**RECORD OF PROCEEDINGS**

Minutes of The Regular Meeting

Held July 10, 2023, @ 7:00 P.M.

Council met in Regular session with Lora Lyons, Jason Hower, Nance Speice, Allen Wobler and Jennifer Zartman present. Kevin Wannemacher was absent.

Guests Present: Police Officer Kyle Wobler, Jim Munger from McDonalds’ Design and Build, Village of Payne resident Eric Zehner, Mitch Snyder a resident of Payne in Benton Township, Melissa Hamrick from AFLAC, Village of Payne resident Annette Danner, Village of Payne Solicitor Shane Lee, Dylan Worden from Midstates Energy Solutions and Village of Payne Street Department employee Gavin Taylor.

The Minutes June 26, 2023 meetings were read. Councilman Wobler a motion to approve the minutes. Councilman Hower seconded and the motion passed unanimously.

Acting Mayor Lyons welcomed Jim Munger from McDonalds’ Design and Build. Jim presented the invoice for the repair of the front of the Village Hall and explained the additional services and repairs that were completed. Jim stated that their work did come with a one-year warranty for workmanship. He stated he is also taking a look at the Fire/EMS Station windows and roof.

Acting Mayor Lyons welcomed Village of Payne resident Eric Zehner. Eric complained to Council that he got a flat tire from driving on the stone over the area where the water main break occurred on Main Street near Payne MaraMart. Eric showed a video of the tire that was damaged. Acting Mayor Lyons explained that typically the Village does not reimburse for this type of damage however, she did ask for his telephone number and stated that she would look into his complaint.

Acting Mayor Lyons welcomed Mitch Snyder, a resident of Payne in Benton Township. Mitch asked Council to consider adding another class of vehicles to the golf cart ordinance 2017-5. He asked to Council consider adding UTVs to the Ordinance 2017-5 stating that UTVs are required to have the same specifications that golf carts. Mitch also stated that he is purchasing a UTV and would like to be able to drive it in the Village limits to patronize the local merchants. Acting Mayor Lyons stated that she and Council will consider his request.

Acting Mayor Lyons welcomed Melissa Hamrick from AFLAC. Melissa explained the AFLAC plans and provided handouts explaining the plans. Melissa stated that the open enrollment period ends on July 31, 2023 and provided her business cards for anyone interested to contact her for more information.

Councilwoman Zartman moved to go into executive session for personnel and legal reasons at 7:27 p.m., and Councilwoman Speice seconded, and the motion passed unanimously.

Councilwoman Zartman moved to go back into regular session at 7:50 p.m., and Councilman Hower seconded, and the motion passed unanimously.

Acting Mayor Lyons welcomed Dylan Worden from Midstates Energy Solutions. Dylan explained that the unemployment rate in Paulding County is too low to be part of the 80% solar program with the USDA. The 40% program is available and that would allow the Village to go ahead with the solar project for the water treatment plant and the pumping stations where the Village would owe approximately $208,000.00 at 3% interest over 30 years, about $577.00 per month for the Village. There is no commitment to submit an application for this program in 2023.

**EMS: Coordinator Zartman** was not present and no report was available..

**Fire Department: Chief Hefner** was not present and **Acting Mayor Lyons** reported the following to Council:

1. A quote has been received from Morrow Painting to paint the outside of the Fire/EMS Station for $10,800.00. Council asked about a warranty on the painting. Acting Mayor Lyons will contact Morrow Painting.
2. A quote has been received from Tri-County Roofing and Home Improvement to replace the windows and repair the roof for $5,285.00. After a short discussion, Councilwoman Zartman made a motion to accept the quote from Tri-County Roofing and Home Improvement for $5,285.00. Councilman Wobler seconded and the motion passed unanimously.
3. The new electronic sign has been installed on the outside of the Fire/EMS Station.
4. Council discussed the old cruiser and what to do with the cruiser going forward. No action was taken.

**Police Department:** **Police Chief Miller** was not present and there was no report.

**Street:** **Acting Mayor Lyons** reported the following to Council:

1. The tractor repair is complete.
2. One paving bid packets has been requested.
3. Street Department employee Gavin Taylor was present to ask that Council consider making Zachary Lane a one-way street from Laura Street to Dallas Street. Council discussed the change and Councilwoman Speice made a motion to make Zachary Lane a one-way street from Laura Street to Dallas Street. Councilman Hower seconded and the motion passed unanimously. Gavin will order signs for the change.
4. The one way-street signs for Buckeye Park have been ordered.
5. The purchase of wooden picnic tables from Lowe’s for the Village Park had been approved at a previous meeting. Because of the unexpected cost of replacing the faucets at the Village Park Concession Stand, the purchase of the picnic tables will be budgeted for next year and composite picnic tables will be considered.

**Zoning: Zoning Inspector Gonzales** was not present.  **Acting Mayor Lyons** reported the following to Council:

1. The public hearing regarding the conditional use permit was held on June 29, 2023 at 7:00 p.m. The business, Smitty Outfitters, was approved.

**Committee Reports: Acting Mayor Lyons** reported the following to Council:

1. Acting Mayor Lyons discussed the quote from TC Concrete for Buckeye Park for 4000 square feet of four-inch concrete with rebar at $20,000.00. She asked Council to consider using ARPA funds to pay for the concrete. Councilman Hower made a motion to use ARPA funds to pay TC Concrete for the concrete at Buckeye Park for the cost of $20,000.00. Councilman Wobler seconded and the motion passed unanimously.
2. Acting Mayor Lyons stated that Ryan Bowman Excavating will begin the final grade and seed at Buckeye Park and the Evard Street project in the coming weeks.
3. Acting Mayor Lyons explained that no one has been able to contact Johnny Schwartz for a quote for the pavilion quote to be used as bleacher shades for the ODNR grant however, she did contact Tri-County Roofing and Home Improvement for a quote. The quote received from Tri-County Roofing is for one bleacher pavilion at the cost of $6,500.00. No action was taken.
4. Acting Mayor Lyons stated that the magnetic locks have been installed at the Village Park restroom. They open at 7:00 a.m. and lock at 10:00 p.m. Council discussed if there was a way to override the locks. Councilman Wobler suggested Street Department employee Gavin Taylor and Water/Sewer employee Brant Heck turn off the power in the maintenance room to see if that would override the locks.

**Correspondence Letters:**

1. Acting Mayor Lyons stated that there is a webinar on July 26, 2023 at 1:00 p.m. that will discuss resources for Lead Servie Line Identification and Replacement. She will send the link to anyone that is interested.
2. Acting Mayor Lyons informed Council that there is an Ohio Ethics Law training at the Paulding County McDonald Pike Office on Tuesday July 25, 2023 from 10:00 a.m. to 11:00 a.m. No registration is needed and anyone is welcome to attend.

**OLD BUSINESS:**

1. Acting Mayor Lyons informed Council that she contacted AEP again about the street lights out on West Street as well as others. A total of six street lights were submitted for replacement.
2. Acting Mayor Lyons reported that Councilman Wobler repaired the area at the Village Park ballpark that Gene Olwin brought to Council’s attention at the Jund 26, 2023 meeting. Acting Mayor Lyons thanked Councilman Wobler for his time and work.
3. Acting Mayor Lyons informed Council that the one of complaints brought to Council by Geraldine Wolf has been resolved. She is still working with the other neighbor to rectify the problem.
4. The new mower leased from Homier’s has been delivered.
5. The Village Hall repair is complete.
6. The faucets at the Village Park have been replaced by Lippincott. Lippincott has able to get the faucets replaced before the Payne Ball Assocation Tournament. The invoice is for $2,675.00. Councilwoman Speice made a motion to pay the invoice of $2,675.00 to Lippincott for the faucet replacement. Councilman Wobler seconded and the motion passed unanimously.

**NEW BUSINESS:**

1. Acting Mayor Lyons explained that a water line was capped last year that supplies the concession stand at the Payne Elementary concession stand with water. The line was capped because the concession stand was not used regularly. The Payne Ball Association asked for the line to be repaired because they were using the concession stand this year. The Wayne Trace Board of Education was not interested in sharing the repair cost because they were not notified that the line was capped last year. Acting Mayor Lyons reported that BPA will not repair the line at this time.
2. Acting Mayor Lyons informed Council that Event Committee plans for the Rock the Block celebration are coming together well. She explained to Council that last year the Village paid for the portable toilet rental as their donation to the event. After a discussion, Councilwoman Zartman made a motion to pay up to $1400.00 for a need or attraction for the Rock the Block celebration. Councilwoman Speice seconded and the motion passed unanimously.
3. Acting Mayor Lyons presented the Mayor’s Court Reports for April 2023, May 2023 and June 2023 for the Finance Committee to sign. She stated that Mayor’s Court will be suspended until she is able to receive training to hold Mayor’s Court.
4. Acting Mayor Lyons informed Council that Adam Panas has left the Maumee Valley Planning Organization. Estee Miller will be his replacement.
5. Acting Mayor Lyons introduced Ordinance 2023-6, an ordinance fixing the compensation of bonds and benefits of officers, clerks and employees of the Village of Payne, Paulding County, Ohio and repealing Ordinance No. 2023-1 and all prior ordinances inconsistent herewith with respect to the same, and declaring the emergency. Based on their executive session discussion, Council tabled Ordinance 2023-6.
6. Acting Mayor Lyons stated that she does have a petition to be placed on the November ballot for Mayor of the Village of Payne. Councilwoman Speice made a motion to appoint Lora Lyons as Interim Mayor. Councilwoman Zartman seconded and the motion passed unanimously. Interim Mayor Lyons asked if anyone was interested in her previous position as Council President. Councilwoman Speice stated that she was interested. Councilman Wobler made a motion to appoint Councilwoman Speice as Council President. Councilman Hower seconded and the motion passed unanimously. Interim Mayor Lyons asked for suggestions to replace her on Council. She stated that Annette Danner was present and is interested. Annette addressed Council stating that she had a petition and did plan to seek a Council position in November. Councilwoman Zartman made a motion to appoint Annette Danner for the remainder of Interim Mayor Lyons’ Council position. Councilman Wobler seconded and the motion passed unanimously.
7. Interim Mayor Lyons introduced Resolution 2023-K amended, a resolution to proceed with submission of the question of levying a replacement tax in excess of the ten-mil limitation for the purpose of the operation of the Village’s Fire Department and declaring an emergency. Councilwoman Zartman made a motion to suspend the rules. Councilwoman Speice seconded and the motion passed unanimously. Councilwoman Zartman read Resolution 2023-K. Councilman Wobler made a motion to adopt Resolution 2023-K. Councilwoman Zartman seconded and the motion passed unanimously. Fiscal Officer Rhonda Stabler explained this is an amended resolution due to changes in the Ceritficate of Estimated Property Tax Revenue received from the Paulding County Auditor. The Paulding County Auditor recommended a new submission of the resolution.
8. Interim Mayor Lyons introduced Resolution 2023-M, a resolution authorizing the Acting Mayor to excecute any necessary documents to effectuate the annexation of parcel number 03-03S-023-03 into the Village and declaring the emergency. Councilwoman Zartman made a motion to suspend the rules. Councilwoman Speice seconded and the motion passed unanimously. Councilwoman Zartman read Resolution 2023-M. Councilman Wobler made a motion to adopt Resolution 2023-M. Councilwoman Speice seconded and the motion passed unanimously.
9. Interim Mayor Lyons explained that due to a misunderstanding, Brant Heck believed he was to receive bereavement pay when his grandmother died. However, the current salary ordinance does not include grandparents. Councilwoman Speice made a motion to pay Brant Heck for 10 ½ hours as bereavement pay. Councilman Hower seconded and the motion passed unanimously.
10. Interim Mayor Lyons stated that the area on Main Street near Payne MaraMart that is blocked off due to the watermain break needs to be repaired. She would like to get this done as soon as possible since this the area is at a busy intersection. Councilman Wobler made a motion to repair the area and to use funds from the Lead Service Line Grant because the lines were check for lead during the repair. Councilman Wannemacher seconded and the motion passed unanimously.

**BPA: Interim Mayor Lyons** reported the following to Council:

1. The 2022 OWDA Financial Information has been posted to the Village of Payne website and Facebook page.

**Good and Welfare:**

Interim Mayor Lyons and the Village of Payne Council would like to thank Travis Zartman for facilitating the installation of the new electronic sign on the outside of the Fire/EMS Station.

Councilwoman Zartman made a motion to accept the financial reports as presented by the Fiscal Officer. Councilman Hower seconded the motion, and the motion passed unanimously.

Councilman Zartman moved to approve the payment of bills presented, Councilman Hower seconded, and the motion passed unanimously.

With no further matters to discuss, Councilwoman Speice moved to adjourn, Councilman Hower seconded, and the motion passed unanimously, and the meeting adjourned at 9:20 p.m.

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Interim Mayor Lora Lyons Fiscal Officer Rhonda Stabler