

## **CALL TO ORDER**

Mayor Porter called the Regular Meeting to order at 7:00 PM on September 7, 2010.

## **INVOCATION**

Matuch 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, Dianne Matuch, Emily Shaffer. 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 Levings seconded to approve the 8/16/10 minutes with the correction of 3 ½ acres of property for purchase rather than 3 ½ areas. Roll call; Shaffer yes, Levings yes, Matuch yes, Clapper yes, Curtis abstained, Hart yes.

## **GUESTS**

Guests included Ruby Jackson, Rachel Mendell, and Brian Zerman. Mrs. Jackson stated she had prepared a lengthy and detailed proposal for a green space/park in the S. Main St. parking area and urged Council to complete the project while funding is available. She has researched fund-raising but she feels the Village should fund the project while the Village is financially able to complete the project. She noted the County Court House renovations that were completed before funding ran short and all renovations were halted because of a lack of funds. The history and appearance of the downtown area, the original architectural planning, and later modern renovations were all noted. The proposal features a mural painted on one of the adjoining buildings, a brick pathway, a pergola or arbor and a variety of plants. Jackson explained each of the preferred plants, trees and shrubs and each of the less favorable variety. The cost of the proposed project, estimated at \$23,400.00, does not include the sprinkler system. Mrs. Jackson stressed that the future of the garden/green space would be her responsibility with assistance from a garden club, interested more in plants than flowers, or a 4-H Club. In the future, Mrs. Jackson urged Council to hire employees who like plants or are willing to learn, she is planning a book about downtown gardening. Council agreed to review the proposed park/green space project further.

## **POLICE CHIEF-BRIAN ZERMAN**

Chief Zerman reported 295 calls for service, 69 reports, 82 charges, 12 felonies, and 6 accidents during August.

A number of minor problems but nothing major were reported during the County Fair.

## **FIRE CHIEF-DON STAIGER**

Chief Staiger was excused.

## **COMMITTEES & RECOMMENDATIONS**

### **STREETS-DARRELL LEVINGS**

The committee met prior to Council and recommended contacting an electrical contractor to add additional electric wattage to the downtown area as requested by the Morrow Chamber of Commerce on 8/16/10.

### **FIRE & POLICE-DIANNE MATUCH**

The committee met on 8/24/10 with Chief Staiger to discuss the future of the Village building currently rented to the Morrow County Emergency Services for a monthly fee of \$500.00. Both the Police and Firefighters have voiced an interest in the building when the EMS is moved to a new location. Matuch stated that private polygraphs, safeguarding sensitive materials, and new Federal regulations requiring audio and video recording of Police interviews make it necessary to provide more space for the police. The committee is scheduled to meet on 9/14/10 at 6:00 PM with Chief Zerman and Chief Staiger.

**FINANCE & PERSONNEL-STEVE HART**

The committee is scheduled to meet at 6:00 PM on 9/20/10.

**UTILITIES-TIM CLAPPER**

The committee is scheduled to meet following Council on 9/20/10.

**VILLAGE DEVELOPMENT & ZONING-JOHN CURTIS**

No report.

**CODES & REGULATIONS-EMILY SHAFFER**

The committee met prior to this Council meeting and reviewed Chapter 725 "Taxi Cabs" and Chapter 721 "Peddlers". The proposed changes/updates will be recommended for Council adoption following Solicitor Griffith's approval.

The committee is scheduled to meet at 6:00 PM on 10/4/10.

**ADMINISTRATOR-DAN ROGERS**

Rogers reported the repairs of one water leak and the normal maintenance at the Water Plant. Dry weather with high temperatures, which is typical for August and September, has caused low flow at the WWTP as well as a slow down in septage receiving.

Miller Pipeline is expecting to complete the ARRA Sanitary Sewer project within the next month.

Renovations of a downtown business building caused an outage of the downtown streetlights. Service was restored after more than a week without the streetlights.

Issue I SR 95 Storm Sewer Project bid opening is scheduled for 9/16/10 at 11:00 AM.

The Recreation Board is scheduled to meet on 9/14/10, the pool has closed and cleaning and winterization is scheduled.

**MAYOR- MIKE PORTER**

Mayor Porter reported that management of several Senior Housing complexes has ordered strict enforcement of the housing regulations causing the residents to file complaints with the Mayor and other officials. Flowers, outdoor furniture, flags, congregating on sidewalks or porches, and lawn decorations have been prohibited. Rogers explained that some of the restrictions are in place for the safety of the residents who frequently require emergency care from the Fire Department or Emergency Medical Services. Sidewalks and residence entrances need to be clear for the equipment.

A workday at the Fort Gilead playground is scheduled for Thursday 9/9/10 and Council was encouraged to attend the annual Block Party on Saturday 9/11/10 in the downtown park area.

**SOLICITORS-GRIFFITH & BRININGER**

Solicitor Griffith requested that Council go into Executive Session to discuss threatened 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, Matuch yes, Shaffer yes, Levings yes.

Ordinance 1641 was given the first reading. Clapper moved and Hart seconded to pass the amended water rates ordinance to the second reading. Roll call; Clapper yes, Hart yes, Curtis no, Matuch yes, Shaffer no, Levings yes.

Ordinance 1642 was presented for the first reading. Clapper moved and Hart seconded to pass the amended sanitary sewer rate ordinance to the second reading. Following a brief discussion about allocating the additional funds for future improvements, the roll call vote was taken: Clapper yes, Hart yes, Curtis no, Matuch no, Shaffer no, Levings yes. Mayor Porter broke the tie vote with a yes vote.

Ordinance 1644 was presented for the third reading. Shaffer moved and Levings seconded to adopt the Arnold Lane ordinance. Roll call; Shaffer yes, Levings yes, Matuch yes, Clapper yes, Curtis yes, Hart yes.

Hart moved and Shaffer seconded to suspend the rules for Resolution 9-7-10. Roll call; Hart yes, Shaffer yes, Levings yes, Curtis yes, Clapper yes, Matuch yes. Hart moved to adopt the resolution accepting the County Auditor's tax levy resolution.

Clapper questioned the projected figures for the Recreation Levy. Hart withdrew the motion until the balances could be confirmed.

Shaffer moved and Clapper seconded to suspend the rules for Resolution 9-7-10-A. Roll call; Shaffer yes, Clapper yes, Curtis yes, Hart yes, Levings yes, Matuch yes. Levings moved and Hart seconded to adopt the real estate tax assessment for blight resolution. Roll call; Levings yes, Hart yes, Curtis yes, Clapper yes, Matuch yes, Shaffer yes.

The YTD Fund Report was distributed to Council.

**OTHER**

Hart moved and Clapper seconded to move into Executive Session to discuss possible litigation against the Village. Roll call; Hart yes, Clapper yes, Curtis yes, Matuch yes, Shaffer yes, Levings yes. Hart moved and Curtis seconded to return to the regular meeting. Roll call; Hart yes, Curtis yes, Clapper yes, Levings yes, Shaffer yes, Matuch yes. Hart reported the Council discussed potential litigation against the Village while in Executive Session. Griffith requested the Clerk notify Rinehart-Walters-Danner Insurance of the possible lawsuit.

Curtis moved and Matuch seconded to adjourn at 8:50 PM.

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Sue Mermann, Clerk-Treasurer

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Mike Porter, Mayor

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Dan Rogers, Administrator