

Minutes of Regular Council

November 16, 2009 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: Mayor, Larry Haver; Council members, Ed Foster, Bruce Hart, Ron Jones, Amy Haver, Mick Pocratsky and Ron Beverly; Solicitor, Troy Essex; Clerk/Treasurer, Diane Collins. Administrator, Kent Miller was absent.

Foster moved to approve the November 2 minutes with a correction. The personnel committee did not recommend one water and one street employee be eliminated. They just recommended two employees be let go. Hart seconded. Pocratsky abstained. Jones, Haver, Beverly, Foster, & Hart voted yes.

Foster moved to approve the bills. Beverly seconded. All voted yes.

Jerry Hayes and Isaac Lee of the Defiance County Economic Development office came before council to give an economic update of activities and suggest ways to fund public projects. Suggested ways to fund a public project were: State Infrastructure Bank, Tax Increment Financing (Tif) waiver money out of our revolving loan fund, State Issue II funds, Development Block grant monies, or work with a benefited property owner to see if they will work with the project. Funding packages could take six to seven months to get in place using the CIC, Maumee Valley Planning Organization, County Commissioners and the County Engineer.

Insurance Committee: Collins passed out insurance claims information as reported by the BORMA pool.

Sidewalk Committee: Beverly reported that easement information is being gathered and we should have that information for the next council meeting.

Police/Fire & EMS: Foster and committee met November 9 and they recommend the Personnel Committee look at adding the police clerk's duties to the duties of the Income Tax Administrator, Assistant to the Clerk/Treasurer and the Utility Clerk and having a reduction in force of one of the four persons. Foster announced his committee would meet again November 30 at 6:30.

Personnel Committee: Jones reported the committee met October 26 at 5:30 p.m. and prior to this meeting. The Police/Fire/EMS committee recommended the Personnel Committee look at adding the police clerk's duties to the duties of the Income Tax Administrator, Assistant to the Clerk/Treasurer and the Utility Clerk and having a reduction in force of one of the four persons. The Personnel Committee announced they were not going to recommend having the police clerks duties shared and having a reduction in force of a clerk.

HIXTV: Foster reported there was a meeting November 14 at 8 a.m. HIXTV Sponsorships and Underwriting opportunities were written out and shared with council. Foster pointed out this can be a good revenue source. Hart suggested putting it in the newspaper. The committee would like to see the guidelines amended to add another At-large member. Foster mentioned Essex could take care of this. Paul Overmyer's term ends 12/31/09. Mayor Haver recommended re-appointing Overmyer to the HIXTV committee for another six years. Jones moved to approve. Foster seconded. Beverly, Haver, Foster, Jones & Hart voted yes. Pocratsky abstained. Foster and Murphy are going to be the guest speakers at Rotary tomorrow. Beverly asked when council meetings are going to be live again and when is there will be sound with the council meetings that are broad cast. Murphy stated he hoped we would be live by the next council meeting and he is trying to take care of the sound problem tonight.

Water/Sewer/Refuse Committee: Pocratsky reported the committee met on October 27 to interview three engineering firms about our future mandatory sewer separation. Another meeting is scheduled for November 17 to discuss it further. Foster stated he has been receiving calls about high water bills and people wanting to know if there had been an increase, which there has not been since January 2009. Collins reminded council that a longer reading period could account for a higher bill and took the opportunity to tell the residents what the minimum and average bills would increase January 1, 2010. The minimum bill with 1,000 gallon usage will go from \$29.50 to \$32. A average bill of 5,000 gallons will go from \$66.50 to \$69.60. Foster encouraged residents to call Cheryl Smith at the utility office if they feel there is an error on their bill.

Finance Committee: Jones reported the committee will meet on December 7 at 6 p.m. to audit the books. Jones pointed out that we have only paid \$10,000 of a \$15,000 annual commitment to the Defiance County CIC. He moved that we pay the remaining balance due of \$5,000. Hart seconded. Pocratsky, Haver, Hart & Jones voted yes. Beverly & Foster voted no. Motion carried. Jones stated that in 2010 we are reducing our annual commitment to \$10,000.

Administrator's Report: Miller is on vacation but left the following information:

- In 2008, employees collected a record 111 loads of leaves. As of 10 a.m. on Friday, the guys had already collected 154 loads. December 4 is the last day planned to be out, they will then be ready to chip.
- Bid results for the farmland lease are: Dan Michael \$155.00 per acre. Essex will bring legislation to the next meeting. Collins is going to update Dan.
- Employees removed the traffic heads/wires at N. Main/Arthur on Monday, November 13. ODOT is aware of this and the Village will receive a letter from them wrapping up the entire process.
- Christmas decorations were put up on Friday the 13th.
- The recycle lot will revert to winter hours starting in December. It will be open Thursdays 1-6 and Saturdays 9-1 until March.
- Miller will be on vacation November 16-20.

Miscellaneous:

Ordinance 2009-11 authorizing the administrator to sell the 1995 garbage truck was read by caption only for the third reading. Jones moved to approve. Haver seconded. Beverly, no. Haver, Foster, Pocratsky, Hart & Jones, yes.

Ordinance 2009-12 to amend the annual appropriations ordinance was read by caption only for the first reading. Pocratsky moved to suspend the rules. Foster seconded. Beverly, no. Haver, Foster, Pocratsky, Hart & Jones, yes. Ordinance 2009-12 was read by caption only for the second and third readings. Jones moved to approve. Hart seconded. Beverly, no. Haver, Foster, Pocratsky, Hart & Jones, yes.

Ordinance 2009-13 the 2010 Annual Appropriations Ordinance was read by caption only for the first reading.

Ordinance 2009-14 to eliminate a holiday was read by caption only for the first reading.

Ordinance 2009-15 to eliminate personal days was read by caption only for the first reading.

Resolution 2009-16 combing two fire levies was read by caption only for the first reading.

Resolution 2009-17 to transfer funds from the Housing Rehabilitation Fund (HRF) to the Water Fund to close out the HRF CDBG account as requested by the Ohio Department of Development was read by caption only for the first reading. Foster moved to suspend the rules. Beverly seconded. All voted yes. Resolution 2009-17 was read by caption only for the second and third readings. Jones moved to approve. Haver seconded. All voted yes.

Resolution 2009-18 to reduce the employee work hours was read by caption only for the first reading.

Essex is going to update the farm lease so it can be signed by Dan Michael and the Village after legislation is approved at the next council meeting.

Clerk/Treasurer’s Report: Collins had asked council in the past to authorize the Income Tax Administrator not to pursue several income tax filers since she expected it would cost more money than she would collect. Council requested names and circumstances which were presented to them tonight. All four live out of town. Two already had taxes withheld but did not file. One refused the summons by certified mail. One lacked a good address, no known social security number and it was unknown if she even worked. Beverly moved to allow the income tax administrator not to pursue collections on J. Armstrong, W. Beltran, S. Cue, and T. Schooley. Foster seconded. All voted yes.

Foster moved to approve a new Reimbursement Agreement regarding the purchase of lights and siren that Essex wrote for the fire chief. Beverly seconded. All voted yes.

QTD Utility Report and Rescue Run collections Report were passed out to council.

Police Report: No report was given.
Fire Department: No report was given.
EMS Department: Chief Wendy Goeltzenleuchter did not have a report.

Mayor’s Report: Mayor Haver thanked Yoder’s Restaurant and Clines Super Value for storing commodities for us; and commended everyone for their hard work on the budget process. Mayor Haver informed residents of Ohio Attorney General Richard Cordray’s Consumer Protection telephone number to call in cases of deceptive advertising, shoddy workmanship or failure to perform services or to deliver goods. He also informed everyone the comments from the public have prompted the USEPA to hold two meetings to better inform the public about an application from the city of Bryan, Ohio to designate the Michindoh Aquifer as a sole-source aquifer. Jerry Hayes commented that it is not always a good thing. Foster suggested we research it. Beverly suggested we should protest it. Pocratsky thought it should go to a committee to make a recommendation as to whether we should support it or not.

Beverly moved to go into executive session to discuss personnel and possible litigation. Jones seconded. All voted yes. (8:25 p.m. ÷ 8:50 p.m.) Returned to regular session. Beverly moved to return to regular session. Foster seconded. All voted yes.

A motion was made and seconded to adjourn. All voted yes.

MAYOR	CLERK
Larry Haver	Diane Collins