**RECORD OF PROCEEDINGS**

Minutes of The Regular Meeting

Held August 26, 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: Ken Maag, Poggemeyer Design Group.

The Minutes from the August 12, 2019, meeting were read, and approved as read.

**EMS: Coordinator Schuerman** was not present.

The EMS squad was on a run at the time of the meeting, so no report was given.

**Fire Department: Chief Hefner** was not present.

The Fire Department was out on a run at the time of the meeting, so no report was given.

**Mayor Wobler** addressed the following concerning the Fire Department:

Both Chief Hefner’s and Assistant Chief Gasser’s probationary periods are over as of August 25th. He asked Council for a motion to remove both Chief Hefner and Assistant Chief Gasser from probation. Collis made a motion to remove Chief Hefner and Assistant Chief Gasser from probation, Zartman seconded, and the motion passed unanimously.

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

He sent a letter to the South Laura Street address that had the toilet, carpet, and other items sitting out in their yard, and the owners cleaned up the property.

**Street:** Mayor Wobler addressed the following concerning the Street Department:

1. The painting of the curbs is almost done.
2. The trimming of the alleys is close to being done.
3. The repair of the benches at the park will begin once the temperature cools down. They will also be fixing the swing set, as it has moved.

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

Mayor Wobler addressed the following concerning Zoning:

1. The Village needs to rezone 100 South Maple Street to R2 (single family restrictive) from R3, which is for Mobile Home Parks. Collis made a motion to change the zoning of 100 South Maple Street from R3 to R2, Lyons seconded, and the motion passed unanimously.
2. Some residents in the Village would like to vacate the alley east of School Drive. He has a petition signed by all the affected residents asking for the alley to be vacated. Head made a motion to vacate the alley east of School Drive, Miller seconded, and the motion passed unanimously.
3. The US Census is offering a new construction program. He gave a copy of the information to Council for their review.

Councilwoman Lyons informed Council that Tom Sinn (not the zoning inspector) has purchased a property across from the school. He will be tearing down the trailer that is currently on the lot, and would like to put up a one room building with restrooms. The building would be used to teach Christian curriculum. The organization is Life Wise Academy, and they would like to know what the process would be in order to make this project happen. Councilman Scheiner stated if the organization is a 501(c)(3) Church, then they would just need a building permit. If they are considered a school, however, the Village would need to rezone the property to R2.

**Committee Reports:**

1. Mayor Wobler informed Council that the spreadsheet the Fiscal Officer put together concerning the park tower lease shows it is better to continue with the lease.
2. Councilwoman Collis informed Council that the Vision Board’s next meeting isn’t until September 9th. She also stated she has been using the hashtag, #paynepride, per some suggestions received from Deb Brown’s *Save Your Town* presentation. Councilman Scheiner suggested holding a contest for the best picture posted to #paynepride. It was decided if a contest was held, then the residents would vote to decide which picture won. Councilwoman Collis also stated she has posted the question on FaceBook about having Trick or Treat during the day or at night. She said the votes are split 50/50 at this point, and there are now 650 followers of the Village’s FaceBook page. Mayor Wobler stated he contacted the EPA regarding having a bonfire at the park for Halloween, per discussion with Council. He has received the necessary paperwork that would need to be filled out should Council decide to have a bonfire.

**Correspondence Letters: NONE**

**OLD BUSINESS:**

1. Mayor Wobler informed Council that the chipping of the brush pile has been completed. He then asked Council what they would like to do moving forward in order to stop people illegally dumping out there. Council agreed that a gate should be installed and that the brush pile should be closed to the public. Solicitor Miller suggested posting the site as, “No Public Access” and putting up a “Road Closed” sign. The Street Department employee will be tasked with picking up limbs each Monday as a service to the residents, but the Village reserves the right to refuse pick up if there is a reason to refuse. Only branches under 10” in diameter will be accepted, although a special determination will be made if there is a lot of storm damage that results in larger branches coming down. Council suggested that anyone, who has a tree cut down and has logs larger than the 10” allowed, put a free wood sign on the pile. Mayor Wobler also stated that the leaves will now be put at the brush pile instead of at the lagoons.
2. Mayor Wobler informed Council that the asphalt company is running behind. They are now looking to start the work during the last week of September or the first week of October.
3. Mayor Wobler informed Council that he purchased the grills for the park at a better price than originally quoted. They cost $139.99 each and shipped free. Two of the grills will be put in the main park, and one will be put at Buckeye Park. They won’t be installed until next spring, so placement of the grills will be decided at a later date.

**NEW BUSINESS:**

1. Ken Maag, of Poggemeyer, opened the bid for the NatureWorks Restroom Grant. The bid was from Siebenaler Construction again and was slightly higher than his first bid. It came in at $98,894.00 if he were to construct it from the bottom up. He also put in a bid of $89,554.00 if he were to put in a pre-made restroom. This bid is still too high as the engineer’s estimate was $67,000.00, and the Village can only accept bids that are 10% higher, capping it at $73,000.00. The Mayor stated the Village got a bid on putting in the water and sewer lines that was $9,700 less than what is allowed on the grant, so Mr. Maag stated he would call ODNR and ask if the money could be moved to the building. The Mayor also received information from a company that sells premade restrooms, Easiset. The cost of the correct sized building would be $70,200, but a bid wasn’t actually received. The company would come in and place the building on a prepared site, with or without concrete, but they would not do the sewage, water, or electrical hook-ups. Both the Solicitor and Mr. Maag are looking into whether or not the Village can go ahead and purchase a pre-made restroom, or if the project needs to be rebid a third time.
2. Mayor Wobler introduced Resolution 2019-O, a resolution accepting the tax levy rates as determined by the Budget Commission and certifying them to the Auditor. President of Council read Resolution 2019-O for the first reading. Lyons made a motion to adopt Resolution 2019-O, Scheiner seconded, and the motion passed unanimously.
3. Mayor Wobler inquired as to what Council would like to do about the benches. He reiterated that the Village could purchase seven benches for $410.90 each, or five benches for $419.80 each. Council decided to table the issue until spring. If anyone would like to purchase a bench, please contact the Mayor or a Councilmember.
4. Mayor Wobler opened the bids for the Village’s old dump truck. Three bids were received. The first bid was from Isaac Head in the amount of $551.99. The second bid was from Winston Gross for $575.60. The third bid was from Lowell Gross in the amount of $875.50. Zartman made a motion to accept Lowell Gross’ bid in the amount of $875.50 for the dump truck. Miller seconded the motion. The motion passed with the vote being: Scheiner, no; Miller, yes; Zartman, yes; Lyons, yes; Head, abstained; and Collis, yes.
5. Mayor Wobler informed Council that there will be an Event Planning meeting held at the Village Hall on August 29th, at 7:00 p.m. The subject of the meeting is planning for the Jolly Jamboree in December.
6. Mayor Wobler informed Council that a fire truck is up for rotation replacement in 2020. The lead time for delivery of the truck could be as much as 18 months. The truck being replaced is unit #55, a 1988 Sutphen pumper. The total cost for the new truck with an International cab is $266,595.00, however there is a $3700.00 discount available if the chassis is paid for in full after the dealer takes possession of it. This would bring the total cost down to $262,895.00. The Village’s and Benton Township’s portions would be $98,585.62 each, and Harrison Township would pay $65,723.75. The Village’s cost will be taken from the money received through the Fire Department Equipment Levy. All three entities will write their own checks for the purchase. Mayor Wobler then asked for permission to sign the contract for the Village. Miller made a motion to allow the Mayor to sign the contract for the purchase of a new fire truck, Scheiner seconded, and the motion passed unanimously.
7. Mayor Wobler informed Council that the Street Department employee is requesting the Village purchase two overhead garage door openers for the Street building. They would cost $650.00 each. He asked the Fiscal Officer if there was money in this year’s budget to purchase them, and she stated no. The Mayor stated the purchase might be put in the 2020 budget.
8. Council members stated there are high weeds at a residence on Fox Street. Chief Miller stated he would post a 5-day notice at the residence.
9. Mayor Wobler informed Council that Justin Holbrooks hasn’t gotten back to him about holding the all night ball tournament for Terel Dias.
10. Mayor Wobler informed Council that the lights have been installed by AEP at Buckeye Park.
11. Mayor Wobler was informed that there is a broken cable coming out of the ground east of Buckeye Park. He stated he would call AEP to see if they can remove it or rebury it.
12. Councilwoman Lyons brought up the tree just outside of town that fell and is currently on an overhead line. Solicitor Miller stated the Township may be able to take it down. Mayor Wobler stated he would call Mark Crosby, of Benton Township, to see if they could take the tree down.

**BPA:**

1. Mayor Wobler informed Council that a Taylor Made employee accidentally hit the new catch basin installed over by the factory, moving the lid off of it. It has already been fixed.
2. Mayor Wobler informed Council that the Water Operator, Allen Wobler, passed the Ohio EPA Water Supply Class 1 test on his first try. He will now continue on in order to obtain his waste water certification.

The President of the BPA, John Hall, was invited back to the meeting and spoke on the following items:

1. Roberta Starrett of RCAP is looking into the Village getting a grant to replace three water lines—Plainfield Drive, Oak Street, and Merrin Street. They are all cement lines which are harder for the Village to fix. The estimated cost is $350,000.00.
2. The Martin deposition went well according to the Village’s attorney. Next up in the process is the deposition of Village officials.
3. He stated the Water Operator passed his test and will be due to get his raise once his hour requirement is fulfilled and he has his license. He asked the Fiscal Officer for a report of how many hours of overtime the Water Operator worked in the last year in order to add to his total number of hours of experience.

The Water Operator, Al Wobler, was invited back to the meeting for the following questions:

1. Councilwoman Collis asked if he would be willing to participate on the Infrastructure Committee for the Vision Board. Mr. Wobler stated he would participate.
2. Mr. Hall asked if the Water Operator could get a Village credit card. Council agreed that he can have a credit card. The purchasing limit would be $2,000.00.

**Good and Welfare: None**

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

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

The floor was given to Solicitor Miller who stated he had two items to discuss:

1. The Council had asked him to look into lowering the speed limit on Orchard Drive, so he looked into it. In order to lower the speed limit to 35 mph from 45 mph, the Village would have to have an engineering study done, or use an old one if they have one. They would then need to petition ODOT to have the speed limit changed, at which time, ODOT would do their own engineering study and then make a ruling. He suggested the Village wait for now, but if something should change for which the higher speed limit becomes a hazard, then they could go through the process.
2. The Council had asked him to look into what could be done about the feral cats in town. He stated that killing the cats actually exacerbates the problem as more cats just move into the area that is vacated by the one that was killed. The better route is to trap, neuter, and release. That way the current cats stay and keep other cats from moving into their territory. Councilwoman Collis stated there are grants available that would allow the Village to work with an organization that would neuter the cats.

With no further matters to discuss, Lyons moved to adjourn, Collis seconded, the motion passed unanimously, and the meeting adjourned at 8:23 p.m.

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Mayor Steve Wobler Fiscal Officer, Zoe McMaster