

## CALL TO ORDER

Mayor Porter called the regular meeting to order at 7:00 PM on April 6, 2009.

## INVOCATION

Williams offered the Invocation.

## PLEDGE OF ALLEGIANCE

The Mayor led the Pledge of Allegiance.

## ROLL CALL

The following answered roll call; John Curtis, Steve Hart, Darrell Levings, Emily Shaffer, Keith Strait, and Betty Williams. The Clerk declared a quorum.

## MINUTES

Shaffer moved and Williams seconded to approve the minutes from 3/16/09 with the correction that Officer Jarrod Powell resigned as of 1/30/09 rather than 1/03/09 as printed. Roll call; Shaffer yes, Williams yes, Levings yes, Hart yes, Curtis yes, Strait yes.

## GUESTS

Guests included Chief Zerman, Justine Bruns (Morrow County YMCA) Alison Hirt and Kim Fleeson (Mt Gilead Merchants Association) Jim Burson, Ken Kennedy, Joe Hupfer, Alberta Stojkovic, Ken Cook, Ed Kline.

Mayor Porter gave each guest and member of Council an opportunity to address the downtown 2-hour parking restrictions. Guests and Council all agreed the issue is a no-win situation; the disagreement has been brought to Council's attention repeatedly over the years with no solution that would solve the problem to everyone's satisfaction. The legislation, originally established to help business owners has now become a detriment. Mrs. Bruns requested a change in the downtown 2-hour parking regulations, stating the enforcement has caused a problem for patrons who need to leave before the end of their appointed work-out time to avoid a ticket or are forced to walk a distance after dark. Mr. Burson questioned the dimensions of parking spaces, and requested that a standard length and width be established throughout the Village. Mr. Kennedy agreed the parking lots at the northeast and northwest corners of the square do not allow vehicles enough room to park safely. Former Councilman, Mr. Kline noted that he disagreed with the enforcement of the 2-hour restrictions and would continue to park beyond the limited 2-hours and pay the subsequent tickets. Business owners Mr. Hupfer and Mrs. Stojkovic both spoke against the enforced 2-hour downtown parking, with so few businesses remaining in the downtown area and so many empty parking spaces, ticketing the few violators only aggravates patrons and business owners, nor is it the best use of Police Officers' time. Ms. Fleeson, who had originally requested that the restrictions be enforced, concurred with Ms. Hirt that the downtown parking is no longer a problem except for few select areas during the busiest times of the day. After a lengthy discussion with varying opinions, suggestions ranged from eliminating the restrictions and removing all the signs, to enforcing the regulations as originally requested by the merchants. Council noted that it has listened to both sides of the issue and has made every effort to comply with business owner's requests. Eliminating the regulations at this time would only re-create the same problem if or when businesses return to the downtown area. Chief Zerman recommended keeping the parking regulations in tact and giving discretion of ticketing offenders to the Officers. The Mayor could alert business owners that the laws will remain in tact and violators could be ticketed if a problem occurs but vehicles may not be ticketed if several parking spaces are available in the same area. Council agreed to allow the Officers' to enforce the downtown parking restrictions as all regulations.

Ms. Fleeson and Ms. Hirt requested the closing of Center Street and South Main St. from the Monument to the Marion St. intersection and the northwest parking lot for the 3<sup>rd</sup> Annual Spring Festival, which will feature a Garden Show, an Art League Show and numerous vendors. Hart moved and Curtis seconded to approve the closing of Center St. and S. Main St. and parking lots on Saturday 5/9/09 from 7:30 AM until 6:00 PM for the Festival. Roll call; Hart yes, Curtis yes, Strait yes, Williams yes, Shaffer recused herself, Levings yes.

**POLICE CHIEF-BRIAN ZERMAN**

Chief Zerman reported 224 calls for service, 36 reports and 6 felonies for the month of March. Morrow County Sheriff announced on this evening's news that he will no longer schedule deputies for the third shift. Mt. Gilead will work with Cardington and the Ohio State Patrol for assistance when needed.

Zerman reported interviews with the final 2 applicants have been completed and recommended Jonathon Hicks be hired. Strait moved to approve the appointment of Officer Hicks for the probationary period. Mayor Porter reported the County Prosecutor has temporarily closed the investigative office shared by the Morrow County Sheriff and the Village. The Mayor advised against proceeding with the appointment of a new officer until we see if there will be sufficient investigation cases to warrant Captain Underwood's time normally spent at the investigative office and cited economic issues as reason to delay the appointment. Chief Zerman stated the closing of the office had nothing to do with our department, Captain Underwood will continue with his investigations, transport evidence to BCI, and handle drug cases. His case load will continue or may increase without the assistance of the deputies. Curtis seconded the motion. Zerman reported that Officer Hicks was one of twenty applicants, he successfully passed his written and physical testing and background checks and interviews; he has an Associate's Degree and two years experience. A lengthy discussion followed focusing on the need to keep the Police Department well-staffed and the Mayor's reluctance to agree to the appointment after Council gave Zerman authorization to conduct the hiring process. Council expressed frustration that a lack of communication now forced Council to make a difficult decision between the Mayor and the Police Chief. Solicitor Griffith explained the proper procedure to withdraw the motion without a vote. Strait requested to withdraw his motion. Calling for and hearing no objection, the motion was withdrawn. Zerman asked for direction from Council concerning Mr. Hicks. Attorney Latchney will be contacted to determine that delaying the replacement of Officer Powell will not be a detriment to the lawsuit.

**FIRE CHIEF-DON STAIGER**

Chief Staiger was excused.

**COMMITTEES & RECOMMENDATIONS**

**STREETS-DARRELL LEVINGS**

No report. problem.

**FIRE & POLICE-KEITH STRAIT**

Strait reported the committee met to conduct the final applicant interviews.

**FINANCE & PERSONNEL-STEVE HART**

The committee is scheduled to meet at 6:00 PM on 4/20/09.

**UTILITIES-BETTY WILLIAMS**

The committee will schedule a meeting as needed.

**VILLAGE DEVELOPMENT & ZONING-JOHN CURTIS**

Curtis reminded Council the Dr. Nathan Tucker Award will be presented on 7/21/09 at the Chamber luncheon.

Dogwood Valley has begun tapping into the Village Sanitary Sewer system.

**CODES & REGULATIONS-EMILY SHAFFER**

Shaffer reported the committee is continuing the review of parking ordinances and finding interesting issues from years past. The Mayor expressed appreciation to the committee for the detail work involved.

**ADMINISTRATOR-DAN ROGERS**

Rogers reported the Water Plant and WWTP are running without problems.

Well-House 5 still need the new floors poured.

Streets requiring paving will be reviewed within the next two weeks.

Discount Drug Mart is still working toward locating in Mt. Gilead. A liquor license application has been submitted.

State will review the ODOT Grant project for the Monument area.

Community Service workers are currently assisting with the Court House renovation and are not available to help with the trash service.

A proposed fee schedule was distributed for Council preliminary review. Rogers explained the process to amend the fees and implement the legislation throughout the Codified Ordinances.

**MAYOR- MIKE PORTER**

Mayor Porter reported that he appointed resident Lorena McAvoy to the Recreation Board to serve until December 31, 2013.

The Mayor and Administrator Rogers attended the OML luncheon at the State House on 4/1/09.

**SOLICITORS-GRIFFITH & BRININGER**

Solicitor Griffith explained that a portion of the WODA Lockwood Housing Development includes a park area and that approving the plat, as proposed in Resolution 4-6-09 A, would be acceptance of the 5.045 acres without a proper Title Exam. He advised against taking title to real estate prior to a Title Exam. Clerk-Treasurer Mermann stated that Resolution 4-6-09 A approving the plat, Ordinance 1616, accepting the streets, and Ordinance 1617 amending the Traffic Control Map will not be presented at this meeting to allow time to do the Title Exam.

**CLERK-TREASURER-SUE MERMANN**

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

Shaffer moved and Strait seconded to suspend the rules for Resolution 4-6-09, street resurfacing bid resolution. Roll call; Shaffer yes, Strait yes, Curtis yes, Hart yes, Levings yes, Williams yes.

Levings moved and Williams seconded to adopt Resolution 4-6-09. Roll call; Levings yes, Williams yes, Shaffer yes, Hart yes, Curtis yes, Strait yes.

Shaffer moved and Williams seconded to suspend the rules for Resolution 4-6-09 B, tax valuation fire levy resolution. Roll call; Shaffer yes, Williams yes, Strait yes, Curtis yes, Hart yes, Levings yes. Levings moved and Shaffer seconded to adopt Resolution 4-6-09 B. Roll call; Levings yes, Shaffer yes, Williams yes, Hart yes, Curtis yes, Strait yes.

Resolution 4-6-09 C was presented for the first reading. Levings moved and Williams seconded to pass the property sale resolution to the second reading. Roll call; Levings yes, Williams yes, Shaffer yes, Hart yes, Curtis yes, Strait yes.

**OTHER**

Mayor Porter received and passed on a letter of appreciation to Officer Mark Meftah.

Curtis moved and Strait seconded to adjourn at 9:35 PM.

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Sue Mermann, Clerk-Treasurer

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Mike Porter, Mayor

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Dan Rogers, Administrator