

Minutes of Regular Council

July 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, Ron Beverly, Amy Haver, Mick Pocratsky, and Bruce Hart; Solicitor, Troy Essex; Administrator, Kent Miller; Clerk/Treasurer, Diane Collins; Ed Foster was absent.

Jones moved to approve the minutes. Beverly seconded with the word "it" taken out of the paragraph with the third bullet on page 2. All voted yes.

Pocratsky moved to pay the bills. Haver seconded. All voted yes.

Isaac Lee of the Defiance County Economic Development office was present to answer questions about the Job Creation Tax Program. Mayor Haver asked if the Governor's program will have this in it. Lee said there are some similarities but we can mold our own.

Lee was very pleased with the Strategic Planning meeting he called. Four people showed up, two being priority landowners. He reminded council the Community Memorial Hospital Foundation is paying for the plan.

Park Board: Council representative Bruce Hart gave a report to council about the July 16 meeting. He suggested they purchase an electric golf cart in lieu of paying approximately \$45 for gas per week to drive around a small tractor pulling a cart.

Water/Sewer/Refuse Committee: Pocratsky reported the committee met on July 18. They heard a company from North Carolina present a device that would clear larger volumes of storm water quicker and cheaper than separating sewers. The EPA has yet to approve it but the company is talking to them.

HIXTV Committee: Notice of a rate increase from Mediacom, the quarterly franchise report and a proposed survey were in council packets for review.

Finance Committee: Jones reported the committee met prior to this meeting at 6:30 to audit the books and hear what Isaac Lee had to say about the Job Creation Tax Program..

Sidewalk Committee: Beverly reported the committee met July 12th at 9:00 AM to discuss the repeal of bike laws for uptown. Two of the three committee members wanted to allow bike riding downtown. Beverly asked for community input via letter to city hall before the next council meeting.

Police/Fire/EMS: Beverly came to look at an ambulance brought to town Saturday. He was upset that a used one is now being considered when council agreed to take bids on a new one at a previous meeting. It was noted a bigger box will not fit in the garage at the present EMS location and it would have to be parked at a South Main Street location. That brought up the subject of whom should move to South Main Street and what that would entail. It was agreed to go with the original decision to re-bid a new one.

Administrator's Report: Kent Miller reported the following:

- Copies of the bid results for the handicap sidewalk/curb repairs were in council packets. Though it is over original guess back in 2007, Miller recommended doing it all.
- Miller briefly mentioned some concerns about doing the Spencerville Street sewer project. Engineer Cheryle Culler was present to explain the possibilities if future separation is needed.
- County Engineer Warren Schlatter wants to re-bid the Spencerville Street improvements without an asphalt adjustment so he can lock it in. Drainage could be done this year. Council was agreeable to stay where we are and get it done.
- Zoning Inspector Dave Schooley & Miller are still awaiting a penalty for no fence on permanent pools and what the ruling is for fence requirements on non-permanent pools (large ones which meet the criteria for needing a fence). It's been two swim seasons with nothing being decided.
- Miller stated he knows it was said that sidewalk repairs are being put on hold, but he has been receiving more and more complaints from folks on conditions all over town. Miller feels that regardless of future sewer projects, this ordinance should be enforced, bearing in mind some parts of town may not see sewer work for 12-15-20 years.
- Miller asked a committee to address personnel issues related to sick leave & vacation being used up and wondered if we had changed the Family Medical Leave Act. Collins found that nothing had been changed since it was proposed. Essex will bring something to the next meeting.
- It has been established that the East High Street road problem at the viaduct has been caused by our water line. Miller plans to repair it Thursday so brush pick up may be delayed.

Miscellaneous: Essex reported the following:

- Ordinance 2008-3 establishing current charges for the Rescue Company was read by caption only for the third reading. Jones moved to approve. Haver seconded. All voted yes.
- Ordinance 2008-4 Vacating a portion of an alley running between Edgerton Street and High St. was read by caption only for the second reading.
- Resolution 2008-6 to hire Vernon Nagel Inc. for the replacement of the Spencerville Street sewer was read by caption only for the first reading. Beverly moved to suspend the rules. Jones seconded. All voted yes. Res. 2008-6 was read by caption only for the second and third

- readings. Pocratsky moved to approve. Hart seconded. All voted yes.
- Resolution 2008-7 to hire Schmmoeller Construction to put in handicap curbs & sidewalks was ready by caption only for the first reading. Beverly moved to suspend the rules. Pocratsky seconded. All voted yes. Res. 2008-7 was read by caption only for the second and third readings. Jones moved to approve. Pocratsky seconded. All voted yes.
- There is still some confusion about the railroad easements that Essex is looking in to.
- Essex is in the process of finalizing the Source Water Protection legislation and will bring it to the next council meeting.
- An agreement between HIXTV and the school is in process and should be ready for the next council meeting.

Clerk's Report: Collins asked council to write off some EMS bills that are uncollectible. Council requested more information. Collins will provide that at the next meeting. Tax Administrator, Cheryl Miller, provided a written report on a tax conference she and Leesa Battershell attended.

Police Report: No report

Fire Department: No report.

EMS Department: Wendy Goelzenleuchter was present but did not have anything to report.

Mayor's Report: Mayor Haver pointed out the June Court Report in the packets. Council agreed to change the September 1 meeting to the 2nd.

Beverly moved to go into a brief executive session to discuss personnel and possible litigation. Jones seconded. All voted yes. (8 p.m. – 8:20 p.m.) Jones moved to return to regular session. Pocratsky seconded. All voted yes.

A motion was made and seconded to adjourn.

MAYOR

CLERK