

**VILLAGE OF PEMBERVILLE  
COUNCIL MEETING  
August 16, 2022**

Mayor Bailey opened the August 16, 2022, Council meeting at 7:00 pm with a prayer and the pledge of allegiance.

**Roll Call:** Present at the scheduled meeting of Council were Rahe, Angel, Kirkbride, Mazur, Meyer, and Titkemeier. Others present were, Chief Vaughn, Solicitor, Robert A. Kuhlman, Gene Steele, Eric Campbell, Marcia Cousino, Rebecca Krukemyer, and the Clerk.

**Minutes:** Angel moved, and Kirkbride seconded to approve the minutes as amended from August 2, 2022. Motion passed unanimously.

**Treasurer's Report:** Meyer moved, and Rahe seconded to approve the bills in the amount of \$22,311.21. Motion passed unanimously.

**ORDINANCE 1621:** ORDINANCE ENACTED BY THE VILLAGE OF PEMBERVILLE OF WOOD COUNTY, OHIO GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE BRIDGE INSPECTION SERVICES.  
3<sup>rd</sup> READING

Meyer moved and Rahe seconded to approve Ordinance No. 1621. Motion passed unanimously.

**ORDINANCE 1622:** ORDINANCE TO MAKE INTRA FUND TRANSFERS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF PEMBERVILLE, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022. 3<sup>rd</sup> READING

Clerk stated the amount of \$10,000 is to cover remaining pool expenses for the season, including payroll. Meyer moved, and Mazur seconded to approve Ordinance No. 1622. Motion passed unanimously.

**ORDINANCE 1623:** ORDINANCE PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF PEMBERVILLE, OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022. 2<sup>nd</sup> READING

Rahe stated the supplemental is for Pemberville Union Cemetery to finish out the year with wages and maintenance cost.

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

Rahe moved and Angel seconded to approve Ordinance No. 1623. Motion passed unanimously.

**RESOLUTION 771:** RESOLUTION AUTHORIZING THE VILLAGE OF PEMBERVILLE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED. 3<sup>rd</sup> READING

Kirkbride asked Clerk if she received the email requesting to be placed on the agenda. Clerk stated that as a member of Council he does not have to request to be placed on the agenda and would have the floor when the Mayor called on him to report. Kirkbride stated he would like to say something about the Resolution and thinks it encompasses the whole water tower project. Kirkbride stated he would like the following included into the minutes.

During our last Council meeting our mayor clearly stated her frustration. It was quite evident how frustrated she was. The comments made on August 2, referred to the upcoming August 6 information meeting.

So I'd like to set the record straight about how that meeting took place. I asked the BPA on June 6 to consider having another public meeting to just let the town know the status of the water tower project. The BPA responded by saying "No, we will not support a meeting like that. But if you Jeffrey, want to have a meeting you go ahead." After thinking about this suggestion for a few weeks I approached our mayor about such a meeting. So the first person I consulted about such a meeting was Carol. And I suggested a date of Sunday August 28. The mayor replied saying that was too late, too close to the Sept 9 deadline for the OPWC grant. So after this consultation with the mayor, I looked at my calendar and determined that the only other time that would work would be Aug 6.

Despite what some believed might happen, the Aug 6 meeting did not stir up discontent in the Village. It was very much appreciated. Characterized by positivity and information sharing. The mayor's letter was read and distributed to all in attendance. No one gave any false hope to the residents.

In terms of the word communication, in spite of the comments to the Council, I believe the whole council and our mayor are actually on board with communication. Especially with those who have a different point of view. If I didn't believe that, well, then I wouldn't be standing up here. My wife and my church family have really helped me know the importance of the word communication. Communication means both listening and speaking. And nobody here wants to prevent that. And nobody here wants to beat up anybody.

Over the past 7 months on Council, I have got to know the council members a little better. And I can safely say that no one on council is interested in stirring up emotions. We're all sitting here because we believe in good public governance. And want to increase our commitment to civic service. No one on council has an intention of thwarting anyone's service to our village. To characterize the council as "thwarting" the mayor or as being "meddlers" does nothing but alienate our fellow civil servants from the mayor's office.

So that is my response to our last council meeting narrative.

Secondly .... to the issue at hand.....After doing a good deal of listening to experts, I believe I could be convinced to vote for Resolution 771, if the way to its implementation hadn't been so opaque and if its implications were not so broad.

It's not intuitively obvious that Resolution 771 sites the water tower in a specific location. But in fact that is what it does.

Is there a way we could delay the vote on Resolution 771? I'm showing my ignorance here. And I am asking a question.

I am not conceding a point of view, but at this point I 'd like to adjust the rhetoric, from an "Us vs Them" approach to a leadership narrative.

And with these comments I will close:

No matter how great or small our vision is, if we as leaders do not have a healthy connection to the team we lead, our leadership will not succeed. All of us as leaders need to lead the village with optimism, enthusiasm, and positive energy. I believe there will be chances for us to focus on solutions, not complaints. That's what we did at the August 6 meeting. In order for us to succeed as leaders, we need to focus on the people we lead as well as the process, the "way of leading", more than on the outcome. If we do that, then what's best for our town will happen with vigor. I'm not being Pollyannaish here. But pragmatic.

So in light of these comments, I'd like to request a delay on the vote of Resolution 771. For one week or till Sept 6. Is this acceptable to everyone?

Mayor stated she wanted to make a correction. Mayor stated to Kirkbride that he first announced the meeting in Council and talked to her the following day. Mayor stated he came over and talked to her after he announced it and did not talk to her first about the idea but spoke of it in Council first. Kirkbride rebutted by stating he "suggested having a meeting and the first person I talked to besides you were the Council. And then I didn't have a date or anything, so setting it up was talking to you, Carol. So, to characterize it by saying that no one was consulted is untrue." Mayor stated she did not agree. Mayor stated she "also does not agree that it did not stir up discontent. That absolutely happened." Mayor stated as far as the date goes, there is not a Council meeting for 3 weeks, next meeting is September 6<sup>th</sup>. Kirkbride mentioned having an emergency meeting next week. Steve Heimlich stated he knows timing is very important because he was in the water field for public service for many years and timing of these grants are challenging and the Mayor need to have things ready to go. Heimlich stated that he did speak with a few Council members and Mr. Schulte. Heimlich stated the "ideal and absolute best place for the water tower is centrally located by the school." Heimlich explained the process of the water system, the distribution from the tower and why the tower should be centrally located. Heimlich stated if the tower was shifted towards Elm St., that by the time the water would reach residents on Bond and streets farther out, the water would be 3 to 4 days old and therefore is important for it to be distributed evenly so all residents have a chance to receive fresh water. Heimlich stated the time of which it would take to erect a water tower can be stipulated within the bid so that it would not interfere with any scheduled events near the location. Kirkbride stated that Heimlich's "technical points are completely clear. They are very coherent and completely agreed to, but he is talking about the process, which is a little bit different than the technical specifications." Heimlich asked if he was referring to how the OPWC works. Kirkbride replied it was the "opacity of the process that he was looking at. It's not the intuitively obvious from a casual observer, from reading Resolution 771, that this has anything to do with the particular site or six-inch flow in Hickory or twelve-inch flow." Heimlich stated the extra help is great for a system this size. Mayor stated if the Village would "prevail a small government, we could possibly get up to \$618,000 between grant and loan for the water tower and that is half the cost when adding in the Village local share. Mayor stated the language for the Resolution is the language of OPWC. Kirkbride stated he understood this is standard language, but it is not clear to him if this particular Resolution means a particular

location. Mayor stated "I don't know that it means a particular location, it does an area and that she will be seeking funding for that area. That is why I went after the property in the first place." Mayor asked "what's the purpose in delaying this vote? What's it going to accomplish?" Kirkbride stated he was "still trying to grasp the understanding of the waterline connection." Kirkbride stated he spoke with the Village Engineer and "our Fire Chief last week trying to understand a big decision like this to make the best decision for the city. For the Village." Kirkbride stated the purpose of to delay "is that I want to understand the whole system. Which is not just the tower. It's not just the lines. It's the whole system that we're talking about. This \$4 million water lines includes the Hickory Street replacement, includes Pine Street replacement, includes the big loop of all the big lines. And if we do that, we have that as an emphasis, then wherever you put the water tower at the end of Maple Street or any place else in town, according to all the experts, including your student, that it wouldn't make any difference where you put the tower. So, I want to grasp that." Mayor stated the \$4 million dollars for waterlines does not exist. Mayor stated it was brought up when she met with the Commissioners and asked them on a "whim and hope" for the \$4 million and received a quarter of it. Mayor stated she is not sure when the Village would get that chance again, to put that amount of money into our infrastructure. Rahe stated she knows "Mr. Kirkbride has done an awful lot of homework and done a whole lot of research on this topic. He would like another week to continue his research so he can confidently say yes. I would like to give him that opportunity to finish his homework." Rahe continued to state that Council does not have to wait 3 weeks and could find a date to "come together for ten minutes and pass the Resolution." Mayor stated it was not just Council, the engineer has been working hard to prepare for the 100-page OPWC grant application. Meyer asked why "the report that came out about the water tank that was issued in September 2021, why weren't we given copies of that draft at that time?" Mayor replied that the project is BPAs, and it is their job as "your elected officials to make the decisions regarding our water, sewer, and electricity. And the Village has elected them and trusted them with doing due diligence and then making the decisions based on financial good sense and everything else, fiscally, and physically, and where everything goes, they're charged with that responsibility, and then it comes back to Council." Meyer stated Council "is in a position of saying, okay, give us context and give us the information which is partly this report and other information. Meyer stated it's still "murky to me the relationship between BPA and Council. And asked, why BPA was not going after the funding? Mayor replied that "it's her responsibility as the chief administrator of this village." Mayor stated she is doing the best she can. Mayor stated, "we can table this. We can let it go, and we will be another year behind." Mayor stated all she was doing was applying for the grant. Mayor stated there is a chance we could get the grant and a chance we could not get the grant. Mayor stated the water tower, OPWC and small government funding have been mentioned in several meetings. Mayor stated this "is not a surprise." There was discussion regarding the school property and other locations mentioned at the meeting last year. Mayor stated that BPA has worked with the engineer and done their homework. Mayor stated she provided copies "of the draft pages out of the water tower draft." Mayor stated the copies she provided are "ten different locations with pros and cons of every location." Meyer stated, "the issue is that BPA has not shared their homework with Council and the residents." Meyer stated to her knowledge she does not recall that Council "voted officially on a specific water tower location." Mayor stated, "that is not Council's job." Rahe asked "has BPA voted on an official location?" Mayor stated she "can't say they voted, but yes, they have come to a consensus of where the tower should be." Meyer asked if the passage of the Resolution to apply for grant funding gives "permission to create a location." Mayor stated, "the location, as of right now is on the school property" that she procured. Mayor stated she can not indicate the exact location. There was discussion on communicating the information to residents and future opportunities to apply. Mayor explained that when applying for the grant certain criteria earns points and while indicating a possible location does increase points, there is no engineered design. The Resolution is just giving permission to apply for the grant and although we can apply each September, "every year we wait, cost goes up, and we risk having to put at least \$250,000 minimum just for a repair. Mayor stated the "87-year-old lines are breaking at a tremendous rate and it's important we move on this sooner rather than later." Angel asked Kuhlman if we apply for the grant with a "ballpark of where to tower is going" and it is decided the school property is not where they want the tower, does the funds have to be returned or can there be a modification to the plan? Kuhlman stated, "the plans, a lot of the times are modified, locations aren't always modified." Angel asked Kirkbride, what he expects to learn in a week that would justify putting off the vote?" Kirkbride stated he spoke with Schultze and the Village Engineer and "it has to do with 12-inch lines" and placement of stubs and replacement of waterlines. Kirkbride referenced a 5-color coded map for waterline replacements and has "technical questions" he would like to get answered. Mayor explained the 5-color map was put together when she was going to see the Commissioners and how "we break \$4.4 million up if we don't get the \$4.4 million."

Discussion ensued regarding the colored map, attending BPA meetings, communication to the residents, communication in general, 'posting minutes, information being reported back to Council regarding the water tower, conversations that transpired on social media regarding the water tower, duties of Council, and meetings open to the public.

Angel requested a 10-minute recess. Council broke away from discussion at 8:00pm.

Council was called back to order at 8:10pm. Discussion continued regarding the procedure of the grant application, requirements to obtain funding, if location has to be specified, modification of location if application is accepted, and communicating the information to residents. Kuhlman clarified the application process stating a general plan is submitted with the intent but, as things progress, things can change, and modifications would be submitted to the funding authority,

typically with the support of the engineer. Kuhlman added he would “like to see us get the funding and collectively work together to figure out where to put it and move forward.” Further discussion on effective and non-effective communication, additional discussion on the grant application noting location of water tower and communicating the information to the residents.

Titkemeier moved and Angel seconded to approve the Resolution 771. Motion failed.

Titkemeier-yes, Angel-yes, Kirkbride-abstain, Mazur-yes, Meyer-no, Rahe-no

Later in the meeting, there was further discussion on the vote and whether Council adopted Robert’s Rules, which an abstain vote is not counted as a yes or no vote. Kuhlman stated there is another statute in Ohio that covers board meetings and if the Village adopted that approach the abstention counts as a yes. Meyer stated she believed the Village was not Robert’s.

Meyer moved, and Angel seconded to reconsider the motion on Resolution 771. Rahe asked if Council was revoting. Angel stated that is what Meyer was calling for. Meyer stated yes, she would like to “move to reconsider the vote, which she can do because she was the negative vote and gives her Robert’s and the other parliamentary procedure, the ability to call for a reconsideration of the motion even if it’s already passed.”

Motion passed with a 5/6 vote. Meyer-yes; Angel-yes; Rahe-yes, Titkemeier-abstain, Mazur-yes; Kirkbride-yes.

**Police Activity Report:** Police Activity Report provided.

Chief Vaughn explained the report. Angel asked that under traffic enforcement if he could list where the highest level of stops is.

Chief Vaughn presented a quote from Northwood Door to replace the back door at the Police Station.

Meyer moved and Angel seconded to approve the quote for Northwood Door not to exceed \$3500. Motion passed unanimously.

**Zoning Report:**

No Report

**Council Reports:**

**Rahe:**

Rahe welcomed Chief Vaughn and excited he lives in the Village. Rahe gave Chief an article she shared with Council a few meetings ago regarding the speed signs. Rahe stated there is a lot of information the signs can provide and wanted to share the information with the Chief.

Streets, Sidewalks, Lands & Buildings: Rahe stated SSLB met on August 9<sup>th</sup> and discussed the new Welcome to Pemberville signs on the east and west side of town.

Rahe stated the streets were swept last Saturday morning.

Rahe stated the tree grindings on W. Front St., across from the carryout have been removed.

Rahe stated the Portage River Water Trail signs have been given to the Street Department.

There was a brief discussion regarding the accessibility of the public restrooms during the car show and knowledge of its location.

**Angel:**

Personnel Committee: Angel stated he forwarded information to Meyer regarding the Motor Vehicle Tax, and she will be researching the material and bringing information to the Committee for consideration.

Angel thanked Council for waiting to discuss the 15% monthly health insurance premium for Cindy Winfrey. Angel explained that Cindy reached the age where she qualifies for Medicare. Angel explained that in reviewing her options, her first option was Medicare as her primary and Village insurance as her supplemental at a cost to the Village of \$640 a month. Angel stated her second option was Medicare with an outside supplemental. Angel stated the committee was approached and asked if the Village would pick up the 15% employee share if she chose the second option at a total monthly cost of just under \$300. Angel stated the committee discussed it and at that time was not aware it needed a vote for a couple reasons; 1. Council had already voted for her to have health insurance; 2. There was no increase in expenditures for Council to approve, there was actually a decrease; 3. The question if the 15% applies to an outside supplemental. Angel stated he contacted the Village Solicitor for clarification and received the recommendation for the Fiscal Officer to contact the Auditor. Angel stated the Auditor replied to the Fiscal Officer and stated this is something that can be done by a motion but if it will be allowed for others, changing the Ordinance should be considered. Meyer stated new verbiage is being explored.

Angel moved and Titkemeier seconded to approve the Village to cover the 15% employee health care share of the Deputy Fiscal Officer supplemental health insurance with the market. Motion passed 4/6. Angel-yes; Titkemeier-yes; Rahe-no;

Rahe stated she was voting no and the “only reason is we went against the wage ordinance. It specially states in the wage ordinance how it is supposed to be handled. Well, there can be some clarity there, but I don’t feel, whether it was a savings or not, that employees should get free health insurance.” Kirkbride-yes; Mazur-yes; Meyer-abstain.

Safety Committee: Angel asked the Chief to update Council on patrolling the fair. Chief stated each night is a little different, he has 8 auxiliary officers, he has the traffic covered, 5-mile race covered. Chief stated he is using the majority of the guys he has, as well as the some of the Sheriff’s and their auxiliary. Chief stated he has the grand parade covered and officers present on the fairgrounds as well. Chief stated the outgoing Chief did leave some very helpful maps. There was discussion regarding placement of barricades. Chief stated the Village has very minimal and asked if the Street Committee could look at purchasing extra barricades for future events.

Angel stated after the fair is over, he will get with Chief for training on obtaining information from the speed signs. Angel stated Chief will be going for training in October. Angel explained the Chief has 6-months from the date of hire to complete the training.

**Kirkbride:**

BPA: Kirkbride stated Rick Rahe was in attendance to speak about the Freedom Township building and how they need to save approximately \$500,000 for it to be constructed. Kirkbride stated it was described that they would be building just a barn type structure with maybe one room. Kirkbride stated Rick Rahe was looking to see what the approximate cost of utilities would be. Kirkbride stated they discussed possible locations of the utilities and possibly collaborating with Countyline Co-op and township for the waterline. Kirkbride stated there was discussion on the storm sewer and the possibility of putting in a retention swale, which is different than a retention pond.

Kirkbride reported that Barres discussed the inventory of transformers, the north substation, and pricing.

Kirkbride stated Sheets has not heard anything further regarding the wastewater and Shrader Tire. Kirkbride stated that Ed Kelly will be in town inspecting force main to determine condition of lines for future projects.

Kirkbride stated they discussed the final price of the south-end loop being approximately \$512,000. Kirkbride stated there was discussion on how to use the \$1 million grant money from Wood County Commissioners.

**Mazur:**

Park and Recreation: Mazur stated the pool has officially closed but will be open for the 5-mile race. Mazur stated the pool manager may be returning next year.

Mazur stated we are in the process of ordering new AED pads for next year.

Mazur stated the next meeting is August 22<sup>nd</sup>, at 10:00am. Mazur stated they are going to be finishing up with the closing of the pool. Mazur stated the Committee is creating a list of items that will need to be completed over the winter. Mazur stated they are also going to begin recruiting for lifeguards in the fall for the next pool season.

Mazur stated she had a resident approach her about funding 2 new basketball courts. Mazur stated she was told to do what was needed to get the ball rolling that funding would not be an issue.

**Meyer:**

Records Retention Committee:

No report

**Titkemeier:**

Planning Commission: No Report

Tree Committee: No Report

**Mayor:**

Mayor thanked all that were involved with the Village clean up two Sundays ago and did a wonderful job and appreciate it. Mayor asked Mazur if she could provide a list of the volunteers, she would be happy to send out thank you notes.

Mayor stated she is in the process of submitted three nominations. Mayor stated one is for the pump station generator, another is for the E. Front St. force main project, which would be for the wastewater portion, and the third would be the phosphorus removal. Mayor stated these nominations are for low interest funding.

Mayor stated a grant application for the Bridge St. bridge has been submitted. Mayor stated the estimated cost of replacement would be between \$1.5 million and \$1.8 million. Mayor stated the grant is for 95% of the replacement cost should the Village receive the grant. Mayor stated the goal would make up the difference with OPWC grant.

Mayor stated she had a video conference last week with the Ferguson Group, which is the grant arm to AMP "American Municipal Power", to discuss electrical grant funding. Mayor stated currently the north substation has an approximate cost of \$1.6 million but is increasing daily.

Mayor stated a month ago Holly Chappuis came to Council and presented her thoughts on a Brew Hop and Council graciously approved. Mayor stated, however, at that time there was no mention of the possibility of serving alcohol and was not a consideration. Mayor stated since that time she has been approached about the possibility of the Fire Department and the Legion working together to have a beer tent between the Fire Station and the old ford garage. Mayor stated the area would be fenced in and bracelets would be used for those 21 years old and older. Mayor stated no one underage would be in the fenced in area. Mayor stated the township has approved the Fire Department's involvement on their property. Mayor stated the new Police Chief has been briefed and has no objections. It was clarified that the individual businesses will only be serving non-alcoholic beverages. Mayor stated there was discussion regarding liability insurance for events and learned PIMA should carry their own insurance for their PIMA sponsored events and they have since obtained their own insurance. Mayor stated with the beer tent being a new addition to the event, they are waiting for Council's decision before proceeding. Rebecca Krukemyer shared the flyer created for the event. Krukemyer stated if approved, the event is scheduled for September 17<sup>th</sup>. Krukemyer stated the mugs will be available for purchase at any participating PIMA businesses or online.

Meyer moved and Mazur seconded to approve the support of the beer tent and access to the Police Department canopy. Motion passed unanimously.

Rahe asked if there was an update on the waterline to the school. Mayor stated she did not have an update; she has submitted a letter with 4 different schematics that Steve Darmofal had done up for the school and has not heard anything yet.

**Guest:**

**Gene Steele:**

Gene Steele discussed briefly the TMACOG meeting he attended. Steele mentioned the signs for the portage trail and the size of the signs. Steele stated he repaired a few items at the pool.

Mayor adjourned the meeting at 9:30 P.M.

\*Audio recording of the meetings are available upon Public Records request.