

**VILLAGE OF PEMBERVILLE
COUNCIL MEETING
August 15, 2017**

Mayor Bowman opened the August 15, 2017 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, Campbell, Long, Opelt, Sautter, and Yaniga. Others present Tom Mauk, Sarah Szymanski, Eileen & Vic Schuerman, Jordan Haynes, Daniel Angel, Ed Wozniak, Carol Bailey, Russell Eby, Marti Zeek, and the Clerk.

Minutes: Opelt moved and Sautter seconded to approve the minutes. Motion passed 5/6 vote. Opelt-yes; Sautter-yes; Yaniga-abstained; Rahe-yes; Campbell-yes; Long-yes.

Treasurer's Report: Long moved and Opelt seconded to approve the bills in the amount of \$7,110.68. Motion passed unanimously.

RESOLUTION 745: RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A 2017-2018 GRANT WITH THE WOOD COUNTY PARK DISTRICT. 1ST READING

Mayor state that everyone should have received information for grant requests from the Wood County Park District. The submission for those grants are due this Friday, August 18th and apologizes for the short notice and as part of the grant request Resolution from council approving the submission of these grants and hopes for an approval to submit and will need to suspend the rules. Opelt asked the Mayor to explain to the public what the grants are for. Mayor added that every year the Wood County Park system receives \$100,000 funding from the County Commissioners to be used exclusively for parks in or around Wood County and can cover a number of projects including recreational development, equipment, and to serve to enhance county and municipal parks. Each entity, municipality is permitted to request up to 3 projects so with the help of the Park and Recreation Committee we have developed these three requests. Item 1, \$6,150 for contractor services to include labor for the installation of a new roof, electrical fixtures, siding and installation of two store front doors. The Mayor stated that we have already received \$14, 290 that you may recall a check presented to us a couple of meetings ago. so we have the money for equipment but we do not have money for the labor and because we are required to submit engineered drawings to the Wood County Building Inspection we anticipate they will require licensed contractors to make these installation and the contractor cost was not figured in the first request and this would request the money to pay for some of those service. Item 2, \$2,485 for 100 cubic yards for mulch we have a playground next to the pool at Memorial Park that over a period of time the mulch disintegrates. Mayor stated we purchased 50 cubic yards in 2015 from the Garrick Company out of Cleveland and while it did a good job of covering the area, it did not fill it up. Item 3, \$4,703.09 for a 1/2 meter diving board stand, 10 foot diving board, stainless steel handrails, plus shipping. Mayor stated that we would do the installation ourselves that we have plenty of qualified employees capable of doing this task. Mayor stated that the current 16 foot long diving board has served us well, it has been coated numerous times and is still serviceable but the frame work is starting to deteriorate. These 3 items, contractor services for Shelter House project, playground mulch, new diving board, base and handrails is what the Park & Recreation Committee is recommending and will need to pass the Resolution to make the application, Mayor stated that is does not mean we will receive the money, it just allows us to apply for funding for the Park. Mayor stated that with no Park Levy, we have to take money from the General Fund for park activities and repairs and anytime that we can get money that is already disbursed between the counties we should apply to get our share. So he asks for Council support to pass this Resolution so he can make this request. Rahe asked with the change of the date of the application, when was it originally due? Mayor replied the end of June, Rahe stated then they extended the date. Mayor stated that they are rearranging their process that has changed the due date. Sautter asked if the \$14,290 received already could be used in calendar year 2018. Mayor stated yes, Opelt asked is this not some of the money residents pay on their property taxes to Wood County Parks. Mayor replied yes, everyone pays taxes and part of the tax money goes to the Wood County Parks. Opelt then stated this is the only way we can get the money back to the village. Yaniga asked the Mayor that since it was mentioned of the engineer drawings submission, have we received those yet. Mayor stated that they are currently being worked on, that the engineer we selected had encountered some health issues with him and his wife and now that he has received help he will be working on those and should have something to submit to the Wood County Building Inspectors by the end of

next week. Yaniga asked, then we do not have any plans that have been approved by the County or EPA for that site. Mayor stated there are no issues with the EPA. Sautter questioned Yaniga's concern. Yaniga added that because the site is within a certain distance of our well field, is there not restrictions upon the type of material and activity? Mayor replied, no and Sautter added that we cannot spray for weeds. Mayor stated that he spoke with someone at the Wood County EPA office today and explained what it was the village was doing and their only concern was that the village did not allow equipment or building supplies to close to the existing well. Mayor added they have no issues with the village replacing the roof, siding, or windows and despite of what Yaniga may have heard, the ground is not contaminated. Mayor stated it grows grass, clover and alfalfa very well. There are no EPA issues there. Yaniga asked if we had some documentation that allows us to proceed. Mayor replied yes. Yaniga asked to see it. Mayor stated it was a phone conversation he had and would provide her with the contact he spoke with. Her name is Linda Benian, from the Ohio EPA in Bowling Green. Campbell stated that from what he is hearing, that it seems adequate we seem to be avoiding the entire issue of the taxpayer paying \$2500 for an appraisal on that property that we agreed to when we purchased the property. Although the appraisal was done years after we made the purchase, we received a letter from Nature Works that indicated we actually purchased the property prior to having the appraisal. Campbell stated that the appraisal speaks very strongly of the limited use of the property of what can and cannot be done, recent maps show the property within a 500 foot radius of adjacent well water, documents and exhibits sectioned from the Ohio EPA as well as conversations with Debra Cartledge, prior Fiscal Officer of the village, that indicate the following uses are not permitted within 500 feet of the village water wells; sewer lines of any kind, utility lines, structures, pesticides, herbicides, and fertilizers, and any potential source of contaminations. Campbell added that it goes on about limitations that we have on the property. Campbell stated that the village paid for this and something that does not settle with him is, he feels that after speaking with the county, the information of the changes to the grant procedure were given earlier in the year and all of a sudden, right before the deadline, council is getting a whole lists of things that we would like to apply for. Campbell stated that nobody is saying that we don't need these things, but when at the last minute he receives the information and is told we have to suddenly have an emergency procedure put on the agenda Monday and then Tuesday gets the list of things wanting to purchase, that as a councilman he has a huge problem with, knowing that this probably should have come to council after the prior discussion that was had when council hired Scott Heacock, on May 2nd. Campbell stated that he sent an email stating that is sounded as if Scott Heacock hasn't had much time to work on it this, and it's unfortunate that now what the Mayor is stating is that council will get the plans after we submit for the grant, so we do not have a plan, it has not gone back to the county for review. Sautter stated the money already received will be used to pay Heacock for the plans, Campbell stated he understood that. His concern was the time line on the return of information is not in the proper order. He will have the plan after the grant deadline and won't have it to the County so they can review it, approve or disapprove, or make changes if needed, and feels there has been no involvement with Nature Works to tell us what we can and cannot do with the property. Campbell stated that he has taken a lot of people's word on the matter and will continue to verify what he is doing before moving forward and shooting from the hip. The discussion continued to became very heated in length, with a lot of various pro and con concerns of the property and water well. Mayor stated this is just asking to apply for the grant money that is going to be distributed around the County and would like to get the villages share. With Long ending the conversation by stating there will be further opportunities to address everyone's concerns and this does not allow any project to move forward without the approval of Council this is just allowing the Mayor to apply for a grant that we may or may not receive funds for one of the three projects being submitted. Opelt moved and Sautter seconded to suspend the rules for Resolution 745. Motion passed unanimously
Sautter moved and Opelt seconded to approve Resolution 746. Motion passed unanimously.

RESOLUTION 746: RESOLUTION AUTHORIZING THE VILLAGE OF PEMBERVILLE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED FOR WATER STREET AND BIERLEY AVENUE IMPROVEMENTS. 1st
READING

Mayor:

Mayor stated he received a call from the Solid Waste District for the collection of recycling. Mayor stated that starting in 2018 the Village will be on a trial as a potential permanent recycling location. There will be 4 collection bins placed on village property by the street garage at our current location. Collection will start in 2018 and will be collected once a week. The Band Boosters will be engaged in keeping the bin area cleaned up. The clerk asked for

clarification from council of the recycling services provided by Wood Lane Industries. The clerk stated that she had indicated a few meetings ago that she was contacted by Wood Lane Industries informing the village that beginning August 17th, Wood Lane Industries, would be charging the village \$10 per week for the collection of recyclables and stated she did not receive a definite yes or no answer as to continue with this service. The clerk recommended that since the village would be receiving this service from the Wood County Solid Waste District beginning in 2018, that we keep the services with Wood Lane Industries for the remainder of 2017. Council unanimously agreed that the Village would continue with the recycling service provided by Wood Lane for 2017.

Rahe:

Rahe reported that she misspoke on the amount for the elevator monitoring. She had indicated that the amount was charged annually when in fact the amount covers a 5 year period.

Rahe asked if the Mayor had received any information on the mosquito collections. Mayor replied that he has not as of yet.

Campbell:

Campbell reported that the Street Committee meeting for August 14th has been cancelled and rescheduled for Monday, August 21st at 6:00 p.m.

Long:

Long reported that the Planning Commission meeting for this month, Wednesday, August 16th, has been cancelled due to nothing on the agenda.

Opelt:

Opelt reported that the next Park and Recreation Committee meeting is Monday, August 21st at 1:30 p.m.

Sautter:

Sautter reported that the Personnel Committee met and completed the Cell Phone Policy and is ready for council's approval. Opelt asked if Mike Marsh had looked it over. Sautter replied he had not. Sautter agreed to have Mike Marsh review the Cell Phone Policy with the intent to approve at the next Council Meeting.

Sautter reported that BPA met and had a light agenda. Sautter stated that they talked about contractors purchasing water as \$20 per gallon and had unanimously agreed to keep it at that amount.

Sautter stated that the clerk had indicated it was time to make a transfer of the income tax funds. Sautter made a motion to transfer \$150,000.00 of the tax dollars per Ordinance 1543.01.3 Allocation of Funds of 60% to the General Fund and 40% to the Permanent Improvement Fund, with a special designation to the Sewer and Water Capital Improvement Funds and Opelt seconded the motion. Motion passed unanimously.

Yaniga:

Yaniga reported that the next Safety Committee meeting is Monday, August 21st, at 4:30 p.m.

Yaniga stated that there will be a meeting to discuss the Code Red notification service on Thursday, August 24th at 7:00 p.m. located at the Fire Station. The invitation was extended to Freedom Township, Village of Luckey, and the Village of Bradner. There will be 2 representatives from Code Red to give a detailed explanation of the services they provide. The service does allow individuals to opt in or out of the service.

Guest:

Sarah Szymanski is asking Council for a temporary closure for a block party in September. The permit has been completed and currently in the Mayors possession. There was a map provided for all members of council indicated the area in which she is asking to be closed. Mayor asked if there would be music. Sarah stated yes and she will follow the noise ordinance. Yaniga moved and Rahe seconded to approve the temporary road closure permit submitted by Sarah Szymanski. Motion passed unanimously.

Carol Bailey has asked that the office staff make sure all doors are locked, including the Opera House doors.

It was asked about the security camera installation and its progress. Chief stated that the installer had some medical issues and once back the installation will take place.

Schuerman asked if the Police Department was in sync with Wood County. Chief replied yes.

Long stated that he has received a formal complaint regarding bee hives. The complaint stated there are two hives located on the south side of a red shed in the backyard of the property located on W. Front St. The complainant indicated "they had noticed the hives/bees have 'bearded' over the past month" and as of "today they seem to be in a more agitated state." They indicated they had consulted a friend of theirs who have an apiary and explained to them "that this can happen towards the end of the season doing the 'honey-run'." The complainant continued to stated that their friend "was concerned about the safety of hives being in town" and "stated she would not recommend this practice" and the "concern is consistent with the discussion that took place at the town council meeting on August 1, 2017." And "since the council determined that the practice of keeping bees falls under agriculture, they would like to request that the owner is asked to remove the bees and hives." Long stated that it was determined to be agricultural and asked that the zoning inspector notify the resident to remove the hives.

Long stated with all the recent fires and break-ins to be aware of your surroundings and if you see something out of the ordinary to please report it.

Mayor Bowman adjourned the meeting at 8:10pm.