**RECORD OF PROCEEDINGS**

Minutes of The Regular Meeting

Held August 13, 2018 @ 7:00 P.M.

Council met in Regular session with all Councilmembers present, except Andrew Zartman.

Guests Present: Brian Martin, Puckerbrush; Aden Baker, Paulding Progress; and Matt Miller, Solicitor.

The Minutes from the July 23, 2018, meeting were read, and approved as corrected.

The Minutes from the July 31, 2018, meeting were read, and approved as read.

**EMS:** Coordinator Schuerman was present and reported to Council that there were 11 runs for the month of July, and 9 runs to date for August. There would have been 11 runs so far for August, but they had to give up two runs.

She also stated that she purchased glucose test strips for the squad and a fingertip oximeter, which cost $90. However, she received a $50.00 anonymous donation to use toward the oximeter. Squad 54 is currently the lead squad. It has one screen in the back that is out, however, since it is not the primary screen, she won’t be getting it fixed unless the other screen goes out. Squad 51 only has one screen in the back.

Coordinator Schuerman stated she has a prospect for a volunteer EMT, who has total availability. She will need the Basic EMT class, and a new class won’t start until early next year. Fire Chief Anderson stated he thought a class was going to be starting at Four County in the near future, and Coordinator Schuerman stated she would check on it.

**Fire Department, Chief Leroy Anderson** was present and presented Council an application from Christian Munoz, who applied to be a fire fighter. Chief Anderson explained to Council that the new State rules regarding newly hired fire fighters requires the new hires to pass a NFPA-1582 physical, and there are only 2 hospitals in the area that provide such physicals, Parkview Regional in Fort Wayne, and a hospital in Toledo. Parkview charges $900.00 for the physical. A copy of the physical has to be sent to the state. Chief Anderson stated a Fire One Class is starting in Bryan and he was told Christian Munoz’s physical just has to be turned into them before they get half-way through the class. Lyons made a motion to accept Christian Munoz’s application pending him passing a physical and a drug screen, and placing him in a six month probationary period. Miller seconded the motion, and the motion passed unanimously.

Chief Anderson informed Council that Robinson Wrecker is donating some cars to the Fire Department for them to use for JAWS training, which will occur on Wednesday, August 22nd. He also stated that everyone passed the obstacle course.

Chief Anderson informed Council that three panes of glass are broken at the Fire Station andneed to be repaired. The Mayor stated he would look into getting them fixed.

Chief Anderson informed Council that upon attempting to dig posts holes for their new sign, they could not dig deep enough due to obstacles. Therefore the sign will be bolted to the building.

**Police Department, Chief Miller** was present and reported that he received a junk complaint concerning 322 West Merrin Street. He stated he had already given them a verbal warning over a month ago, and nothing has been done with the appliances sitting in the yard. Council approved sending the owner a 15 Day Notice and signed a statement declaring a legislative finding by the Council of litter on 322 West Merrin Street.

**Street:**

1. Mayor Wobler informed Council that the Street Department building was cleaned and organized by Danny Endicott. Danny accepted duties of the street department, and will continue to mow, plow, etc. The Mayor stated he has asked Danny to keep his hours to 24 per week.
2. Mayor Wobler informed Council that the 25mph speed limit and no parking signs were installed on Brian Drive. The no parking sign was removed on North 49 as it was not needed, and the Neighborhood Watch sign was moved up on that pole. He also had children at play signs put up at the corner of Bailey and Ash.
3. Mayor Wobler informed Council that the weeds were sprayed at the park and around town

**Zoning:** Inspector Tom Sinn was not present.

Mayor Wobler asked Council for a determination on the poultry and rabbits issue. Solicitor Miller stated that Federal law does not consider poultry as livestock, and current Ohio findings show the courts could go either way. It was reiterated that the Zoning Board does not consider rabbits to be livestock, and therefore, no change will be made concerning rabbits. The question regarding grandfathering was raised, and the Solictor restated that only the currently owned stock of poultry will be grandfathered, no new purchases or newly hatched poultry will be allowed. Miller made a motion to add poultry to the zoning ordinance in section 9.29, definition of farm animals, in order to clarify the original intent. Scheiner seconded the motion, and the motion passed unanimously.

**Committee Reports: None**

**Correspondence Letters:**

Mayor Wobler informed Council that he received notification regarding a FEMA webinar being held on August 14th, which he forwarded to the BPA.

**OLD BUSINESS:**

1. Mayor Wobler informed Council that the trailers have been removed at 100 S. Maple by Ryan Bowman Excavating. He stated that some raking still needs to be done as it looks like there is glass on the ground, and a couple of water main pipes need to be cut off and buried.
2. Mayor Wobler informed Council that he contacted the businesses that submitted the three tree service estimates and advised Jeremy’s S&S Tree Service that their bid of $725.00 and leaving wood was accepted. They will also grind the other two other stumps while there.
3. Mayor Wobler informed Council that he sent an e-mail to Greg Laukhuf concerning the Village mowing 235 N. Maple Street.
4. Councilman Miller stated that he was asked by Taylor Made to inquire as to why Tucker Street from Main to Maple is posted as “No Trucks” as it caused issues when the railroad closed the Main Street crossing. It was determined that Tucker Street is posted that way due to a resident’s yard being damaged by trucks in years past. He asked if the zoning for the road could possibly be changed should it be determined that trucks could turn from Tucker onto Maple without damaging a resident’s yard.

**NEW BUSINESS:**

1. Mayor Wobler informed Council that the BPA is recommending hiring Al Wobler as the new water/sewer superintendent in training. BPA President, John Hall, stated that Allen Wobler, if approved by Council, will be starting on August 20th at the $16/hour wage agreed to by Council. He informed Council that Mr. Wobler requested to take two weeks of vacation, one in November, and one in May, and that the BPA okayed those vacations. The Fiscal Officer verified that those two vacations will be unpaid as Mr. Wobler will not have any accrued vacation by those dates. Lyons made a motion to accept the BPA’s recommendation to hire Allen Wobler as the new Water/Sewer Plant Operator in Training pending a drug screen and with a six month probationary period. Head seconded the motion, and the motion passed unanimously.

Mayor Wobler then inquired of John Hall if the water main leaks have been fixed. Mr. Hall stated the big leak on Townline has been repaired, but they have still not been able to locate the leak on Maple Street.

1. Mayor Wobler introduced Ordinance 2018-7, and ordinance to change the salary ordinance to update the water/sewer superintendent pay rates. Scheiner made a motion to suspend the rules, Collis seconded, and the motion passed unanimously. President of Council, James R. Miller read Ordinance 2018-7. Miller made a motion to adopt Ordinance 2018-7 as presented, Lyons seconded, and the motion passed unanimously.
2. Mayor Wobler gave Brian Martin (Puckerbrush/Veteran’s Drive) the floor in order to discuss the issue he has with the Memorandum of Agreement regarding fixing Veteran’s Drive. Mr. Martin stated he had a problem with clause 5, “hold harmless” statement. He stated he was concerned about years down the road when the alley will need maintenance and the possibility of water running into his building as the alley deteriorates. Solicitor Miller explained that the hold harmless clause is standard and that it would not apply to future maintenance issues with the alley. He further stated that the Asphalt Maintenance Service company believes the fix offered will remedy the problem and channel the water out into the street. The remedy will not change the flow of water. The concern was then brought up if Mr. Martin should install the concrete prior to the asphalt being laid to make sure the asphalt is not higher than the concrete and thereby creating a new runoff issue. It was also stated that the asphalt companies will be closing within the next month or two, so time is of the essence. Upon discussion, it was agreed that Solicitor Miller will revise the document to contain the agreed upon changes, and resubmit it to Mr. Martin for approval.
3. Mayor Wobler informed Council that the Ohio Gas Company is requesting a change to their current franchise agreement, which currently expires in 2029, to five years with an evergreen renewable clause. Solicitor Miller stated he was not comfortable with the evergreen clause and would not recommend signing the new agreement. Council agreed, and Mayor Wobler stated he would contact the Ohio Gas Company regarding the Council’s decision.
4. Mayor Wobler informed Council that the street employee broke a globe on a light pole on Brian’s Drive. A replacement has been ordered at the cost of $500-$600. Councilman Scheiner stated he has had a request from some resident’s that the Village install lights that aren’t so bright, and the Mayor stated he would inquire of Lawrence Temple as to the Village’s options. In addition, The Mayor stated that the door of the tractor was broken during the helping hands day on the 28th. The tractor is currently being repaired by Kenn-Feld.
5. Mayor Wobler informed Council that Nick Longardner from Flat Rock Concrete would like to saw the concrete first to remedy problem with water laying in front of Village Hall. If that doesn’t work then Mr. Longardner will replace the sidewalk. He will be doing the work around the end of September or beginning of October.
6. Mayor Wobler informed Council that he has sought an estimate on removing the cement chunk that was dug up at the park to make room for the playground border. He received an estimate from Bowman Excavating for $250.00. The cement block is too large to use any of the Village’s equipment for removal. However, the Mayor also received a request from Francis Wobler and Ed Blankenship to let them cut it up and remove the debris after it dries out, in approximately six weeks. The Council discussed both options and the Mayor called for a motion. Scheiner made a motion to hire Ryan Bowman Excavating to remove the large cement structure at the park for the quoted $250.00. Lyons seconded the motion, and the motion carried with the vote being: Scheiner, yes; Miller, no; Lyons, yes; Head, yes; Collis, no. Mayor Wobler stated he would have the concrete pieces moved to the retention pond.
7. Mayor Wobler informed Council that the railroad closures have been extended one week. State Highway 49 will be closed until August 13. This will be followed by the closing of the Laura Street crossing, then the Maple Street crossing, and ending with State Highway 500 being closed on August 20.
8. Mayor Wobler informed Council that he called in street lights at 223 E. Bailey, 600 N. Maple, 312 W. West, 500 Plainfield, 504 N. Maple, 235 N. Maple, and 218 Townline. The light at 218 Townline has been called in 4 times and still does not work.
9. Mayor Wobler informed Council that Jim Hooker of Hooker Enterprises approached him with a proposal. Mr. Hooker asked that the Village purchase LED lights for the depot, and flag (3 total), and in return, he would paint the dugouts at the park for free. The Mayor then stated that Mr. Hooker has already started painting the dugouts, and Council stated they should reciprocate and purchase the lights. The Mayor stated he would get a price on the cost of purchasing three lights and bring it to the next meeting.
10. Mayor Wobler asked Council if they were okay with him purchasing gift cards, in the amount of $50.00, for Francis Wobler and Ed Blankenship as a thank-you for their help in excavating the concrete structure at the park. Miller made a motion to purchase $50 in gift certificates as a thank-you to Francis Wobler and Ed Blankenship. Collis seconded, and the motion passes unanimously.
11. Mayor Wobler informed Council that the Mayor’s Court receipts for June were $190.00, and July was $0.00.
12. Mayor Wobler informed Council that RITA has sent out letters to households regarding the 1% income tax. He would like to remind everyone that retirees are not affected by the tax. Mayor would like to appoint Kay Head, Doug Etzler, and Kylie Folsom to Tax Board of Appeals. Scheiner made a motion to appoint Kay Head, Doug Etzler, andKylie Folsom to the Tax Board of Appeals. Lyons seconded the motion, and the motion passed unanimously.
13. Mayor Wobler informed Council that the Fiscal Officer will be attending mandatory training on October 16th, in Perrysburg, Ohio.
14. Mayor Wobler informed Council that they need to appoint delegates to the Regional Council of Governments. The suggestion is for the Fiscal Officer, Zoe McMaster, to be appointed as the delegate with Mayor Wobler appointed as the alternate delegate. Head made a motion to appoint the Fiscal Officer, Zoe McMaster, as the delegate, and Mayor Wobler as the alternate delegate. Lyons seconded the motion, and the motion passed unanimously.

**Good and Welfare:**

1. Mayor Wobler installed a new light on the pavilion facing the playground and two new lights on the Morton building at park.
2. Payne Helping Hands day at the park-Organized by Councilwoman Collis. She reported that she will go back down and see if anything needs to be finished up. The stone still needs to be raked, and she has a Girl Scout Troop that is willing to help with any touch-up painting on the equipment. Mayor Wobler stated that he would like to see the work completed by the end of September, and that it has to be completed by the end of December. He also stated that the cameras still need to be installed, and that there are 10 pieces of border left over in case they are needed. Councilwoman Lyons inquired if the Village has received a bill from Derck Stone for the 23.4 tons delivered. The price was $15/ton. The Fiscal Officer stated she has not received a bill yet.
3. The Mayor and Council would like to thank Taylor Products, Wayne Trace football team and coaches, the John Paulding Historical Society Junior Historians, Billy Lyons, Jen Zartman, and Luke Stouffer for participating in helping hands day at the park.
4. Mayor Wobler would like to personally thank the Chamber President, Chad Benschneider, for heading up the Rock the Block event this year with the help of the Event Committee; Good Times Saloon, Amanda Moorehead, for sponsoring car and bike show with Billy Lyons’ help; Billy and Lora Lyons for chicken bingo and dunktank; Chad Benschneider, Ed Ramey, Aimee Ramey, Austin Scheiner, Jessica Scheiner, Jim Hooker, Andy Zartman, Andy Head, Kathie Wobler and Mayor Wobler for help at the tent; Payne Fire & EMS for the display; and the Payne Ministerial committee for the Sunday Church service, which 140 people attended. Mayor Wobler would also like to thank Tim Baumle, Racheal Head, Kyle Wobler, Andy Head, Austin Scheiner, Jim Hooker, the Ministerial Committee, Billy Lyons, Kathie Wobler, Dustin Miller, Chad Benschneider, Randy Miller, and Alicia Brown for help with chairs, tables, and cleanup.
5. The Mayor and Council would like to thank Francis Wobler and Ed Blankenship for the 6 hours of work they donated to remove the concrete pad to make room for the playground border.
6. The Mayor would like to thank Billy Lyons, Danny Endicott, and Jarrod Childs for helping him install the new playground at the park (35 hours).

Lyons moved to pay the bills, Miller seconded, and the motion passed unanimously.

Collis moved to go into executive session for legal reasons at 8:28 p.m., and Head seconded. The motion passed unanimously.

Collis moved to go back into regular session at 8:37 p.m., and Head seconded. The motion passed unanimously.

**Other Business:**

1. Mayor Wobler stated that he corresponded with Feller and Finch regarding an Issue One Grant, an OPWC Grant for culvert replacement, and a possible grant for a splash pad. They will do some research and let him know what they conclude.
2. Councilwoman Collis stated that she would like to form a Village Facebook page that would let all the Council members be administrators. Said page would only allow for postings, no comments will be allowed. It would only be used for informational purposes, and would not contain any opinions. Council would approve all postings prior to any being placed on the page. It was noted that the Social Media Policy would need to be changed in the Personnel Manual prior to starting the page.

With no further matters to discuss, Collis moved to adjourn, Head seconded, the motion passed unanimously, and the meeting adjourned at 8:50 p.m.

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Mayor Steve Wobler Fiscal Officer, Zoe McMaster