

**VILLAGE OF PEMBERVILLE  
COUNCIL MEETING  
May 5, 2015**

Mayor Bowman opened the May 5, 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, Long, Opelt, Sautter and Schuerman. Others present were Ed Wozniak, Vic Schuerman, Nicole Long, Tom Oberhouse, Mark Schaller, Larry O'Brian, Jeff Bourdo, and the Clerk.

**Minutes:** Opelt moved and Sautter seconded to approve the minutes. Motion passed 4/5 vote. Campbell-yes; Long-Abstained; Opelt-yes; Sautter-yes; Schuerman-yes.

**Treasurer's Report:** Opelt moved and Long seconded to approve the bills in the amount of \$3,773.70. Motion passed unanimously.

**ORDINANCE 1537—ORDINANCE TO MAKE INTRA FUND TRANSFERS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF PEMBERVILLE, STATE OF OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015. 3<sup>rd</sup> READING**

Opelt moved and Schuerman seconded to approve Ordinance 1537. Motion passed unanimously.

Jeff Bourdo reported a quote from Bergman for Perry St. for \$6,180 for a lose tar and chip. Long asked if the amount included the full length, filling pot-holes and etc. Bourdo stated he asked Bergman the number of times they came out to tar and chip Perry St. Bourdo explained that Bergman changed computer systems and can only go back to 2000. Bourdo stated the last time Perry St was done that he has record of was in 2007 due to water break damage and cannot locate any other times it may have been done. Bourdo believes Perry St. was done maybe three times in the twenty-five years he has been employed with the village but can only find documentation for one.

Opelt stated that Jeff contacted him about Matt Lenke continuing to clean the shelter house before it is rented each time. Bourdo stated that Lenke is usually around on the weekends and has agreed to continue if council would like for him to do so. Schuerman asked how much is Lenke paid to do this, the clerk stated \$30 each time. Sautter asked about the rental fee if that covers what Lenke is compensated, the clerk stated the fee for residents is \$25 and non-residents \$35 with a refundable deposit of \$30 for the key and cleaning. Opelt asked if Lenke is paid \$30 and rental fee is \$25 where does the other \$5 come from the clerk stated his appropriated wages.

Bourdo reported that Ken Rahe is about completed with the cement work. Mayor stated he stopped by the pool and all the lights have been removed and filled in. Mayor stated Ken Rahe had done a thorough job and the pool should be ready to paint. Bourdo stated he has the supplies ready to paint. Mayor asked Bourdo if he has rented the paint sprayer yet, Bourdo replied not at this time, that he did talk to Sherwin Williams about renting the paint sprayer and will request at least a week before painting starts. Sautter asked when was the pool scheduled to be open, Mayor replied May 31<sup>st</sup>, is the target date. Mayor stated now that cement work is completed they now have to clean up the debris, power wash the pool, it has to dry with a few warm sunny days, repair the diving board. Schuerman asked if anything has been done in the pool house yet. Bourdo stated the only thing done so far is turn on the water and Lenke sprayed the deck for weeds. Mayor stated they will contact Ally Volland, pool manager to set up a day and time to get some of the life guards together that can have a work day to wipe down the chairs, tables and all the things people

would come in contact with, some floor scrubbing, wall washing and then it will be ready to go. Mayor stated that should be happening hopefully right after the middle of the month.

**Mayor:**

Mayor asked if there would be any action taken on the Perry St. tar and chip quote. Campbell stated he would like to hear discussion on the subject. Opelt stated that he thought it was asked at the last council meeting to put a list of projects for the year before any decision is made on any of them. Campbell commented that every year in November and December they do an annual plan, and never do a five year plan in which they submit cost for roads and have a guess of what roads they are going to do every year and then when they bring to council said roads, they get shoved back and shoved back. Campbell stated that he is not sure what Opelt is looking for in a plan. Campbell stated that Bourdo is well aware of the annual budget plan, and this is probably the first year that Bourdo has done this totally on his own with very little feedback from the committee. Campbell stated that in the past there was a lot more committee input. Campbell stated that people need to understand that they have a limited budget to work with to do paving. Sautter asked if they know what that amount is at this moment. Clerk responded she could run a report rather quickly to get that number. Further discussion about finding out what money is available in the budget before a decision is determined and will put a list of a few locations that need to be done with cost and have available by the next meeting.

Mayor stated that he has a few things to cover. Mayor stated he received correspondence from the Pemberville Library. The children's department staff at the library are working on planning an annual summer reading program for kids, and one event that they would like to do is a Fourth of July bike parade. Mayor stated that they would like to know if the village is willing to co-sponsor this event with the library. Mayor stated that what they would like to do is have the kids, probably pre-school to sixth grade, come to the library the morning of, Friday, July 3<sup>rd</sup> to decorate their bikes. After they decorate their bikes, they would then like to have a parade around town, Mayor stated that they are thinking they could have the kids start on Memorial Drive, head north, then turn onto College Ave., heading towards the elementary, then turn left on Pine St. and end the parade at the police station. Mayor stated that for safety purposes they feel it would be best to have police escort. Mayor stated the library will provide all materials and kids will be required to register at the library. Mayor stated the cost to the village would be to have the roads blocked off during that time and police assistance. Mayor stated that if there is bad weather the event will be canceled and not rescheduled. Mayor stated they are asking council to approve this community event on July 3<sup>rd</sup>. Long moved and Opelt seconded to support the parade with the library. Motion passed unanimously. Schuerman asked Mayor if he knew the time of the event. Mayor stated he did not know the time but since they are requesting kids to come in the morning he is assuming around noon.

Mayor stated that with his upcoming trip to Germany he has been working on a gift to give to Village government of Rodinghausen. Mayor stated he has been working with JM Designs in Maumee to recreate the village banner with the village seal on it to present to them when he goes there this June. Mayor stated that the cost would not exceed \$150 for making the banner. Schuerman asked what the size would be. Mayor replied it would be the exact size as the one that hangs here in council chambers.

Mayor stated that the Etopia Pipeline Company cancelled the meeting that was to be held here Monday, May 4<sup>th</sup>. Mayor stated he spoke with them today and was able to reschedule for Friday, May 15<sup>th</sup> at 11:00 am here at Town Hall. Mayor reiterated that the pipeline IS NOT coming through

Pemberville. Campbell asked if the township has been notified. Mayor stated he has not notified them yet.

Mayor reminds everyone he has scheduled a Safety meeting for Thursday, May 14<sup>th</sup> at 2:00 pm.

**Campbell:**

Campbell asked council if there is a plan for the Front ST property. Campbell would like to address it before it becomes an issue. Schuerman asked if we are required to maintain the property. Mayor answered yes. Campbell would like to suggest that Bourdo put it on the list to do once a week and keep assessing it to the auditor. Long asked what the assessment amount was each time. Campbell replied he thought it was \$130 per hour. Campbell stated to Bourdo about mentioning flyers. Bourdo responded that the clerk made up flyers quoting the ordinance on brush and grass clippings. Bourdo stated he will highlight the area about grass clippings and place in the door if it becomes an issue. Long asked Chief his input. Chief responded he felt that was a better way of handling things and then if they don't comply he will follow up. Campbell stated there is a house on the corner of Hickory St. and Perry St. that has a for sale sign in the front yard that has tall grass. Campbell stated he the house is also empty. Campbell stated they will discuss Perry St. at another time.

Campbell stated that everyone has a packet about CodeRed Community Public Notification System, and do not have to make a decision on it tonight. Campbell stated that Maumee recently signed on with CodeRed. Campbell stated that the sales representative will be in the area the first part of June and would be willing to set something up to have him come and talk to council about their system. Campbell stated briefly that this service covers about any public notification and is a web based company who uses the top on-line public information data base in which can be used to send out notifications such as flood notices in our geographical location. Campbell used the example of the Mayor being out of state and getting word of a potential flooding that he could send a text, notifying those in the geographical area that it would likely effect. The system can be used for other notifications such as snow emergency, water breaks, and boil advisory in effect and lifted, town hall meetings and is not solely used for police and fire. Schuerman asked how individuals would hook up to the system. Campbell replied the company does it through networking. Campbell stated he asked about price and was told about \$2,500 for the year. There was further discussion about the price and the different communities that are using CodeRed. Opelt asked if this was something that could be combined with the Fire Department to save money. Campbell stated he didn't think this is something that can be combined based on the service the Fire Department has to use. Chief explained how Nixell works for Pemberville with Wood County as a first responder if Pemberville is not on duty. Opelt stated he supports this but would like to see if this is something we could share in the cost with Freedom Township some way. Further discussion as to the pros and cons, what items can be notified on, and the numerous ways to be notified. Campbell stated that anyone can opt out. Sautter asked who actually send the messages. Campbell stated the clerk or Mayor. Mayor stated there were a lot of questions and felt it would be a good idea to have the representative come to a council meeting to answer these questions.

Campbell stated that Ground Penetrating Radar will be here Friday at 8:00 am.

Schuerman asked about the email in their folder. Campbell replied it was just a correspondence about East Wood School potentially needing water/sewer and just wanted to forward to all of council just to make them aware.

**Long:**

Long stated that at the BPA meeting last night the new invoice for NWWSD was drafted, reviewed and approved with just a few changes which can then be forwarded. Long stated this should kick off conversation and he thinks it will open up the fact that NWWSD will be contacting the board, who ultimately will have to come back to the village and have conversation around East Wood Schools considering bringing a sewer line into the village and the contract between NWWSD. Long stated we should hear about more on that soon.

Long stated the telemetry antenna was discussed last night and most know there is a radio frequency that allows communication between the north and south water plant. Long explained there is a tower at each end and an antenna on top of the water tower and needs to be clear to each site. Long stated that with the new cell tower, there was question as to whether or not the new Verizon tower location could potentially interfere with the telemetry signal and is currently in the Mayors hands. Mayor stated he has sent out e-mails asking the question. Mayor restated his comment from last night, that if there is a problem with the telemetry they will fix it per contract.

Long state there was discussion about the engineer for the new water plant and the company changing ownership and changes in engineers. Long stated the board will have to decide if they stay with the company or seek a different route.

Long stated there was conversation about the water rate study and what ultimately will be come of the water rates and the needs are. Long stated the board is going to create a draft copy of an ordinance and ask Mike Marsh to put it together and ultimately come to council. Long stated he is not sure what the ordinance will look like but they are anticipating to see some water rate increases in the coming year. Long stated they are looking to write an ordinance as a five year plan to cycle in these raises and should see more about that soon. Mayor asked if he was correct in thinking that the water rates and electric rates are approved by BPA and only the sewer rates are approved by council. Solicitor, Mike Marsh answered yes, Long asked if the BPA only votes has to vote on the ordinance for water rates. Mayor replied yes. Mike Marsh included that it is not an ordinance that they are just establishing rates by Resolution. Marsh stated to Long, since he is reporting on BPA and seeing March Schaller from CountyLine Co-op he would like to inform them he would help Schaller with the annexation agreement, and it is his understanding there is no sewer or water out to the site and is not a concern at the moment and asked Schaller if he was correct on that. Marc Schaller apologized for not being at the board meeting last night and was not aware at that time he would be without electric for not being there. Schaller clarified he did not bring Marsh into it, it was just in conversation. Schaller stated it was his understanding from the BPA meeting on Jan 5<sup>th</sup>, that trying to be a good neighbor, he was asking if he couldn't get an idea of what his cost would be for sewer as part of the annexation and has been waiting for that and has not heard. Schaller stated he has a fiduciary responsibility to his Board of Directors when they do these kinds of things and has to be able to give them an answer and he has not had one, and was caught off guard. Sautter stated that it is not an excuse, and she is speaking on behalf of someone who is not in attendance. Sautter stated there was mention of looking for a flag at the corner of the property, but never showed up so they were looking for that to see what the length of the pipe was. Sautter asked if she was recalling correctly. Oberhouse spoke up an asked if this was a discussed at last night's meeting because he thought it was in reference to electric. Sautter stated it was mentioned and maybe she was mistaken as to what they were referencing to and just knew they was looking for a flag and stated this should be a conversation with the board. Schaller stated that the property is marked with marker pipe and stated the farmer did knock it down a few times but did replace them. Mayor stated to Schaller that if we were to provide him with information then he apologizes. Schaller stated that was his understanding. Schaller stated that the biggest

point in question was, in talking with some of the individuals from the village, there could be a significant cost to bring utilities to the site on behalf of somebody and obviously it could be the village, it could be CountyLine, he didn't know who and that is what he was trying to find out, what is going to be their responsibility to bring sewer and water to the site. Schaller stated it was discussed that it could take up to two years by the time you go through planning and EPA. Schaller stated one of the options is to go under the railroad and there is an extended period of time and permitting and everything else's to do that. Marc stated that the village asked if they was to design and put a building on the property that they give the village a two year notice. Schaller stated he understood and had every intent to annex and understood when they purchased the property that it was adjoined to the village and is certainly not an issue. Schaller stated the issue was they was trying to work with us because if he annexes the village has to provide utilities and he could call for them now as soon as he annexes. Schaller stated he was trying to be respectful that if that is going to be a horrific charge, to look at other options. Schaller stated they have been doing business in the village since 1916, probably the longest running business in the village and have every intention on working with the village and didn't go out of town when they did their expansion and trying to work close and then find out they can't have utilities. Opelt asked who this needs to come from to fix it. Mayor replied it comes from BPA. Long stated the time to come would have been last night. Schaller stated he understood that, but did not receive an invite until the day of BPA and stated he had prior engagements that if time allowed he would stop but then found out today he couldn't have three phase and he needs to have three phase power. Schaller stated he was waiting to hear or at least receive a formal invite to discuss. Oberhouse asked if he could attend the next meeting in two weeks. Schaller stated he could but he needs power now. Schaller stated he will have a roof in it by Tuesday and be operational immediately. Opelt asked how we make this happen. Schaller stated he has a copy of the ordinance that states if he was contiguous he would be provided utilities. Mike Marsh will start the annexation tomorrow. Opelt asked Oberhouse if they could hold a special meeting. Oberhouse stated he would contact Krukemyer and Schulte. Opelt feels something should be done quickly. Schaller stated he knows he can get the electric with the annexation but it still does not answer his question. Opelt stated that to get those questions answered a special BPA meeting needs to be held. Mayor stated he will work with BPA to get him the information as quickly as they can. Schaller stated his only concern is once he is annexed then he has no control on what he will be charged. Further discussion on the location to run water and sewer lines. Schaller asked if council or BPA would allow for a pre-annexation agreement for the electric and allow time for the question on cost for sewer and water is determined. Oberhouse stated that he does not see a problem with providing power under the pre-annexation agreement, but will consult with Krukemyer and Schulte. Opelt apologized on behalf of the entire council that this happened. Schaller stated that he does not know where the communication was broken down at and stated admittedly it was not written in the way that he thought he spoke at the meeting when he looked at the BPA minutes for January 5<sup>th</sup>. Schaller stated he tried to be very clear of what he needed and his delay was that he needed to know what his exposure was. Campbell asked id BPA records their minutes, Long responded no, they are written minutes.

**Opelt:**

Opelt reported that we are still dealing with cats and has a cat list going if anyone knows of someone who wants to be on the list to make sure he is given their name, address and phone number if they are being bothered by them. Long asked if this list was a voluntary you have a cat list, or to identify the area of the cat problem and your willing to have Humane Ohio to call you list. Opelt replied that this is if you have a cat coming in your yard, or bothered by cats, this list will allow Humane Ohio to call and just say they "understand you may have cats coming into your yard you may not want, do they have permission to trap on your property" and they will come out with a

contract you will sign saying you give them permission, they will be here for a day or two depending on how many people have and try to collect them.

Opelt commented on the letter from Josh Mandel about making the checkbook transparent and feels we should just let it fall to the way side for the moment and re-visit later if we see more surrounding communities getting on board then maybe reconsider doing the same at that time. Opelt feels we are already transparent under our public records. Sautter asked what his concern would be. Opelt stated his one concern is from the ladies in the office and feels they have a little say in it when they would have to take the additional time to do that and from his conversation with them they had some valid points such as someone seeing a check for \$600 to a council member and not having the complete information therefore, possibly making things bigger than it needs to be. Opelt stated that the girls are very open with things should someone want copies of things, Opelt feels you will see more of the larger cities use this than the smaller towns and villages but feels if we get on in two months and see more of the smaller towns such as Wayne and Bradner then maybe we do it. Sautter asked how long this has been in place or is it something that is new. Mayor answered it was new and it's called Ohio checkbook.com. Sautter asked if this was something that would require monthly entries. Clerk responded she did not know how it worked unless it was linked to the actual bank ledger on line. Mayor responded that since this was something still very new, that they may not even have all the bugs worked out of the program yet and if it's still going a year from now and seems to be successful, then we re-visit. Mayor stated we currently do not have the staff or the time to get all that stuff done. Mayor stated that all those records are available upon request at any time including bank statements.

Opelt stated he received an e-mail about a two day course about grant writing coming up and asked if the Mayor received it. Clerk stated that all elected officials on the TMACOG list received the notice. Opelt stated he thought Mayor might be interested.

**Sautter:**

Sautter reported there is a Tree Committee meeting coming up in the 13<sup>th</sup> at 7 pm.

**Schuerman:**

Schuerman asked if the mulch and sand been ordered for the playground. Mayor replied not that he was aware of. Schuerman asked if it could be discussed now that Mr. Oberhouse was present in the audience. Schuerman stated to Oberhouse that it was stated he had hauled mulch for the village in the past. Oberhouse did not recall. Mayor stated that three years ago the village worked with Untied Way volunteers to do some work around town and one of the projects was to put more mulch in the playground over by the pool and Mr. Oberhouse was kind enough, since he was already going to Michigan to pick-up some of the special mulch that needs to be hypo-allergenic pure or something. Oberhouse stated it has to be a certain size. Mayor asked Oberhouse if he was in a position to get more. Oberhouse stated there was a company in Fremont that he thought made it now and believes it conforms to specifications but might not be certified but he has used it for a few other playgrounds. Mayor asked if he could provide him with the contact information so he can contact them. Mayor asked Schuerman if it was okay to get a quote for the mulch. Schuerman replied yes. Schuerman asked about the sand. Bourdo asked if there are specifications on the sand with the toys and looks like the same sand down by the building. Mayor stated he thought it was the same. Bourdo stated it would take him about a half hour to load and unload to fill the sand box. Schuerman asked if it could be done rather quickly. Bourdo will do it tomorrow. Schuerman stated she has not been able to find anyone willing to paint the playground equipment for volunteer hours yet but will continue to do so. Schuerman asked Bourdo what color of paint to they have on hand. Bourdo stated he does have some but not sure it is what she is needing; Schuerman wants

to paint the frame of the swing, little bouncy animals and the sand box digger. Bourdo stated he does not have any paint on hand for this things, Schuerman asked for approval to purchase paint and materials. Sautter moved and Long seconded for Schuerman to purchase paint and materials for playground equipment not to exceed \$100. Motion passed unanimously.

Campbell asked Bourdo if he has the tool to measure the amount needed for mulch so it is not undercut. Schuerman asked how much he thought and Campbell stated he thought it needed to be even with the ties but was not certain. Campbell stated he thought the mulch had to be certified but was not certain and could be wrong. Oberhouse stated he can measure to see how much we need and will contact Universal Farms in Fremont.

Oberhouse stated he has been working on the Pember Grove subdivision for over a year and a half and is now to the stage where cost is in and basically it's not going to work economically unless he can find some ways to cut some of the costs or share some of the costs. Oberhouse stated that the biggest idea that he has come up with so far is to discuss with council and see if the village would be willing to pay for some of the infrastructure to get to the subdivision. Oberhouse explained that it would be the streets from Front St. to the property line were the subdivision would start and for the storm sewers from there to the river. Oberhouse explained the other item to consider would be instead of hiring Feller Finch to do the inspections, have the village employees of the inspections during the construction, which is pretty common in other municipalities. Long asked if that was inspection of infrastructure, storms and water main. Oberhouse replied yes, while they are being installed. Oberhouse stated the estimate for Feller Finch is twenty-five thousand for the first phase and another five thousand for the second, so thirty thousand to inspect. Oberhouse stated that construction of the street and storm sewer would be another one hundred fifty thousand. Oberhouse stated that the entire cost of the subdivision without those expenses come out to be 1.6 million and at forty-two lots works out to be about thirty-eight thousand per lot just to break-even. Oberhouse stated he would be lucky to sell them for around thirty-five thousand range. Oberhouse stated there are a few other places to look to save money and basically at this point it's not going to work at this point. Oberhouse did share a letter showing different municipalities that share in the cost of subdivisions. Mike Marsh stated that Bowling Green and Grand Rapides practice is for the municipality to pay for the improvements in the public right of way off site and both those entities do internal inspections as Oberhouse stated can be rather costly. Marsh clarified that the inspection is of the public right of way, such as sewer. Sautter asked how many man hours would the inspection process take. Long replied it would be sporadic times, nothing of any great lengths. Long asked if Finance Committee discussed this matter. Mayor replied yes, and that it would need to be looked into further and see if the budget could handle such an expense. Oberhouse stated that this would not begin until sometime fall 2016 or spring 2017. Further discussion about the development and other areas that share in cost.

Mayor Bowman adjourned the meeting at 8:25pm.