

Minutes of Regular Council Meeting

September 6, 2011 at 7:00 p.m.

The meeting was called to order by Mayor Larry Haver.

The Pledge of Allegiance was repeated by all present.

Present were:, Council members, Ron Beverly, Bruce Hart, Ron Jones, Mick Pocratsky, Mike Barth & Mike Headley; Solicitor, Troy Essex; Administrator, Kent Miller and Clerk/Treasurer, Diane Collins. There were six visitors.

Jones moved to approve the August 15 minutes. Headley seconded. All voted yes.

Pocratsky moved to approve the August 22 minutes. Barth seconded. All voted yes.

Beverly moved to approve the August 29 minutes. Headley seconded. Beverly, Barth, Headley, Hart & Jones voted yes. Pocratsky abstained.

Headley moved to approve three bills lists with the exception of a Thornburg Plumbing bill in the amount of \$197.25. Jones seconded. All voted yes.

Zoning Board of Appeals: The board met on September 6 at 3:30 p.m. to consider an application submitted by The Friends of the Library to install a non-conforming sign at 116 West High Street. The Board approved the request.

Slattery Oil Company Inc. has requested a zoning change at 502 East High Street a/k/a 194 PT Auditor's Plat from R-3 to General and Local Business. The commission will meet September 8 to consider the request.

Storm Sewer Steering Committee: Ed Foster, representing Storm Water Steering Committee, came before council to give an update on what the committee is working on. The group of 13 met on August 22 and August 30. They have broken into two groups. One group will concern themselves with water issues on West High Street, behind Schmidt's dealerships and back across Antwerp Drive in the Oak Park area. The second group will cover north of Hicksville, the Parker Hannifin area and towards town. Foster stated there are 23 areas of water problems with the latest heavy rain. They intend to knock on doors to speak to residents to ask them if they have water problems. Pocratsky reminded Foster not to make any promises to residents.

The group has concerns about people doing things that raise elevations such as homes and driveways that cause water to run off onto neighbors. Essex explained that if people are doing things on their property that the Village has no oversight of, the matter is between the neighbors. We have no control over what some residents may do. Foster stated that if a driveway is built without a permit or certainly wrong it should have to be torn out. Foster passed out an e-mail written by Miller in 2004 which provided a rough draft of a plan which may satisfy the need expressed for preventing future drainage problems. Foster suggested it be looked at again.

Pocratsky reminded Foster that the Steering Committee must keep in mind that what the Village is working on for the EPA will not always coincide with what the Steering Committee wants.

The committee also looked at ditch maintenance. Foster stated there is a way to petition for ditch maintenance. The group will be walking ditches and checking for maintenance issues.

Barth thanked the committee as did Pocratsky. They admitted the committee has come up with some ideas they have not thought of. Foster asked to be contacted about all wastewater meetings. It was pointed out that some of the meetings would not involve the steering committee.

Water/Sewer/Refuse: Pocratsky reported that he had an opportunity to speak to the Mayor Friday morning about a program out there for communities like ours that will pay 50% of the current long term control plan construction. Poggemeyer Design Group has offered to fill out the Nomination Application for us at no charge. The deadline is September 16. Currently our Long Term Control Plan is total separation of sewer lines. Scott Strahley of RCAP is also coming up with a plan which gets away from total separation. It was pointed out that it may be doable for the Village if we could get 50% paid of a \$14 million dollar total separation project. Council decided to proceed with the Nomination Application as the funds could be turned down if we decided not to do total separation. Pocratsky moved to authorize Poggemeyer Design Group to fill out the Nomination Application for us. Hart seconded. Barth, Hart, Headley, Jones & Pocratsky voted yes. Beverly voted no.

The City of Lima sent a letter to Mayor Haver asking all Ohio cities which are presently negotiating with or have already entered into Consent Decrees with the USEPA or OEPA on Wet Weather Mandates (CSO-LTCP, SSO or POTW) to become publicly and vigorously active in encouraging our Ohio Congressional delegation to pass federal legislation fully consistent with United States Conference of Mayors (USCM) Resolution 43. Essex will bring legislation to the next meeting.

Cable TV Committee: A letter from Mediacom notifying the Village of channel changes was passed out at council.

Park Board: Minutes from the August 16 meeting were in council packets. Park Director, Mike Altman, was present.

Finance Committee: Jones has set up a meeting for September 19 at 6:15 p.m. to audit the books.

Personnel Committee: Jones set up a meeting for September 12 at 5 p.m.

Administrator’s Report: Miller reported the following;

- The General Pickup is next week
- The north tower will be drained and we will begin using the south tower very shortly. Water pressure will be lower while the south tower is in use. The north tower should be restored by November 1. The late fees for the south water tower project amounted to \$18,900.

- **Miscellaneous:**

Ordinance 2011-06 authorizing the Clerk/Treasurer to transfer funds from the General Fund to the Police Pension Fund was read by caption only for the third reading. Jones moved to approve. Pocratsky seconded. All voted yes.

Resolution 2011-16 to accept rates as determined by the Budget Commission and authorizing the necessary tax levies was read by caption only for the second reading. Pocratsky moved to suspend the rules. Headley seconded. All voted yes. Resolution 2011-06 was read by caption only for the third reading. Barth moved to approve. Hart seconded. All voted yes.

Resolution 2011-17 directs the County Auditor to assess was read by caption only for the first reading. Beverly moved to suspend the rules. Headley seconded. All voted yes. Resolution 2011-06 was read by caption only for the second and third readings. Jones moved to approve. Pocratsky seconded. All voted yes.

Essex explained that Verizon did not like certain parts of our Industrial Park Covenants & the type of zoning we have established. He has the original lease that Verizon is proposing and he plans to take it to his office to review before we sign it. Verizon plans to build the tower in the spring/summer of 2012.

Clerk/Treasurer’s Report: Collins passed out the MTD/YTD Cash Report and Income Tax Report.

- **Police Department:** Chief Szabo did not have anything to report.

Fire Department: Chief Miller told council there is going to be a chicken/pork chop barbeque this Saturday. Some of his department will be attending a county 9/11 service in Defiance on Sunday.

Beverly stated that he thinks the Slattery Oil Company’s investment in our community looks good. They put down new cement at the corner of South Main & West High Streets.

Mayors Report: The August Mayor’s Court Report was passed out. Mayor Haver informed residents that the Beautification Committee could use more people to water flowers with the water wagon and thanked Carl Clark and Diane Collins for the work they have done. He informed council that the State of Ohio is trying to pass legislation which would allow the State of Ohio to collect municipal income taxes which would be devastating. The United Way Day of Caring is to be held September 9. More help is needed. Work at the park is the local project.

Jones made a motion to adjourn. Headley seconded. All voted yes.

MAYOR _____
Larry Haver

CLERK/TREASURER _____
Diane Collins