

Minutes of Regular Council

April 21, 2008, at 7:00 p.m.

The meeting was called to order by Mayor Haver.

The Pledge of Allegiance was repeated by all present. Present were: Mayor Larry Haver; Council members, Ron Jones, Ed Foster, Ron Beverly, Amy Haver, Mick Pocratsky and Bruce Hart; Solicitor, Troy Essex; Administrator, Kent Miller and Clerk/Treasurer, Diane Collins.

Foster moved to approve the April 7 minutes. Pocratsky seconded. Beverly, Foster, Jones, Hart & Pocratsky voted yes. Haver abstained.

Hart moved to approve the bills. Jones seconded. All voted yes.

Water/Sewer/Refuse Committee: Pocratsky reported the committee met on April 14 to discuss a water issue with a resident and reviewed a proposal to amend the billing policy. They discussed wellhead protection and what to have written up as legislation. Essex was informed that they were fine with either the brief or the extensive version of the legislation. On April 16 they met to discuss the storm water long term control plan. Beverly stated resident Scott Conley wants to put a storage building on a vacant lot on Defiance Avenue a few lots down from his residence. The State will not allow an open cut across the road to tap into the storm sewer. Beverly suggested the Village set a catch basin between the sidewalk and the street in front of the building lot and add another one on the curb a few lots down and tie the two new ones to an existing one that already sits at the curb. Beverly stated this is the first step towards getting water to the storm drain. It was pointed out that this could set precedence for future issues. Jones asked if Conley would be satisfied if we furnished the catch basin and he pay for the rest. It was not known. Beverly moved we authorize the administrator to get the work completed without exceeding \$4,000. Foster wants a written quote. Hart seconded. Beverly, Haver, Foster, Hart & Pocratsky voted yes. Jones voted no. Motion carried.

Beverly moved to approve the amended billing policy. Pocratsky seconded. All voted yes.

Police/Fire/EMS Committee: Foster reported the committee met with department heads prior to this meeting at 6 p.m. to discuss moving the police and EMS back to 111 South Main Street. Council asked Miller to hire an architect to design a plan and come up with a cost.

EMS squad chief asked for bids to purchase some sweatshirts. Because his brother was low bidder there was a question of ethics brought forth. Harris wanted to make sure everything was on the up and up so the matter was brought before council. Essex explained that it is just a matter of looking at the bid independently to see if there is a better bid. Council also pointed out that these sweatshirts should be handled as a fringe benefit to the employees unless they care to purchase the clothing themselves.

Resident Robert Weaver wrote a letter to council about the problems the Village sewer lines have caused him. Miller reported that his line was dug up to expose the check valve that he has. There was no cap on it. Tree roots from a tree in the easement grew into his line. It was determined that is not a problem with the village sewer line.

Administrator's Report: Miller reported the following:

- 88 plus tons of refuse was picked up during the general pickup
- Bid opening was done for fire equipment. The bid came in at \$42,288.96. This was for 22 sets of gear and 30 helmets. Jones moved to accept the bid. Foster seconded. Beverly, Haver, Foster, Jones & Pocratsky voted yes. Hart abstained. Mayor Haver is going to try to find a contact through Rotary to see if the old gear can be sent to a third world country for use. Foster has requested a liability statement be signed. Council wants one set given to the historical society.

Miscellaneous:

Resolution 2008-03 to establish a Law Enforcement Assistance Fund was read by caption only for the third reading. Pocratsky moved to approve. Jones seconded. All voted yes.

Essex reported that our revolving loan with Janies Kitchen is actually in a third position with the Hicksville Bank having the first two liens. The Hicksville Bank has turned the matter over to collections. PEC Biofuels is a personal client of Essex's. The Village has a second on this loan. Essex explained to council that usually the 1st lien holder pays the expense of collecting debt and the "junior" lien holder rides along. Beverly moved to employ counsel to look out for our interest. Jones seconded. All voted yes.

Essex spoke to an accounting firm in Defiance about setting up a Section 125 agreement for medical and dental deductions. It was suggested maybe we want to add a section on the agreement recognizing flexible spending plans or Health Savings Accounts. Council thought that was a good idea in case we look at that in the future.

Pros and cons of platting the industrial park and staying in or getting out of the CAUV program was discussed. Council has asked Essex to find out how many more times we can split the property before we will have to get out of the CAUV program.

Other items Essex is working are as follows: He has a draft of a Bleacher use agreement; He has a draft of a Cable TV agreement with the school; He has the paper work drafted to close the Edgerton Street alley; Nothing is done on the Rail Road easement.

Beverly wanted council and the public to know that there is a meeting scheduled for Wednesday, May 7 at 9 a.m. in the council chambers to discuss “Safe Routes to School”. There will be a walk ability study done that day so participants are encouraged to wear good walking shoes. The school is looking for committee people, particularly living in the area from the railroad tracks out to the new school site. It was noted the sidewalks all over town are involved.

Clerk’s Report: Collins thanked Maxine Lucas for helping out by answering phones in village offices and doing computer work at the TV station.

Police Report: No report was given.

Fire Department: Elwood did not have a report.

EMS Department: No report was given.

Mayor’s Report: Mayor Haver noted there was a thank you sign placed at a burned out trailer in town.

Pocratsky moved to go into executive session to discuss possible litigation. Foster seconded. All voted yes. (8:30 p.m. – 8:53 p.m.) Returned to regular session. Hart moved to go back into regular session. Jones seconded. All voted yes.

MAYOR

CLERK