

CALL TO ORDER

Mayor Porter called the Regular Meeting to order at 7:00 PM on May 7, 2012.

INVOCATION

Curtis 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, Ed Kline, Emily Shaffer. The Clerk declared a quorum. Dianne Matuch was excused. Mayor Mike Porter, Solicitor Matt Griffith, Administrator Dan Rogers and Clerk-Treasurer Sue Mermann were present.

MINUTES

Shaffer moved and Kline seconded to approve the 4/16/12 minutes. Roll call; Shaffer yes, Kline yes, Clapper yes, Curtis yes, Hart yes.

JOINT MEETING WITH GILEAD TOWNSHIP TRUSTEES

Kline moved and Clapper seconded to recess the Regular Council Meeting. Roll call; Kline yes, Clapper yes, Curtis yes, Hart yes, Shaffer yes. Kline moved and Shaffer seconded to call the Joint Meeting to order. Roll call; Kline, yes, Shaffer yes, Clapper yes, Curtis yes, Hart yes, Arnold yes, Columber yes, Lewis yes.

Shaffer moved and Hart seconded to suspend the rules for the reading on Resolution 5-7-12, designating the millage within the ten-mill limitation for the purpose of furnishing maintenance, care and improvements of Rivercliff Union Cemetery. Roll call; Kline, yes, Shaffer yes, Clapper yes, Curtis yes, Hart yes, Arnold no, Columber yes, Lewis yes. The Township Trustees questioned the need for the resolution. Council explained that the resolution was necessary to preserve the inside millage and continue to collect the tax. Solicitor Griffith reported that the Agreement signed in 2011 by the Village and the Township established a Union Cemeteries Board to maintain all Township Cemeteries. The Trustees agreed to meet with Council on 5/21/12, at which time a Resolution to include all cemeteries within the Township will be presented for approval. Hart withdrew the motion and Shaffer withdrew the second to adopt Resolution 5-7-12. Columber expressed appreciation to the Village for working with the Township and sharing the equipment to maintain the Rivercliff Cemetery. Council reminded the Trustees that the proposed Township levy failed and encouraged the Board to continue to work on the passage of an additional tax levy.

Hart offered to continue to serve on the Board. Shaffer nominated Hart to serve a 3-year term beginning 1/1/13 until 12/31/15. Kline seconded the nomination. Roll call; Shaffer yes, Kline yes, Clapper yes, Curtis yes, Hart yes, Arnold yes, Columber yes, Lewis yes.

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

Clapper moved and Kline seconded to reconvene the Regular Meeting. Roll call; Clapper yes, Kline yes, Shaffer yes, Hart yes, Curtis yes.

GUESTS

Guests included, Brian Zerman, Donna Carver, Greg Young, Ken Kennedy, Earl Getter, and Gilead Township Trustees, Harry Arnold, Clyde Columber and Dave Lewis. Gilead Township Trustees left following the adjournment of the Joint Meeting.

Mr. Getter, a Village resident for 20 years, complained that he and his family have endured years of harassment from his neighbors and the Police department. After relating several long-standing complaints, he reported the latest incident occurred on Friday evening, 5/4/12, when his son requested a police escort to pick up a camera in his home. Mr. Getter stated his daughter was so stressed by the visit that she threatened to kill her brother and the Officer charged her with domestic violence. Council pointed out that, contrary to Mr. Getter's opinion such a situation is usual brother/sister behavior, the threats are not normal and could turn bad very quickly. Mr. Getter urged each member of Council to take responsibility to stop the Police from harassing him or he would stop them in a way "that would break the Village". Chief Zerman addressed the Mayor and Council as well as Mr. Getter and stated he would not listen to accusations, that he knew to be untrue, against the Department and Officers. He asked Mr.

Getter to explain how it was possible that Captain Underwood ordered him out of the Police Department when the Captain was not on duty on Friday evening. Mr. Getter continued to angrily argue that the Captain did order him out although Chief Zerman maintained that Captain Underwood was not on duty Friday evening. The Mayor offered to meet with Chief Zerman to discuss Mr. Getter's accusations. Mr. Getter left the meeting following the discussion.

Mr. Kennedy again expressed concern that two semi-trucks are parking along SR 61N across from Northgate Park, making visibility difficult from Bingham Rd. Chief Zerman reported the vehicles are parked within the Village but are on private property. The property owners would need to post signs prohibiting parking.

Mrs. Carver distributed information addressing Governor Kasich's Energy Bill SB 315 taking drilling regulations away from the municipalities. Kline stated Federal laws contain fire and safety measures establishing proper spacing regulations for drilling.

POLICE CHIEF-BRIAN ZERMAN

Chief Zerman reported 262 calls for service, 9 felonies, 73 charges, and 7 accidents during the month of April.

FIRE CHIEF-GREG YOUNG

Chief Young reported 15 runs in the last two weeks; three accidents with injuries requiring cutting the vehicle to safely remove the victims; and two illegal fires within the Village. The Academy paid the registration and lodging for six firefighters who attended intensive weeklong training in Indiana. The Village paid approximately \$1,100.00 in salary for the firefighters attending the training.

Young stated he has begun to coordinate information to promote the 2013 fire levies.

COMMITTEES & RECOMMENDATIONS

STREETS-JOHN CURTIS

The committee will meet on 6/20/12 to review the street resurfacing bids.

FIRE & POLICE-DIANNE MATUCH

Matuch was excused.

FINANCE & PERSONNEL-STEVE HART

The committee is scheduled to meet at 6:00 PM on 5/21/12.

UTILITIES-TIM CLAPPER

The committee meeting scheduled for 5/28/12 (Memorial Day) was cancelled.

VILLAGE DEVELOPMENT & ZONING-ED KLINE

The committee met on 4/16/12 and discussed the Dr. Nathan Tucker Award applications. Kline reported he is currently serving on a Board along with Administrator Rogers and County Planning Agent Pat Davies to work towards development within the County and the Village. The Board will accompany County Commissioner Whiston to a meeting at the Abercrombie & Fitch Building in Columbus on 5/17/12. Kline reported a lot of interest in site-ready properties; unfortunately few areas in the County are site-ready. The committee will look at expansion and annexations in the coming months.

CODES & REGULATIONS-EMILY SHAFFER

The committee is scheduled to meet at 6:00 PM on 6/4/12.

ADMINISTRATOR-DAN ROGERS

Rainstorms have caused high flows at the WWTP. SCADA Company quickly corrected a minor problem with the effluent discharge sonar. A carport canopy will be installed to help protect the UV Tank from Algae growth.

Rogers reported water Well #3 is now pumping twice the amount of water as before the cleaning. Well #4 cleaning will be scheduled later in the year.

Street department is again mowing numerous lawns along with the normal village mowing. Several blighted Ash trees were removed this week.

The Wayside Garden Club purchased flowers and supplies in the amount of \$239.00 for the downtown area.

Clapper moved and Curtis seconded the purchase of a Scag 61" Zero Turn mower at \$5,855.00 with a trade-in of the X-Mark from E.E. Johnson Equipment. Roll call; Clapper yes, Curtis yes, Hart yes, Shaffer yes, Kline yes.

Clapper moved and Kline seconded to approve the 3-year contract with Mid Ohio Recycling. Roll call; Clapper yes, Kline yes, Shaffer yes, Hart yes, Curtis yes.

MAYOR- MIKE PORTER

The Mayor reported two weddings in the past two weeks.

Recent complaints have included: the increasing numbers of cats running loose; lawns not being mowed including the Rivercliff Cemetery. Clapper commended the Board for working together but stressed that the funds from the levy are not enough maintain Rivercliff Cemetery.

SOLICITORS-GRIFFITH & BRININGER

Griffith addressed two concerns as requested by Council:

1. Cruisers are covered by the liability insurance when they leave the Village, provided they are in the line of duty and a Mutual-Aid Agreement is in place. The Village has an Agreement with the Morrow County Sheriff and the Village of Cardington.
2. Only very limited exceptions exist for the minimum wage law of \$7.70. Employees under the age of 16 may be paid the current minimum federal wage of \$7.25. Council discussed the concession stand employees who are all under the age of 16. Rogers reported that in recent years the revenue from the pool and concession stand, which includes the tax levy, have supported the costs of operating the pool and concession stand.

CLERK-TREASURER-SUE MERMANN

Following a brief discussion, Kline moved and Curtis seconded to approve payment of the bills in the amount of \$154,453.90. Roll call; Kline yes, Curtis yes, Clapper yes, Hart yes, Shaffer yes. Shaffer moved and Kline seconded to suspend the rules for the reading of Resolution 5-7-12 A. Roll call; Shaffer yes, Kline yes, Clapper yes, Curtis yes, Hart yes. Hart moved and Curtis seconded to adopt the real estate tax assessment for blight resolution. Roll call; Hart yes, Curtis yes, Clapper yes, Shaffer yes, Kline yes.

Curtis moved and Hart seconded to suspend the rules for the reading of Resolution 5-7-12 B. Roll call; Curtis yes, Hart yes, Shaffer yes, Kline yes, Clapper yes. Shaffer moved and Kline seconded to adopt the street resurfacing resolution. Roll call; Hart yes, Curtis yes, Clapper yes, Shaffer yes, Kline yes.

Clapper moved and Curtis seconded to suspend the rules for the reading of Resolution 5-7-12 C. Roll call; Clapper yes, Curtis yes, Hart yes, Shaffer yes, Kline yes. Shaffer moved and Kline seconded to adopt the resolution authorizing the demolition of the house at 142 Iberia St. Roll call; Shaffer yes, Kline yes, Hart yes, Curtis yes, Clapper yes.

Holbrook & Manter of Marion began the 2010/2011 Audit on 5/18/12. Auditors recommended clarification of the "commercial" water rates and more extensive review for the payment of the monthly bills. The Utilities Committee offered to review the current water regulations & rates ordinance; the Finance & Personnel Committee will review the policy for the payment of bills. Currently, Council approves bills/POs/vouchers prior to payment.

OTHER

Council expressed appreciation to the Wayside Garden Club for planning and planting the flowers in the downtown area and at the welcome signs.

Council expressed appreciation to Chief Zerman for his composure during Mr. Getter's lengthy verbal attacks on the Officers.

Curtis moved and Kline seconded to adjourn at 9:00 PM.

Sue Mermann, Clerk-Treasurer

Mike Porter, Mayor

Dan Rogers, Administrator