

Minutes of Regular Council Meeting and Re-Zoning Hearing

December 6, 2010 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 Haver, Council members, Mick Pocratsky, Ron Jones, Bruce Hart, Mike Barth & Mike Headley; Administrator, Kent Miller; Solicitor, Troy Essex; and Clerk/Treasurer, Diane Collins. Councilmember Ron Beverly was absent.

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

Jones moved to approve two bills lists. Pocratsky seconded. All voted yes.

**Planning Commission:** The re-zoning hearing was called to order. A request was made by Scott Conley to re-zone Lots 23 & 24 of Woods Second Addition a/k/a 117 Defiance Avenue from R-4 (residential) to M-1 (Light Industrial) He intends to move his existing machine shop to this address. No one was present for the hearing.

Jared Orzolek of the Defiance County CIC was present to answer questions. He noted there is always interest in the Dietrich building. He thinks it is because of its size.

**Water/Sewer/Refuse:** Pocratsky reported a public forum was held November 16 at 5:30 p.m. to explain and answer questions regarding the proposed sewer rate hike. A meeting with RCAP took place on November 18 to put together a strategy on how to approach the EPA to alter our NPDES permit. Another meeting is scheduled for December 7 at 5:30.

**Park Board:** Minutes from the November meeting were in the council packets.

**Administrator's Report:** Miller reported the leaf collection is complete. Folks who still have leaves to dispose of can take them to the lot. The lot has reverted to winter hours of Thursday 1-6 and Saturday 9-1. Miller will be on vacation December 13-17.

**Miscellaneous:**

Essex gave an update of the water tower property situation. AEP is working with Miller so it is out of our hands.

Essex has been checking into the downtown occupancy issue brought up at past council meetings. He has called the Board of Building Standards. He was told if there is a change of use of buildings they need to make application for a permit from the State. A complaint can be made and it will be investigated. The person can be cited but there isn't much teeth in it. Essex suggested that now may be the time to look at the whole zoning ordinance. The Assistant Chief Building Inspector would be willing to come look at some places.

The Railroad easements are drafted. Essex needs to get them signed and recorded.

Ordinance 2010-12 approving the 2011 Annual Appropriations was read by caption only for the third reading. Jones moved to approve. Barth seconded. All voted yes.

Ordinance 2010-14 to amend the sewer charges was read by caption only for the third reading. Pocratsky moved to approve. Jones seconded. All voted no.

Essex will bring legislation for the Conley rezoning to the next meeting.

**Clerk/Treasurer's Report:** Collins passed out the MTD/YTD Cash Report and Income Tax report. Income tax collections are down 3% compared to this time last year. She also passed out a report on EMS collections for failed or incomplete training taken.

**Police Report:** Szabo did not have a report.

**Fire Report:** Miller did not have a report.

**Ems Report:** Goeltzenleuchter was not present. No report was given.

**Mayors Report:** Mayor Haver had a November Court report. Kudos to Shannon Villena for organizing the Christmas tree lighting ceremony. Thanks to Jay Powell for clearing the sidewalks all the way out to the school. Income surveys are no longer needed as we are over the time limit. The Employee breakfast will be held December 18 and paid for by Mayor Haver and council members due to the village financial situation. Mayor Haver thanked Bill Murphy for video taping the Christmas festivities.

Resident Phil Timbrook asked if the sewer charges were changing. He was told the ordinance did not pass.

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

MAYOR

CLERK

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