**RECORD OF PROCEEDINGS**

Minutes of The Regular Meeting

Held January 14, 2019, @ 7:00 P.M.

Council met in Regular session with Austin Scheiner, James R. Miller, Andrew Zartman, Lora Lyons, Andrew Head, and Lyn Collis present.

Guests Present: Matt Miller, Solicitor, and Kevin Feathers, General Laborer.

The Minutes from the December 27, 2018, meeting were read, and approved as read.

**EMS: Coordinator Schuerman** was present and reported the following to Council:

1. There were 19 runs for the month of December, and 6 runs month-to-date for January.
2. Emergency Reporting is up and running , Heath Smedley, Medicount, is checking on why they haven’t received any files yet.
3. She will be getting EMSERS up to date so the department will be able to apply for/receive grant monies.
4. Austin Miller put in an application for daytime staffing. He currently works at the Van Wert Fire Department full-time. Scheiner made a motion to hire Austin Miller pending a background check, drug screen, and physical, with a six-month probationary period. Head seconded the motion, and the motion passed unanimously.
5. The department’s medical license will be up for renewal soon. She believes the cost will be around $70.00.
6. Sadie Litzenberg has attended her first set of classes for the NIMS 300/400 credits. She will be doing the rest on the weekend of January 26th.
7. There is a rodent problem in the Fire House. Mice were found in the pancake mix that the Fire Department had stored down there, and nests have been found in the outside compartments of both squads. She contacted Buckeye Extermination, and they quoted her a $125.00 setup fee, followed by a monthly fee of $30.00. The Fire and EMS departments will split the cost of the rodent control. Head made a motion to engage Buckeye Extermination for this purpose, Lyons seconded, and the motion passed unanimously.
8. The department will be undergoing a review to renew the Fire House as a Continuing Education site. There isn’t any cost for this renewal procedure as long as they keep having CE classes at the Fire House. She has been inviting other departments when there are classes.
9. A bill from the Paulding County Hospital was received with a charge for William Lyon’s titer tests to see if he has had all the required vaccinations. The charges were supposed to be run through his personal insurance first. She contacted the hospital, and they will be running the tests through his insurance and then they will send us a corrected bill. She requested Council approval to pay the balance due once the bill is corrected, and Council agreed.

Mayor Wobler informed Coordinator Schuerman that the next Trustee meeting will be on January 23, 2019, at 7:00 p.m. She stated she could not be there on that date as she has to help with training.

Mayor Wobler informed Council of the following:

1. He handed out a driver license sheet in order to do the annual checks as required by the Ohio Plan. It was filled out and returned to him.
2. He has received Zachary Mansfield’s resignation letter from the Captain’s position with the EMS Department.

**Fire Department: Chief Anderson** was present and reported the following to Council:

1. A Fire One class will be starting at Vantage sometime this spring. He has two spots locked in.
2. He found Van Wert Health, in the North Plaza, where new firefighters can get their physicals done for $300-$350, instead of the $471 they paid Parkview.

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Mayor Wobler informed Chief Anderson that the next Trustee meeting will be on January 23, 2019, at 7:00 p.m.

**Police Department: Chief Miller** was present and reported to Council the following:

1. He handed out graphs showing that the majority of 2018 calls came from the SE and SW sections of town, with most of the calls occurring on Fridays and Mondays. He believes the Monday calls are a hold-over from weekend activity.
2. He received a grant from the BWC Vest Program to purchase two vests. The Village will have to pay the costs up-front, and then the BWC will reimburse the Village 75% of the cost. He already has his vest on order and will be ordering another one soon.
3. Councilwoman Collis inquired if there was anything that can be done about repeat offenders, and was told that each incident is a separate offense.

Mayor Wobler informed Council about the following regarding the Police Department:

1. He has handed out a driver license sheet in order to do the annual checks as required by the Ohio Plan, and has received it back.
2. The Mayor’s Court schedule will be on the first and third Tuesdays each month, which is the same schedule as previous years.

**Street:** Mayor Wobler informed Council about the following regarding the Street Department.

1. He will be calling in the following street lights tomorrow: 500 by the Nazarene Church, and the drive located at 49 (Main Street) and Elm Street.
2. Al Wobler and Kevin Feathers worked overtime on Saturday plowing snow. Councilman Andy Head helped with the plowing. It was noticed that the dump truck’s driver side headlamp is out, and it isn’t the bulb. He will have Kevin look at it.
3. Leaf pickup has been concluded for the year. Thanks for your patience as they fell late, in early November, and the Village employees worked through multiple equipment failures and weather delays. Only sticks from the storm damage will be picked up.

Councilman Miller asked about residents and others plowing snow off the sidewalks with their trucks, and was concerned that it would be a liability to the Village. Solicitor Miller stated that if the Village has an Ordinance that states the businesses have to clean their own sidewalks, then there is not any liability for the Village.

Councilman Scheiner inquired about residents plowing the streets with their own personal vehicles. Solicitor Miller stated that this practice could not be allowed as the Village would not be able to prove who created a hazard should there be an accident. The question was raised as to how to stop this practice, and it was suggested that the Village send them a cease and desist letter.

**Zoning: Inspector Tom Sinn** was not present. Mayor Wobler informed Council about the following regarding zoning:

1. Then next zoning meeting will be on January 28th at 6:00 p.m.
2. A South Laura Street resident is using wooden pallets as fencing for their front yard, which is a violation of the zoning ordinance. He will let the zoning inspector know about the situation.

**Committee Reports: NONE**

**Correspondence Letters: NONE**

**OLD BUSINESS:**

1. Mayor Wobler informed Council that Kevin Feathers started on Friday, January 4, 2019, and worked for approximately four hours on that day. The Mayor took him around town to show him what needed to be done, and he helped with the catch basin replacement at 49 and Oak Street.
2. Mayor Wobler informed Council that he contacted the Paulding County Hospital regarding the 10 workout station trail for the park. Randy Ruge is no longer working there, however, Jenese stated she would check on it and get back to him about it. He gave a copy of the sample contract to the Solicitor to review, and the Solicitor stated the Village should contact ODNR regarding putting the trial in so as to not have conflicts with the current agreements concerning the park. He also stated the Village should check with the insurance company regarding coverage prior to having the trail installed.
3. Mayor Wobler informed Council that he left a message for Melinda at the Paulding Progress regarding coverage for the Village’s Council meetings. Jennifer Dempsey e-mailed him about the situation stating they are short-staffed, and do not currently have anyone available to send to the meetings. She offered to write up an article if the Village wanted to submit their minutes to her. Council declined that offer stating the minutes are posted on the Village’s website after they are approved.
4. Mayor Wobler informed Council that Fifer Flooring recommended not using any wood laminates, and using only vinyl laminate for the floor in the Council room. It was suggested to get prices from Menard’s for the materials. The Mayor will check on prices.
5. Councilman Miller brought up towing vehicles that are parked on the street during a snowstorm in violation of a Village Ordinance. There are signs posted on the streets that vehicles need to be removed from the streets when there is an accumulation of 2 or more inches of snow. The ordinance allows for towing the vehicles, however it may be a hassle to do so. The Solicitor will look into the situation.

**NEW BUSINESS:**

1. Mayor Wobler asked for nominations for Council President. Councilman Zartman nominated Councilman Scheiner, and Councilman Miller nominated Councilwoman Collis. Both stated they would accept the position when asked by the Mayor. The vote for Councilman Scheiner was: Scheiner, yes; Miller, no; Zartman, yes; Lyons, yes; Head, no; and Collis, no. The vote for Councilwoman Collis was: Scheiner, no; Miller, yes; Zartman, no; Lyons, no; Head, yes, and Collis, yes. Per instruction from the Solicitor, the Mayor addressed the first vote, by voting yes for Councilman Scheiner, and thereby, making Councilman Scheiner the Council President for 2019.
2. Mayor Wobler informed Council that he has received final approval for the NatureWorks grant for the new restroom building at the park. The paperwork was e-mailed to him on December 20th, however he did not receive it. The Fiscal Officer checked on it, and it was e-mailed to her. She forwarded the information to the Solicitor for review.
3. Mayor Wobler informed Council that he is getting snow blade estimates for the gator in order to plow the Village’s sidewalks. He is looking to purchase a 72” blade with all brackets and a winch. Kenn-Feld sent him an informal price list of between $2250 and $3195, and will be sending a formal quote to him in the near future. He has found one on-line for $949.99, but believes more research is needed prior to purchasing.
4. Mayor Wobler informed Council about some issues with parking in the Village’s stone lot. A truck with trees in it has been parked there for some time. The owner stated he lost the keys, however, another resident stated the truck is started and let run each day. There was also a bucket lift parked in the lot for a period of time that has since been removed. Suggestions were made to make the lot into two-hour parking, or to just prohibit over-night parking The issue was tabled till the next meeting to see if the situation resolves itself.
5. Mayor Wobler informed Council that the Paulding County Economic Development is holding a Tax Incentive Review Council meeting on Tuesday, February 26th, at 9:00 a.m. in the PCED office. It will be regarding Enterprise Zones and Community Reinvestment Act agreements in the Village. The review is required by the state, and the PCED requested a letter from the Village if a representative from the Village won’t be attending. Council agreed to send a letter as they have done in years past.
6. Mayor Wobler introduced Resolution 2019-A, a resolution to enter into a Fire and EMS contract with Benton Township, and declaring an emergency. Miller made a motion to suspend the rules, Zartman seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Resolution 2019-A. Head made a motion to adopt Resolution 2019-A as presented, Lyons seconded, and the motion passed unanimously.
7. Mayor Wobler introduced Resolution 2019-B, a resolution to enter into a Fire and EMS contract with Harrison Township, and declaring an emergency. Zartman made a motion to suspend the rules, Lyons seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Resolution 2019-B. Scheiner made a motion to adopt Resolution 2019-B as presented, Lyons seconded, and the motion passed unanimously.
8. Mayor Wobler introduced Ordinance 2019-1, an ordinance to amend Ordinance 2018-5, the Income Tax Ordinance to further clarify the distribution of income tax revenue, and declaring an emergency. Lyons made a motion to suspend the rules, Scheiner seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Ordinance 2019-1. Miller made a motion to adopt Ordinance 2019-1 as presented, Zartman seconded, and the motion passed unanimously.
9. Mayor Wobler introduced Ordinance 2019-2, an ordinance to transfer $1,500.00 from the General Fund to the Refuse Fund, and declaring an emergency. Collis made a motion to suspend the rules, Lyons seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Ordinance 2019-2. Zartman made a motion to adopt Ordinance 2019-2 as presented, Lyons seconded, and the motion passed unanimously.
10. Mayor Wobler introduced Ordinance 2019-3, an ordinance to transfer $33,000.00 from the General Fund to the NatureWorks Fund to cover the Village’s portion of the project, and declaring an emergency. Miller made a motion to suspend the rules, Scheiner seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Ordinance 2019-3. Head made a motion to adopt Ordinance 2019-3 as presented, Lyons seconded, and the motion passed unanimously.
11. Mayor Wobler informed Council that the Fiscal Officer will be doing some training offered by RITA from home on Friday, January 25th.
12. Mayor Wobler asked for a motion accepting the Credit Card Policy presented. Scheiner made a motion to adopt the Credit Card Policy as presented, Zartman seconded, and the motion passed unanimously.
13. Mayor Wobler informed Council that the next Fire and EMS Trustee meeting will be held on January 23rd, at 7:00 p.m.
14. Mayor Wobler stated he would like to set an Event Committee meeting for the end of the month, or early February. It was decided that the next Event Meeting will be held on February 7th at 7:00 p.m.
15. Mayor Wobler informed Council that the Fiscal Officer has turned in a successful test file to the Attorney General’s office, and will be sending in the EMS collection accounts in the near future.
16. Mayor Wobler informed Council that a new copier will need to be purchased in the near future. The current one was purchased in 2014 or 2015, and it keeps breaking down. He believes the Village can get a new one for around $800 to $900. It costs $125 per visit for the copier to be looked at, and he believes a new fuser would have to be installed. A new one was put in last year at a cost of approximately $161.00. He will do some research into buying versus leasing, and will have some prices for the next meeting.
17. Mayor Wobler stated he is still looking into getting a new, used, or leased chipper.
18. Mayor Wobler informed Council that the Water and Street Buildings do not have any wi-fi. They have been in contact with MetaLink and were told that the Village can rent a modem for $7.95 per month. Councilwoman Lyons asked whether or not the employees have radios in which to stay in contact, and was told that there is a set of radios at their disposal. Council was not willing to approve getting a modem. The Fiscal Officer stated that she was under the understanding that all the buildings were supposed to have wi-fi, and she would call MetaLink to see what they have to say.
19. Councilwoman Collis asked if the Mayor had received any bids regarding the cleaning and removal of junk from a Laura Street property. The Mayor stated he had not, and asked if she wanted to post it on the Village’s FaceBook page. She agreed. The Mayor then inquired if the Village employee’s could clean up the property on Laura Street and assess the costs to the owner’s real estate taxes. Solicitor Miller stated that a Resolution should be drawn up and voted on regarding the situation.

**BPA:** Mayor Wobler informed Council of the following regarding the BPA:

1. The catch basins at Main Street (49) and Oak Street, and at the corner of Laura Street and Merrin Street (500 & 613) have been replaced. The asphalt will be fixed in the spring.
2. He received a letter from the Ohio EPA regarding some recommendations. He gave it to Council to review.
3. He received an e-mail from Kelsey Heck stating she has a Class 1 Wastewater license, and would like to be considered should the Village need an operator of record in the future. The Mayor forwarded the information to the BPA.

**Good and Welfare:**

1. Mayor Wobler made a proclamation regarding School Choice Week for the Village of Payne from January 20to January 26, 2019.
2. The Mayor and Council would like to thank Councilman Head for helping out with the plowing.
3. The Mayor and Council would like to thank Payne Elementary for providing Christmas Ornaments for the Jolly Jamboree.
4. The Mayor and Council would like to thank Divine Mercy for providing the paper luminaries for the Jolly Jamboree.

Collis made a motion to accept the financial reports as presented by the Fiscal Officer. Scheiner seconded the motion, and the motion passed unanimously.

Scheiner moved to approve the payment of bills presented, Miller seconded, and the motion passed unanimously with Councilman James R. Miller abstaining from voting on any payments to Rodney Miller.

Solicitor Miller was given the floor and addressed the following:

1. Resolution 2019-C, a resolution authorizing the Mayor to sign the NatureWorks Local Grant Program State/Local Project Agreement, and declaring an emergency. Miller made a motion to suspend the rules, Zartman seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Resolution 2019-C. Lyons made a motion to accept Resolution 2019-C, Zartman seconded, and the motion passed unanimously.
2. Resolution 2019-D, a resolution to authorize the Mayor to sign the contract with Poggemeyer Design Group agreeing for them to provide engineering services to the Village for the NatureWorks Payne Restroom Facility, and declaring an emergency. Zartman made a motion to suspend the rules, Scheiner seconded, and the motion passed unanimously. President of Council, Austin Scheiner, read Resolution 2019-D. Lyons made a motion to accept Resolution 2019-D, Collis seconded, and the motion passed unanimously.
3. Ed Bohn has sent him a draft copy of the Emergency Mitigation Plan. The final version should be coming, and the Village will need to pass a resolution accepting it, when it is finalized.
4. He received a letter from Allen Martin’s attorney, Harvey Hyman, regarding the situation with Mr. Martin’s property. It is their position that the Maple Street sewer line backs up into the Bailey Street sewer line, which then floods Mr. Martin’s basement. They also contend that a portion of the tile is washed out and is part of the problem with his basement flooding. The letter is putting the Village on notice to fix the problem, or they will file a case against the Village. Solicitor Miller stated he will reply to the letter.

With no further matters to discuss, Zartman moved to adjourn, Collis seconded, the motion passed unanimously, and the meeting adjourned at 8:45 p.m.

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Mayor Steve Wobler Fiscal Officer, Zoe McMaster