**Flood Committee:** Yaniga stated that the Flood Committee did not have a quorum to hold a meeting so they will meet again next month.

**Tree Committee:** Yaniga stated that the Tree Commission met and all that was discussed was old business, trees in the boulevard and tree survival school. Yaniga stated the only new business discussed was the date was set for Arbor Day for April 29<sup>th</sup> at 1:30pm and will be with the 4 year old preschoolers from Bethlehem and the preschool at the elementary. The site for the large planting will take place directly in front of the ball diamond along College Ave. Each child will receive a sapling to plant in their yard.

Solicitor: Yaniga stated that can she ask that with the number of years Mike Marsh served the village would it be appropriate to send him a formal thank you letter for his service.

Traffic concerns: Yaniga stated that she noticed that there was an accident on Front St and Water St. she asked chief if there was visibility issues that created the accident. Clerk stated that there is a big mirror there that allows visibility of oncoming traffic. Chief stated mirror or not it is up to the driver to pay attention. Yaniga stated that there was just some questions and concerns about that intersection.

Bowling Green Council Meeting: Yaniga stated that she had attended Bowling Green council meeting. Yaniga stated that a Bowling Green community organization, La Conexion, Immigrant Solidarity Committee was in attendance to voice their concerns in regards to two young Latino men that were attacked inside the Bowling Green Waffle House on March 31<sup>st</sup>. Yaniga shared that the incident began with a group making racial slurs and insults and continued after the Latino men requested to be moved to a different table. Yaniga stated the Latino men did nothing to provoke the incident nor did they fight back when they were attacked. Both Latino youths suffered injuries, including broken bones. The individuals that began the altercation were charged with assault

and ethnic intimidation. Yaniga stated that many residents of Bowling Green spoke to council about past incidents, including personal incidents that were threatening based on race. Yaniga stated the guest speaker, Beatriz Maya, Director of La Conexion, whom services Pemberville residents with translation, transportation and assistance with legal help, had prepared a list with community input, of initiatives that La Conexion recommended, which included asking council to publicly denounce the hate and violence that took place at the Waffle House on March 31<sup>st</sup>, and take action to prevent these incidents from happening again. Yaniga stated that it was recommended to council that they should sponsor a bystander training for all businesses that would help their employees to recognize and diffuse situations without putting themselves or other's in harm's way. Yaniga stated that Bowling Green officials expressed their concerns of the events and that currently the police department is looking at expanding training for establishments with liquor license that would address these types of incidents. In addition, La Conexion is looking at taking their concern to the County Commissioners because these attackers were from outside of Bowling Green and these problems are not just exclusive to Bowling Green. Long asked Yaniga what the list consisted of. Yaniga stated that she will get the list for him. Yaniga stated that this may be an opportunity to think of ways to reach out and see if these issues are happening within our own community. There may be residents whom have went through this same experience. Yaniga stated she felt this was an ongoing conversation in Wood County as a whole and would do well to stay up to date with it.

**Guest:**

**Gene Steele: Pember Grove:** Steele stated that with Pember Grove plans nearing an end his only concern is the retention pond. Who will be made responsible for properly maintaining it and if it is not properly maintained does the village have the right to go in and maintain it and bill the appropriate individuals. Long stated that as he understands it the deed restrictions of the property owners it will be there responsibility to maintain. What Long does not understand is who enforces it because there is not HOA and will be a question for the new solicitor.

**Oberhouse Park:** Steele suggests a meeting with the scout master and Bourdo to determine what to do with gathering of the trees and brush. Steeles' other concern is the tree wood once it is cut down as it will be left lying in the park until someone can remove it. Mayor stated that will be addressed once the limbs and leaves removed and grass mowed. Steele is also concerned about the hole from an old well at Oberhouse Park, located behind Sanders property. Steele stated there is a little girl next door to him and 3 other little children a few doors down that are all little enough to fall in the hole. Currently Steele has a plastic bucket covering it. Steele stated that he has spoken with Schultze who was supposed to contact someone on what type of mixture was needed to fill the hole. Steele would like to see that filled as soon as possible. Steele said it is about a foot in diameter.

**Animal Shelter:** Steele asked what was going on with the Animal Shelter. Mayor stated the property is owned by Larry and Carol Moore and will stay that way as long as they follow the edicts of the US Bankruptcy Court of Toledo. The Moore's are obligated to pay a certain amount of funds each month for the debt they owe the Union Bank, and as long as they fulfill that, they retain the rights and ownership of their various properties around Pemberville. Rahe asked that she thought the county came in and the Moore's had to do something with the structure, either tear it down or stabilize it and had to have that completed by sometime in June. Mayor replied that we have sent letters and asked the prosecutor's office to initiate fines and penalties for not following that edict from the building inspector and so far they have done nothing. Rahe asked when the Mayor states "we have" does that mean it's coming from Pemberville. Mayor replied yes, it is coming from the Mayor and the Solicitor. Mayor stated that it will take the courts to do something. Bailey stated that once Kulhman is on board those letters need to be renewed.

**Ed Wozniak** stated that this deal Home Depot, the he kind of thinks that the village is in the market for anything they should try the elevator first and if it is not competitive, then maybe they should try Home Depot. Wozniak was not sure if council was aware what Home Depot has done or not. Mayor state that the Eastwood Junior Softball and Baseball Organization sent a request or a letter of need to the Home Depot support team or community team that they have for volunteers from their employees and Home Depot agreed to provide \$2000 worth of materials to both the two ball fields in Pemberville and the two in Luckey and then they ask for volunteers from their employees to come down and do the work. Wozniak stated that what he was stating was misunderstood. He clarified that he would like to see the village purchase from Home Depot if the elevator does not have what they need. The clerk stated that we do purchase from Home Depot often.

**Joanne Busdeker** stated that she is concerned with Donaldson parking his large vehicle on Cedar St. at the corner and she does not know if anyone has talked to him recently. He is using the first parking space and it makes it difficult for cars to get through if someone is already sitting at the stop sign. Busdeker suggested

crossing out the first parking spot from Cedar St. going north that would allow for cars to pass through when one is at the stop sign. Busdeker was not sure if that was something the street department could do or who has authority to do something. Chief stated he will take a look at it, but if he is parked within the law there is not much that can be done. Busdeker stated he is, it was just the idea of when he is parked there another vehicle cannot get through if a car is at the stop sign, so if that first parking spot can be taken away it would allow traffic to flow through easier. Jim Fields stated that if he was not mistake Mr. Donaldson and Mr. Smith were told they could not park commercial trucks on Front St. Bailey stated that was correct. Fields stated that is why Mr. Donaldson now parks on Cedar St. Busdeker stated in her opinion it is causing problems on the side street as well. Busdeker stated she would just like to see more room there to be able to get in and out easier. Mayor would like Chief to look at the situation and see if Mr. Donaldson would move to the second spot, that is does create a little congestion there. Yaniga stated that she felt he would have no issues if he was approached diplomatically about it that she noticed that he has always been curtesy during snow removal and made arrangements with his neighbor to park in his driveway when needed so she does not anticipate friction.

Mayor Bowman adjourned the meeting at 8:30 P.M.