

## **CALL TO ORDER**

Mayor Porter called the Regular Meeting to order at 7:00 PM on May 2, 2011.

## **INVOCATION**

Levings offered the Invocation.

## **PLEDGE OF ALLEGIANCE**

The Mayor led the Pledge of Allegiance.

## **ROLL CALL**

The following members of Council answered roll call; Tim Clapper, John Curtis, Steve Hart, Darrell Levings, Emily Shaffer. Dianne Matuch was excused. The Clerk declared a quorum. Mayor Mike Porter, Solicitor Matt Griffith, Administrator Dan Rogers and Clerk-Treasurer Sue Mermann were present.

## **MINUTES**

Shaffer moved and Curtis seconded to approve the 4/18/11 minutes. Roll call: Shaffer yes, Curtis yes, Hart yes, Clapper yes, Levings yes.

## **GUESTS**

Guests included Marsha Taylor, Ed Kline, Jim Bartlett, Brian Zerman, Edison Mayor Sandy Ackerman, Edison Council member Sherry Crawford, Attorney Tom Elkin, Township Trustees Harry Arnold, Clyde Columber and Dave Lewis.

Mr. Kline explained the final requirements for the refinancing of \$1,245,000.00 Water System Revenue Bonds, Series 2011. Following the adoption of Ordinance 1650, the loan documents prepared by Bond Counsel Peck, Shaffer & Williams will require the signatures of the Clerk-Treasurer and the Mayor on 5/16/11. Kline recommended that a temporary account be established at First Knox National Bank. The funds, including the pay-down of \$500,000.00 would be wired to Fifth Third Bank to retire the debt by 5/26/11. Ordinance 1650 was presented for the third reading. Clapper moved and Levings seconded to adopt Ordinance 1650 as an emergency. Roll call; Clapper yes, Levings yes, Curtis yes, Hart yes, Shaffer yes. Clapper moved and Hart seconded to authorize the Clerk to open a temporary savings account at First Knox National Bank for the pay-down of \$500,000.00. Roll call; Clapper yes, Hart yes, Curtis yes, Shaffer yes, Levings yes.

Hart moved and Clapper seconded to adopt an oral Resolution to authorize the Mayor and the Administrator to enter into an agreement with the Gilead Township Trustees to form a Union Cemetery Board. Roll call; Hart yes, Clapper yes, Curtis yes, Shaffer yes, Curtis yes.

Hart moved and Shaffer seconded, to recess the regular meeting for the Joint Meeting with the Gilead Township Trustees. Roll call; Hart yes, Shaffer yes, Levings yes, Clapper yes, Curtis yes.

## **JOINT MEETING WITH GILEAD TOWNSHIP TRUSTEES**

The Mayor called the Joint Meeting to order. The following answered roll call; Clapper, Curtis, Hart, Levings, Shaffer, Arnold, Columber, Lewis.

The agreement, prepared by Attorney Elkin, signed by all three Trustees and by Mayor Porter and Administrator Rogers, authorizes the Union Cemetery Board to jointly manage the Rivercliff Cemetery and all the cemeteries within the Gilead Township that the Township is required to maintain. The agreement requires that the Board obtain the joint written approval of Gilead Township and the Village of Mt. Gilead prior to expending funds in excess of the fund generated by the general tax levy in Gilead Township for the maintenance of Township Cemeteries and that the parties agree each year as to pro rata share of each party for cemetery expenses in excess of the funds generated by the general tax levy.

Clapper nominated Hart to serve a 3-year term on the Board beginning 1/1/12 until 12/31/14. Curtis seconded the nomination. Roll call; Clapper yes, Curtis yes, Hart yes, Levings yes, Shaffer yes, Arnold yes, Columber yes, Lewis yes. The new Board will consist of Hart, one Trustee and one Member-At-Large. Mayor Ackerman reported the Edison Council agreed to have one Edison resident serve on the newly formed Board as a Member-At-Large. Columber stated the recent census reported the Gilead Township population to be 6,112; Mt. Gilead Village 3,660 and 447 in Edison.

Clapper moved and Shaffer seconded to suspend the rules for Resolution 5-2-11. Roll call; Clapper yes, Shaffer yes, Hart yes, Levings yes, Curtis yes, Arnold yes, Columber yes, Lewis yes. Clapper moved and Hart seconded to adopt Rivercliff Cemetery Resolution 5-2-11. Roll

call; Clapper yes, Hart yes, Shaffer yes, Curtis yes, Levings yes, Lewis yes, Arnold yes, Columber yes. Elkin recommended the Trustees, the Village and Edison meet again on May 16<sup>th</sup> to appoint the two additional members of the Board.

Clapper moved and Levings seconded to adjourn the Joint Meeting. Roll call; Clapper yes, Levings yes Shaffer yes, Hart yes, Curtis yes, Arnold yes, Columber yes, Lewis yes.

Shaffer moved and Levings seconded to reconvene the regular Council meeting. Roll call; Shaffer yes, Levings yes, Hart yes, Clapper yes, Curtis yes.

#### **REGULAR MEETING**

Mr. Bartlett is the owner of the property located at the end of Westview Dr. and Baker St., on the north side of Douglas St. and west of Chartwell Green. Drainage from his property runs through the "Rinehart Ditch", from the end of Douglas St. through Westview Dr. and Baker St., which he believes the Village should maintain. Mr. Bartlett stated that the Chartwell Green development encompassed 20 acres of land, 5 acres of which is a retention pond deeded to the Village, which he states is now causing flooding onto his property. He also asserts that the ditch is owned and should be maintained by the Village. Rogers reported the Village does not own the ditch nor does the Village have an easement. Following a lengthy discussion, Hart and Griffith offered to research the issue to try to determine the ownership of the ditch and whether the flooding is caused by obstructions in the ditch or is result of the heavy spring rains throughout the mid-west.

#### **POLICE CHIEF-BRIAN ZERMAN**

Chief Zerman reported 296 calls for service, 59 reports, 7 felonies and 13 accidents during April. Young adults and older juveniles are causing problems at the Fort Gilead playground area requiring additional police hours to control. Several individuals have been evicted and are not permitted on the premises. Zerman reported the department is taking a pro-active zero-tolerance approach, maintaining that destruction of property and vulgarities will not be tolerated. Mayor Porter reported a complaint that Jr. High School students with no regard for motorists, walk in the middle of Lee St. causing dangerous situations for not only the pedestrians themselves, but also the motorists who have to go left-of-center or far to the right to pass. Zerman reported the on-going problems from parents who transport their students to and from school have required Officers to continue to patrol the school area and taken attention away from the streets during the before-and-after -school hours.

#### **FIRE CHIEF-DON STAIGER**

Chief Staiger was excused.

### **COMMITTEES & RECOMMENDATIONS**

#### **STREETS-DARRELL LEVINGS**

Levings reported that Morrow Metropolitan Housing will terminate their lease of the offices located at 81 N. Rich St. as of 5/31/11.

Next meeting is scheduled for 6:00 PM on 5/18/11.

#### **FIRE & POLICE-JOHN CURTIS**

The next meeting is scheduled for 6:00 PM at the Fire Station on 6/14/11.

#### **FINANCE & PERSONNEL-STEVE HART**

The next meeting is scheduled for 6:00 PM on 5/16/11.

#### **UTILITIES-TIM CLAPPER**

The committee is scheduled to meet at 6:00 PM at the Water Plant on 5/24/11.

#### **VILLAGE DEVELOPMENT & ZONING-DIANNE MATUCH**

Shaffer reminded Council the Dr. Nathan Tucker Award for Excellence nominations are due by 5/26/11.

#### **CODES & REGULATIONS-EMILY SHAFFER**

The committee met prior to the Council meeting. Chapters 721 and 725 proposed amendments have been finalized. An ordinance to establish fees will be recommended.

The committee is scheduled to meet at 6:00 PM on 6/6/11 to begin to work to legislate that parking on lawns be considered blight.

**ADMINISTRATOR-DAN ROGERS**

Rogers reported approximately 1,000,000 gallons per day flows at the WWTP with the continuous spring rains; normal maintenance at repairs of curb boxes and meters at the Water Plant.

Grease in the sewer lines has again been linked to Cheng's Gourmet Restaurant in the downtown area.

Numerous thunderstorms and heavy rains have delayed Deer Creek Excavating from completing the final grading and seeding at the SR 95 Storm Water project.

Painting and cleaning of the pool is scheduled to begin this week. The new chemical feed system will be installed before the Memorial Day opening. The system will take the responsibility of adding dangerous chemicals to the pool away from the young pool employees and is also expected to save on the cost and use of chemicals.

The Police Office renovations are nearing completion. Additional costs resulted from the unexpected renovations to the restrooms and ceilings. Council expressed appreciation for the improvements to the municipal building.

**MAYOR- MIKE PORTER**

Mayor Porter reported he attended Tree City along with the Administrator and Tree Board member Jim Helt. Arbor Day is scheduled for Friday 5/6/11 at the school. Council members are invited to attend the installation of a Rain Garden at the home of Tree Board member Tim Butcher on 5/7/11.

Secretary of State John Husted's representative visited with the Mayor last week.

The Mayor read a Proclamation setting May as Community Action month.

**SOLICITORS-GRIFFITH & BRININGER**

Griffith requested Council go into Executive Session to discuss pending litigation against the Village.

**CLERK-TREASURER-SUE MERMANN**

Hart moved and Curtis seconded to approve payment of the bills. Roll call; Hart yes, Curtis yes, Clapper yes, Shaffer yes, Levings yes.

Ordinance 1651 was presented for the 2<sup>nd</sup> reading. Clapper moved and Hart seconded to pass the Sanitary Sewer rate ordinance to the third reading. Roll call; Clapper yes, Hart yes, Curtis yes, Levings yes, Shaffer yes.

Ordinance 1652 was presented for the 2<sup>nd</sup> reading. Shaffer moved and Levings seconded to pass the Recreation ordinance to the third reading. Roll call; Shaffer yes, Levings yes, Hart yes, Curtis yes, Clapper yes.

Hart moved and Levings seconded to approve the Recreation Personnel Policy as recommended by the Recreation Board. Council reluctantly agreed to adopt the policy but requested that the policy be reviewed in the future to conform more with other village policies, stating that as is, the policy is more a list of qualifications and wage information rather than regulations. Council also stressed that lifeguards will be provided during swim team practices, making the lifeguard certification for the coach unnecessary and too stringent. Roll call; Hart yes, Levings yes, Clapper yes, Shaffer yes, Curtis yes.

**OTHER**

Curtis moved and Clapper seconded to go into Executive Session to discuss pending litigation against the Village. Roll call; Curtis yes, Clapper yes, Hart yes, Levings yes, Shaffer yes.

Following Executive Session, Curtis moved and Clapper seconded to return to the Regular Meeting. Roll call; Curtis yes, Clapper yes, Hart yes, Shaffer yes, Levings yes. Hart stated that Council discussed pending litigation against the Village while in Executive Session.

Curtis moved and Clapper seconded to adjourn at 8:35 PM.

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Sue Mermann, Clerk-Treasurer

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Mike Porter, Mayor

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Dan Rogers, Administrator