

**VILLAGE OF PEMBERVILLE
SPECIAL COUNCIL MEETING
August 5, 2023**

Mayor Carol Bailey opened the Special August 5, 2023, Council meeting at 8:59 AM

Roll Call: Present at the specially scheduled meeting of the Council were Rahe, Angel, Mazur, Rollins and Titkemeier. Others present were Jenny Kuhlman, Kurt Chiarelott, Eric Campbell, and Todd Henline.

Mayor:

Informed the council that this was not a meeting for discussion or opinion, but purely information.

House at 121 Catalpa Court is in noncompliance. Build should have stopped but didn't until Friday. House is sitting at least 10 feet into the setback. And because of the way the house is sitting on the parcel, (forward) it is pushing the limits of the side setbacks.

Mayor told Council of the meeting between Mayor, Campbell, Jenny Kuhlman, Bob Kuhlman, Todd Henline.

It was originally thought to be a ZBA matter, but it will instead go to a special Planning Commission meeting scheduled for Wednesday, August 9, 2023, at 7:00pm. This is a better option considering the legalities and recording of the deed. The Planning Commission has the information that they need to discuss that evening.

The Mayor's objectives in calling this meeting is to inform Council of the situation and the possibility, if Planning Commission kicks the decision out or further out timewise, that Council will have to approve/hire special counsel due to our solicitors conflict of interest.

Informed Council that Tom Oberhouse has been informed of the situation as he owns the parcels on both sides of the property in question.

Ms. Rahe asked if Planning approves the plan for a variance for the parcel if Council would be voting on it. Answered NO by both the Mayor and Ms. Kuhlman. It would end there from the Village's standpoint.

Ms. Kuhlman talked to the Council about the process of a mortgage survey. She states that this was unintended and how the property, where it is sitting on a Cul de sac, is not necessary a 10' setback, but visually it is a 5' setback. Mr. Oberhouse is in agreement with that line of thinking.

Mayor Bailey stated that in speaking with Linda Holmes, the Asst. Wood County Prosecutor, that she was in agreement to stop all forward motions and even to tear down anything that had been built from Tuesday – Thursday.

Mr. Angel asked if the build is on pause until Wednesday, August 9, 2023. Mayor responded yes. Mr. Campbell briefly mentioned possible committees that may be involved.

Mayor Bailey adjourned the meeting at 9:10 A.M.

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