

**VILLAGE OF PEMBERVILLE
COUNCIL MEETING
May 19, 2015**

Mayor Bowman opened the May 19, 2015 council meeting at 7:00pm with a prayer and led those present in the Pledge of Allegiance.

Roll Call: Present as the regular meeting of council was Campbell, Rothenbuhler, Long, Opelt, Sautter and Schuerman. Others present were Ed Wozniak, Vic Schuerman, Nicole Long, and the Clerk.

Minutes: Sautter moved and Schuerman seconded to approve the minutes. Motion passed unanimously.

Treasurer's Report: Campbell moved and Rothenbuhler seconded to approve the bills in the amount of \$23,770.76. Motion passed unanimously.

Mayor:

Mayor reported that he spoken to Russ Eby who manages the village website and has updated the pool page including adding the PayPal donation button which is now up and live. Mayor stated that Eby has agreed to come in and show the clerk how to update the web page. Clerk will contact Eby to set up a day and time.

Mayor stated the pool is on schedule to open on May 30th. Mayor reported that the school has requested to rent the pool this Friday and again on Monday splitting the grades between the two days have lower grades on one day and higher grades on the other. Mayor stated that the Park and Dec meeting will be switched to this Saturday the 23rd at 11:00am, then cleaning and opening preparation beginning at noon.

Mayor stated that representatives from Utopia pipeline were here with a lot of information. Campbell, Schuerman and Mayor were present for this meeting. Mayors stated that they left pamphlets and are available on the counter in the town hall office. Mayor stated that the pipeline will be going south of here and will not be carrying natural or petroleum gases. They are looking to construct roughly 232 miles of pipeline from eastern Ohio to hook up to a location in Fulton County. They the proposed engineering will begin in the fall of 2016 and completing construction in the fall of 2018.

Campbell:

Campbell reported that for the last year and a half to two years he has been trying to fight with ODOT over the discrepancy in their plan, in which calls for 4" thick sidewalk in the business district that he has pointed out several times and made numerous attempts through our engineers and directly to ODOT that we have a village ordinance that specifies 6" of concrete in the business district. Campbell stated that when this job was quoted originally, it was quoted at 4" thick of sidewalk in the business district. Campbell stated that about a week and a half ago Steve Darmofal contacted Sarah and asked to forward the village ordinance that we have on our books that was written in 1992, concerning specifications for sidewalks and Campbell stated this ordinance makes absolutely no sense what so ever. Campbell stated that the engineer have basically told us that it's abnormal for anybody to put continuous 6" of concrete in a business district. Campbell stated that normally the pedestrian portion is 4" thick and any where a car crosses should be 6" thick, where this ordinance basically says that all sidewalks constructed within the business district are designated by zoning map shall be of concrete at least four feet wide, which none of them are, and 6" thick, which Campbell believes not many of them are, if any of them are now. Campbell stated the catch is since it was quoted at the state ODOT specification for sidewalk which is 4" thick. Campbell stated that is we insist on going to 6" then we are going to have a cost run up. Campbell asked Darmofal to calculate the cost run-up that the village would owe if we decide we have to go with 6". Campbell stated is a forty percent markup, estimated at \$2 a square foot, at 4300 sq ft, six inches, that the extra two inches would cost us \$8,600 more than what we have been allotted per the granting. Campbell stated that in doing a lot of talking with them,

there are some things within this ordinance that we need to change. Campbell stated that in advance of doing this project, so that we are following the ordinance and its uniform with what codes should be, there is also a reference to the expansion joints every twenty foot or closer. Campbell stated there is no mention of control joints, but it does mention the quarter inch grade slop towards the street and grade of one quarter inch a foot, which Campbell stated is fine. Campbell stated that normally what is done with expansion joints is it's very job specific with how much concrete; how big the slab is; what the thickness of the concrete is; there is a calculation that goes with the engineering of most sidewalks and most concrete workers' do it as a rule of thumb. Campbell stated that Darmofal has suggested we basically refer to ODOT specifications so it should fall uniform across the board for any concrete work we do. Rothenbuhler asked Campbell what his recommendation will be. Campbell stated he would like to immediately repeal and correct and would like to do this hopefully by the next meeting. Sautter asked if we could just adopt ODOT standard that way we don't have to change again when they change their specks sometimes. Campbell replied that we can do that but will still need to repeal the current ordinance in place. Campbell stated that we have a lot of antiquated sidewalk laws and periodically we done an increase in reimbursements but have not done it in a long while. Campbell stated that since we have had recent questions of how do we place new sidewalks; when do we replace; when so we ask the homeowner to put in new sidewalks where no sidewalk currently exists. Campbell stated he wanted to see what other cities do and called Bowling Green and asked for their sidewalk ordinance, which he stated constitutes sixteen pages and includes everything, including sidewalk permits, so the homeowner putting in sidewalks, like the reimbursement the village just paid for, would have to pay for a permit, allowing for us to be aware they are putting in sidewalks and over see the work instead of the mentality of people just going out and doing it and submitting for reimbursement. Campbell stated we have tried to control it but it's been very difficult to control and a lot of it is addressed in Bowling Green's ordinance under new sidewalk. Campbell stated the ordinance will have to be gone through completely. Rothenbuhler suggest that the Street Committee meet and draft an ordinance and present it to council. Campbell stated the only problem is we cannot move forward with the 105 project until this is addresses immediately. Opelt asked that we consult with Mike Marsh as to what the procedure should be to correct and move forward and can pass as an emergency if needed.

Campbell stated the other concern is the sandstone and was discussed as to whether or not it will be kept or removed. Campbell stated that it started out this week to push to keep it until Darmofal did a walk through. Opelt stated he has been approached by a few business owners with one being very upset. Opelt suggest having a meeting with business owners to at least catch them up to speed on what we know currently. Campbell is not opposed to a meeting but would like to have more definite answer and other answers before having a meeting that may not accomplish much. Long asked Campbell what he was hoping to get answered tonight. Campbell stated that the assessment plan. Campbell stated there has been discussion as to if any of this project cost would be assessed back to the business owners and would like to be able to tell them yes or no if they are asked. Campbell stated he was under the impression that it would not be assessed back to the business owners. Campbell stated that a few have stated they heard from other sources that it would be. Opelt replied he does not know who it would be that he is not fully aware himself to answer those questions or any others about the project. Opelt however, stated he feels strongly that the business owners should be assessed and feels if a resident puts in their sidewalk they would be assessed and felt it was only fair to have the business owners assessed. Opelt stated that he understands that it is downtown and village property however, the new sidewalks are leading straight to these businesses and feels it could be a reasonable amount to help share in the cost and feels it is reasonable to ask. Campbell asked if there should be a vote on it since he is one opinion out of six. Sautter stated she would still like to have the business owners come to a meeting to hear their opinions before she could vote on it. Campbell made a motion to adopt the sidewalk plans specification and standards by ODOT for the State Route 105 project as an exception to any other standing ordinance, while working on a revision to our current ordinance. Rothenbuhler seconded. Motion passed 5/6 vote. Campbell-yes; Rothenbuhler-yes; Long-No; Opelt-yes; Sautter-yes; Schuerman-yes.

Campbell reported that Ground Penetrating Radar was here and there were no other voids indicated. Campbell stated the Feller Finch recommends that we back fill in the void in front of Allen Newman business with stone prior to ODOT coming in.

Campbell stated that Todd Sheets has the planters and that the 4-H will be putting together flower pots this Saturday behind the business district and asks the Mayor if he will take pictures.

Street and Sidewalk meeting schedule Thursday the 28th at 7:00pm Town Hall.

Opelt:

Opelt stated that he will be turning in the cat list in tomorrow and currently has nine residents on that list.

Opelt reported that pool fundraiser has started and has received the first donation and commitment from three others. Opelt stated the goal currently to reach is \$30,000.

Opelt asked to go into executive session at the end of council to discuss personnel.

Sautter:

Sautter stated that the Tree Commission met with the elementary students for Arbor Day and gave roughly fifty second graders trees. They also planted a tree near the school. Sautter stated that this year marks 27 years for Tree City in Pemberville. Sautter stated that the Tree Committee will be taking a break for the summer and will meet again in September. Long stated to Sautter that Dick Sheets would like someone from the Tree Committee to contact him about a tree on his property.

Sautter stated that BPA met last night and Mark Schaller from CountyLine Co-op attended for the preliminary pre-annexation is completed and they have been provided with electric. Sautter stated that CountyLine is looking down the road for sewer and water. Campbell stated that per the Health Department if CountyLine is farther than 400 feet from a sewer line than they can be exempt at which time they will be looking for a waiver for the annexation and they will get a leach field.

Sautter stated that NWWSD will be attending the next board meeting to discuss Eastwood and what their needs are. They are also hoping to resolve the issue over payment.

Sautter reported that BPA is planning on a water rate increase of ten percent for three years and three and a half percent for two years. Sautter stated a Resolution will be drafted and BPA will be going through the three readings and passing during their meetings.

Sautter reported that at the last BPA meeting there were some concerns about the telemetry with the water plant and have since then talked with the proper individuals and stated that if there is an issue once the tower is constructed they will correct it. Sautter stated they are still checking into the question about the propane tank.

Schuerman:

Schuerman stated that she called Jay at Pepsi and they will be delivering next week sometime.

Schuerman made a suggestion about homeowners and sidewalk repair. Schuerman has suggested having our contractor set up a booth at the fair which would allow him to schedule multiple jobs when in the area. Mayor asked which contract does the sidewalks. Campbell replied that the homeowner contacts a contractor of their choosing.

Schuerman asked about the cat food donations and if there would be any more other than what she has contributed. Opelt replied that he will put something together once he knows when they will be in the area trapping. Rothenbuhler suggest teaming up with Frobose as a drop off point for the donations. Opelt responded that he will contact them once he knows of a general time frame.

Schuerman asked Chief about the theft on Water St. Chief stated that a parent recently turned in a juvenile that had a lot of village property in his possession. Schuerman asked if any of the items were from Water St. Chief replied that they were still sifting through everything.

Mayor stated that there have been requests in the past from Wood County Education for swim time during the summer for summer school students at \$2 per student. Mayor stated they come to the pool on Friday's and usually about eight to nine times a year. Mayor asked if council would like to continue supporting this. Opelt moved and Long seconded to support Wood County Education Center to continue to use the pool at \$2 per student. Motion passed unanimously.

Opelt moved to go into executive session to discuss personnel. Motion passed 5/6 vote. Rothenbuhler-No; Campbell-Yes; Long-Yes; Opelt-Yes, Sautter-Yes; Schuerman-Yes.

Mayor Bowman adjourned the meeting at 8:30pm.