**RECORD OF PROCEEDINGS**

Minutes of The Regular Meeting

Held June 24, 2019, @ 7:00 P.M.

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

Guests Present: Chad Kinnaley, resident; and Bob Baer, Mercer Landmark.

The Minutes from the June 10, 2019, meeting were read, and approved as read.

The floor was given to Mr. Kinnaley who stated the state tore up his driveway with their plow two years ago. He originally spoke to Sam Gonzales, of ODOT, and was told that the state would fix it. However, it has never been fixed, and Ross from ODOT is now saying they aren’t going to fix it because it is the Village’s responsibility. Mayor Wobler informed Mr. Kinnaley that if the damage was in the actual roadway, the Village would fix it, however, the damage is on private property, and therefore is not the Village’s responsibility. The Mayor reviewed pictures taken of the driveway with Mr. Kinnaley and Council, and stated the driveway was a good 4 inches higher than the road which is why the plow took it out in the first place. The Mayor offered to have the pavers give Mr. Kinnaley an estimate of what it would take to fix it when they come to do the Village’s work, however, Mr. Kinnaley would need to pay for it. Councilwoman Collis stated that if the Village were to fix it, it would say it is the Village’s responsibility, which isn’t the case. Councilman Zartman encouraged Mr. Kinnaley to contact ODOT again regarding his claim, and to call the County Commissioners to see if there is anything they can do to help.

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

1. There have been 13 runs month to date, however only 9 are billable.
2. The oxygen tanks were not being cycled out properly, so there was a larger than normal charge of $148.74, for refilling the tanks. In addition, the EMS Captain, Sadie Litzenberg, was not familiar with having the exchanges done, and 2 large bottles were missed. Praxair will be coming back on Monday to fill those tanks and will only be charging $28.22 since it was a first time error.
3. EMSARS came in and serviced the powerload cot and stairchairs. There was a hydraulic hose that was bad on 51, but it will be replaced under warranty. There was also a communication board that may need to be replaced and is not under warranty. The possible cost of the board is $635, however, Stryker will be out to fix it and will run a more in depth diagnostic to make sure that is the part that needs to be replaced, so the cost may be lower than the estimate.
4. Kaitlyn Cunningham took her national registry test on the 20th and did not pass. It will cost $80 to reschedule. She was told that the department would help her with studying for the test if she wants it, and that the Village only pays for 3 tests. Should she not pass it all three times, she would have to pay for a refresher course and any testing after that.
5. Sadie Litzenberg drove down to Columbus and picked up the two tablets. A hotspot and data plan will need to be purchased. Coordinator Schuerman recommended purchasing one hotspot and data plan now and wait to see if the grants come through and then purchase the second. She would also like to purchase a keyboard for the tablet to make the reporting easier. She stated she would get a price and bring it back to the Council for approval.

Mayor Wobler interjected stating that the water/sewer department also needs a hotspot and data plan in order to do the EPA mandated GIS mapping of the water and sewer lines. Therefore, two will be purchased, one for the EMS, and one for water/sewer. The hotspots are a one-time purchase costing $199.00 each, and the data plans will each cost approximately $35.00 per month. Zartman made a motion to purchase 2 hotspots with their corresponding data plans, Scheiner seconded, and the vote was unanimous.

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

1. He received an application from Jason Rupp. Council reviewed the application. Scheiner made a motion to accept Jason Rupp’s application pending a physical, drug screen, and with a six month probationary period. Collis seconded the motion, and the motion passed unanimously.
2. There were five fire calls in June.
3. They tested all the two inch hose, found three sections that were bad, but have plenty of good sections left.
4. One of the firefighters got a hole in one of their boots and he does not have a set in the correct size. The boots cost $300.00, and Council okayed the purchase.
5. He would like to send Jason (Doug) Bauer and Billy Lyons to Vantage in order to train to be EVOC trainers. It would be a one-time fee of $575.00 for both of them, and they will then be able to do the annual training for the department. Austin Miller will still be doing the training this year for the rest of the department. Council was okay with the expense.
6. They have the new tarp on 56 and were told it would cost $350 to redo the old tarp to place on 55.
7. All the trucks were inventoried. He still has to take inventory of the office equipment.
8. The pump on 53 went bad, so they took it to Cridersville to be repaired. They will have the pump test done while it is there and have the deck gun rebuilt with the kit that had already been purchased.
9. His officers have been taking his computer home in order to work on grants and inventory, so he sometimes doesn’t have access to it when he is at the department. He would like to purchase another dell computer for $499. Council was okay with the purchase.

Mayor Wobler told the Solicitor that the Fire Department has been filling up residents’ pools and charging $25 per 1000 gallons. Twenty dollars of that money goes to the water department as payment for the water used, and he asked the Solicitor if the other $5 could go to the Fire Association , or to the General Fund. The Solicitor said he would check.

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

1. The house on South Laura street, that had a letter sent to them by certified mail after the last Council meeting, has a dumpster in the yard and is mostly done with picking up the junk and trash in the yard. The owner had 15 days to clean up the property after receiving the notice.
2. He took his gun qualification.
3. The lot that the Paulding County LandBank owns (403 South Laura) has not been mowed. The Mayor stated he would call them.
4. There is a sinkhole over by the school, and the school officials were wondering if the Village or the School was responsible for fixing it. The Mayor stated the BPA is investigating the sinkhole.

Mayor Wobler asked Council what they want done regarding the grass in the streets per Ordinance 2015-15. The grass goes into the catch basins and plugs them up. The BPA is currently having all the basins cleaned and would like something to be done about the grass in the streets so it won’t cause issues in the future. The Mayor stated there are postings on the Village website and FaceBook page regarding the issue. Council decided to have the Police Chief put a notice, on the doors of the residences with grass in the street, stating they will be fined for the next violation. Councilmembers were also encouraged to talk to any residents they see mowing the grass into the street.

**Zoning: Inspector Tom Sinn** was present and reported the following to Council:

1. He has given out several building permits for fences and an addition, and still needs one for a roof that is being installed over a patio.
2. He has handed out seven 7-day verbals regarding cars without current registrations, and all the residents have complied.
3. He still has two vehicles to check on: Dave Childs’ van, and a Volkswagon on South Laura Street.
4. He has been approached by Mrs. Lamb, a resident who lives on South Laura Street, regarding a property line dispute with a neighbor. He originally told her he would look into it, but has determined it isn’t a zoning issue. He has communicated to Mrs. Lamb that she would need to have her property surveyed and/or hire a lawyer in order to dispute the neighbors claim.
5. A resident requested having rabbits for 4-H, and he told them rabbits are not prohibited for 4-H projects.

Mayor Wobler informed Council that vacating the alley on the east side of School Drive has been discussed for the Safe Routes to School grant project. The new landowner will be contacted, as all other landowners were in agreement to vacate the alley.

Collis moved to go into executive session for legal reasons at 7:54 p.m., and Miller seconded. The motion passed unanimously.

Scheiner moved to go back into regular session at 8:49 p.m., and Miller seconded. The motion passed unanimously.

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

1. The street signs were ordered, delivered, and installation has been started. The total cost was $1,371.60. In addition, due to the amount of purchases made from the company, the Village received a gift of a Yeti cooler, which will be used by the employees of the water/sewer and street departments.
2. There are tree limbs in the road on the north side of Fairfield Street. He will have the street department trim the limbs.
3. Some tree limbs have been picked-up and he wanted to remind everyone that only limbs from storm damage are picked up by the Village.
4. A request was made to knock down the dirt piles currently at Buckeye Park in order to make room for more dirt to be deposited. The water lines that are in the park still need to be capped or removed.

**Committee Reports:**

1. Mayor Wobler asked the Councilmembers to look over the current Policy and Procedure manual, and write down any changes they would like to see made. The committee will get together in the near future to discuss any proposed changes.
2. Mayor Wobler informed Council that he attended the Chamber of Commerce meeting and updated them on the paving, Buckeye Park projects, and the restroom project.
3. Councilwoman Collis updated the Council on the Vision Board’s upcoming events. The list of people invited to the private event was distributed to Council, and they were told that the invites for the public meeting would be e-mailed and a post would be put on FaceBook. She also stated she updated the Vision Board on the Village’s projects. She stated that, in years past, the Village had a representative on the Ohio Department of Natural Resources (ODNR) Tree Commission, and would like to have one appointed to it again. The ODNR Tree Commission could give the new Street Department employee a tree-trimming class. She also informed Council that the Master Gardeners would like to be at Buckeye Park when the dirt is leveled to hopefully keep from packing it too much that the trees to be planted wouldn’t grow.

**Correspondence Letters:**

1. Mayor Wobler informed Council that he received an e-mail from Conrad Beck regarding the Village’s Ohio Plan insurance coverage for inflatables. It stated that if the Village has a sponsored event and is paying a company to put up/operate the inflatables, then the Village would not need extra insurance coverage. However, if the Village puts up the inflatables, it would cost the Village $250 per inflatable for the extra insurance coverage needed.

**OLD BUSINESS:**

1. Mayor Wobler informed Council that the chipper company would be coming in July, they are about two weeks out. He has already contacted the neighboring landowner and received permission for the chipper company to cross her land in order to get to the compost site. The Street Department will pick up the trash and put the tires and pallets to the side so the chipping can be done. He was asked about whether or not Moyer Tree Service had cleaned up their mess, and the Mayor stated they could not get back there to clean it up due to the rain and then due to the junk that was put in there, so the chipper company will chip those piles as well.
2. Mayor Wobler informed Council that Josh Fraley started working on June 17th.
3. Mayor Wobler informed Council that the street sweeping company has been contacted, and they are still a couple weeks out from being able to get to the Village and sweep the streets.
4. Mayor Wobler informed Council that he would get an estimate from R&C Fence regarding putting up fencing for the signs at the corporation limits, as per earlier discussions.

**NEW BUSINESS:**

1. Mayor Wobler asked the Solicitor if the form for allowing the Village to cut down trees on several properties to get ready for the Safe Routes to School (SRTS) sidewalk project was done, and the Solicitor stated he was still working on it.
2. Mayor Wobler informed Council that the Village’s current dump truck is a 1995, and the Village has put in around $3500 in repairs in the last three years. It currently needs to have its four-wheel drive, breaks, and power steering fixed. He is proposing purchasing a brand new 2019 dump truck for $47,997.00. The truck comes with a nine foot bed, a plow, and runs on gas, not diesel. Miller made a motion to purchase the new vehicle, Zartman seconded, and the motion passed unanimously.
3. Mayor Wobler informed Council that Councilwoman Lyons and he met with ODOT and the property owner regarding getting a right-of-way access for the SRTS 2021 sidewalk project. The agreement was signed by all parties.
4. Mayor Wobler informed Council that the paving bids are out and will be opened on July 8th.
5. Mayor Wobler informed Council that he has received numerous complaints. One was regarding the grass on the west side of the retention pond. The Mayor would like everyone to know that the Village owns from the fence to the east and does not own the property on the west side, and therefore is not responsible for mowing it. Another complaint was regarding a light left on at the park. The Mayor would like everyone to know that the light at the Depot was not working and has been replaced with an LED. The third complaint was actually a rumor that has been going around town that the Village did not give a tax abatement to Taylor Made for a proposed expansion to their factory. Mayor Wobler clarified for the public record that Lippert (Taylor Made) never asked for a tax abatement for expanding their factory, and therefore, were not denied a tax abatement. He further clarified that the Village Council would have approved any tax abatement request from Taylor Made.
6. Mayor Wobler informed Council of complaints received regarding people parking on the north side of Merrin Street, which is a no parking zone. There are currently two signs posted on that side of the street, however, there are a lot of people ignoring the signs and parking in the no parking zone, and causing issues with the traffic going down Merrin Street. It was decided that a third sign should be installed, and if the problem continues, then parking tickets should be given to the offenders.
7. Mayor Wobler asked Council if they should leave the compost site closed. It was agreed that the site should be kept closed until the chipping is done. After the chipping is done, they will revisit the issue. Some suggestions for the future were leaving it open during work hours only, and giving several Councilmembers keys in order to open it on the weekends and holidays should it be necessary. The Mayor also stated that he would like to take the grindings from the paving jobs and put them on the driveway to the compost site when the paving is done. He would also like to put stone around the U-shape in order to have better access to the site.
8. Mayor Wobler informed Council that Poggemeyer could remove some items from the park restroom bid without losing quality in order to bring the price down closer to the original estimate. The issue of when to rebid the project was tabled until the next meeting.
9. The three-point mower needs repaired, and the blades need to be sharpened or replaced. A new one would cost $3285, but it should only cost $780 to fix it if the Village sharpens the blades instead of replacing them. The John Deere tractor and the gator will also be going to Homier’s for service.
10. Mayor Wobler informed Council that the Fiscal Officer will be on vacation from July 20th to August 4th. She will not be at the July 22nd meeting, so he suggested taping the meeting and having her type up the minutes when she gets back.
11. Mayor Wobler would like to purchase ten gallons of yellow paint in order to paint the curbs. The paint should cost between $18 and $20 per gallon.
12. Mayor Wobler introduced Resolution 2019-L, a resolution to increase appropriations and declare 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-L. Zartman made a motion to adopt Resolution 2019-L, Collis seconded, and the motion passed unanimously.
13. Mayor Wobler introduced Ordinance 2019-7, a revision to the salary ordinance, 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 2019-7. Zartman made a motion to adopt Resolution 2019-7, increasing the wage for a Reserve Police Officer to $15.50, and inserting a sentence in the insurance section stating the Village will only pay its portion of insurance premiums for Village employees and not for their spouses or dependents. Scheiner seconded the motion, and the motion passed unanimously.

**BPA:** Mayor Wobler informed Council about the following concerning the BPA:

1. An update from the Division for Environmental Financial Assistance was received and given to the BPA.
2. A water leak at Foust Street was repaired.
3. They explored a sinkhole on Hyman Street, but did not find a leak.
4. They will be selling water to the Windmills for the new construction projects.
5. They have started jet cleaning the catch basins.

**Solicitor:** Solicitor Matt Miller updated Council on the following:

1. He has reworded the contract for Brian Martin regarding fixing the asphalt in the alley beside his business. He put in a clause regarding Mr. Martin needing to fix his door in order for the issue to be completely resolved. He also put in a clause regarding the Village making reasonable efforts to foster communication between Mr. Martin and the paving company. In addition, he put in an indemnification clause that Mr. Martin will not hold the Village liable should the paving company damage his store while they are fixing the asphalt. Council was okay with the updates, and he will be sending the contract to Mr. Martin.
2. He will be paring down the SRTS contract for the removal of five trees off of four properties to one page for all homeowners to sign.

**Good and Welfare:**

1. Mayor and Council would like to thank the Payne Chamber of Commerce, the Payne Ministerial Committee, the Payne Event Planning Committee, the Police, Fire, EMS, Street, and Water Departments, the Good Times Saloon, Taylor Products, Buchman Farms, the Junior Historians, Brandon Schmidt, Doug Etzler, and all the sponsors and individuals who worked on making Rock-the Block a reality again this year.
2. Mayor and Council would also like to thank those that attended the three-day festival. It was wonderful to see the streets packed and everyone enjoying themselves. There were 175 attendees at the community church service.
3. A donation of $265.00, the proceeds from the Good Times Saloon Car and Bike Show, was presented to Frankie Taylor and the Nazarene Church for Narcotics Anonymous.
4. Mayor and Council would like to thank the Master Gardeners, Sandy Burkley and Marsha Cooper, for landscaping around the community park sign.

Miller 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 and Jim C. Miller.

With no further matters to discuss, Zartman moved to adjourn, Collis seconded, the motion passed unanimously, and the meeting adjourned at 9:33 p.m.

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Mayor Steve Wobler Fiscal Officer, Zoe McMaster