

# RECORD OF PROCEEDINGS

## VILLAGE OF MCCONNELSVILLE COUNCIL

### REGULAR SESSION

Held: August 7, 2012

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The Village of McConnelsville convened in regular session from 6:30 P.M. to 8:12 P.M. in the McConnelsville Village Office. Mayor John W. Finley called the meeting to order with the following members and visitors present:

Councilman Tom Bragg	Absent
Councilman Rhett Matheney	Present
Councilman Terry Robison	Present
Councilman Mark Dille	Present
Councilwoman Michele Blackburn	Present
Councilwoman Mary Gessel	Present

**EMPLOYEES:** Chief of Police Rocky Woodburn, Fiscal Officer Ellen M Henry, Village Administrator John Thompson, and Solicitor David Tarbert

**VISITORS:** Albert Hoch & Barbara Hoch

#### **Invocation**

Invocation given by Mayor John W. Finley.

#### **Pledge of Allegiance**

Lead by Mayor John W. Finley.

#### **OLD BUSINESS**

##### **Minutes of July 17, 2012**

Councilman Robison made a Motion to approve the minutes of the previous meeting, seconded by Councilwoman Blackburn.

Votes were: Councilman Rhett Matheney, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

#### **NEW BUSINESS**

##### **Bills of the Village**

Councilwoman Gessel stated our Pool Manager spent as much time at the swimming lessons as did the Assistant Manager and believes we should give her a bonus for the extra hours she put in. Councilman Matheney stated he would like to schedule a meeting regarding this and bring a recommendation back to Council.

Councilwoman Gessel made a Motion to approve the bills, seconded by Councilwoman Blackburn.

Votes were: Councilman Rhett Matheney, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

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#### **Monthly Financial Reports and Bank Reconciliation**

Council signed off on the July Monthly Financial Reports and Bank Reconciliation.

#### **Public Participation**

Mr. Jack Hoch addressed council requesting a reflective paint be put on the stones on the Square.

Mrs. Barbara Hoch addressed council stating she appreciated and was very pleased over the installation of the markers at the crosswalks.

Mrs. Hoch questioned what decision had been made regarding trash haulers. Mayor Finley stated Council has not taken any action on that and it will probably be discussed further next month. Mr. and Mrs. Hoch stated they were not in favor of it.

Mrs. Hoch stated she did not realize the Gas Aggregation Program had passed along with the Electric Aggregation. Mayor Finley stated it did and was published in the local paper along with being included within the Council minutes. Mrs. Hoch questioned if she was automatically in it; or, if she needed to take action on it. She was informed it was an Opt-Out Program; therefore, she should have automatically been put in the program.

Village Administrator Thompson addressed Mr. Hoch's concern's about the Square. Village Administrator Thompson stated the intent for the block around the statue was to remove the signs, flashing lights; and, to make it more attractive. Village Administrator Thompson stated the blocks move; therefore, they give on impact instead of hitting a concrete wall. Village Administrator Thompson stated the previous Administration did not want to clutter up the monument and that is why there is nothing reflective on it. Mr. Hoch commented there was a reflective paint that would blend with the stone and give warning to the traffic.

#### ***Councilman Bragg entered the meeting at 6:40 P.M.***

Pool Manager, Teresa Brannon updated Council on the pool. Discussion was made as to whether or not the Village had purchased the toilet from Apperson's. It was noted they did not. Pool Manager Brannon stated it is still at the Pool. Village Administrator Thompson stated he has talked with them and they are to come and get it for restocking.

Pool Manager Brannon questioned if anything needed set up prior to the start of the Employee Pool Party. Mayor Finley stated a couple tables to set the food on. Pool Manager Brannon stated she was going to set those up in the Meeting Room. It was noted everyone was to bring their own table service.

#### **Mayor John W. Finley**

Mayor Finley reported July Income Tax receipts as \$36,731.71. Mayor Finley reported July Mayor's Court receipts as follows: Village - \$2,920.37; Morgan County Treasurer - \$57.50; Treasurer of State - \$593.50 for a total of \$3,571.37. Mayor Finley reported July Parking Meter receipts as follows: Fines - \$220.00; Meters - \$1,592.26 for a total of \$1,812.26.

Mayor Finley stated he gave Council copies of the Ohio Public Works Commission District 18 Round 27 Timetable. Mayor Finley noted he serves on the committee; and, the Village Administrator is his alternate.

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Mayor Finley reported he received a thank you from the Muskingum County Commissioners for aiding their community during the recent storms by allowing them to use our generator. Mayor Finley stated other municipalities assisted them with the loaning out of their generators as well.

Mayor Finley stated he gave Council copies of the invitation from the Ohio Department of Rehabilitation and Correction to attend Community Criminal Justice Day at Noble Correctional Institution on August 15, 2012.

Mayor Finley stated he gave Council copies of a letter that will be distributed to our residents from AEP Retail Energy informing them of their name changing to AEP Energy.

Mayor Finley stated he gave Council copies of an invitation from the Tax Administrator with Athen's City Income Tax Department to attend the Tax Uniformity Meeting August 16, 2012. Mayor Finley stated Fiscal Officer Hemry is already signed up to attend.

Mayor Finley reported he received a phone call last week from Senator Troy Balderson; requesting him to attend the Burr Oak Meeting. Mayor Finley stated they received a contract to renovate and reconstruct the rooms so the Lodge can be reopened. Mayor Finley stated another meeting will be held around the 15<sup>th</sup> to go over ideas on the renovations.

Mayor Finley reported he and the Village Administrator met with Inger Mitchell from Ashland Oil regarding their property on Seventh Street. They have agreed the property is in bad repair and will be demolishing both buildings and cleaning up the lot. Mayor Finley stated he is very happy with that decision.

It was questioned when this would be completed. Village Administrator Thompson stated probably in October or November of this year.

Mayor Finley reported he has appointed Terry McGrew as an Auxiliary Police Officer for the Village. Mayor Finley stated he will work for us part-time when we need a fill-in officer. Mayor Finley stated we are still accepting applications for a new Police Officer.

Mayor Finley requested the Street and Alley Committee to look at extending the sidewalk up past Moco Dip & Sip.

Mayor Finley and Council wants to make the community aware that there is still money available within the Sidewalk Sharing Program. Applications can be picked up at the Village Office or online through the Village Website.

Mayor Finley reviewed the monthly water and sewer information for July. (See attached report)

Mayor Finley reported the Village is being involved in a lawsuit regarding the property that was purchased for \$20,000 for the water tower. Mayor Finley stated this occurred in 2009 when John Wells was Mayor and Mark Howdyshell was Village Solicitor. Mayor Finley stated Century National Bank of Zanesville is bringing the lawsuit against us; as the party we purchased the property from has not paid their mortgages. Their attorney is Scott Eickelberger with Kincaid, Taylor and Geyer. Mayor Finley stated due to our current Solicitor working for that law firm; he cannot represent us in this matter. Mayor Finley stated John Wells has agreed to represent the Village at no charge. Mayor Finley stated if Council wanted to discuss this matter further; an Executive Session should be called.

Solicitor Tarbert commented this has been brewing for some time; in which, he brought to several peoples attention that there was a potential issue here. Solicitor Tarbert stated he does not do foreclosures for his firm and was not aware this was coming down and the Village is not the only one that is being foreclosed on.

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Mayor Finley stated we may have to expend some money on this; however, he is not sure. Mayor Finley stated it is a shame to have to spend taxpayers money that way; but, we will if we need to.

#### **Resolution 12-24**

Mayor Finley introduced Resolution 12-24, A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE GENERAL, WATER, AND SEWER FUNDS.

Councilman Bragg made a Motion to suspend the rules requiring three separate and distinct readings and place on emergency measure, seconded by Councilman Robison.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilwoman Blackburn made a Motion to adopt Resolution 12-24 on emergency measure, seconded by Councilman Dille.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Resolution 12-24 was duly adopted.

Mayor Finley stated he received a letter from a concerned resident about some property within the Village. Mayor Finley stated he will be talking to the Health Department regarding this and if it is declared a public nuisance, we will have to notify the property and any leinholders; then, we will possibly be in a position to have it removed.

Mayor Finley stated he is continuing to work on some other properties within the Village also.

Councilman Bragg stated he feels this property is a safety issue; there is slate hanging everywhere. Councilwoman Blackburn questioned if homeless people were possibly living in there. It was noted that yes, in fact that was the case.

Councilwoman Gessel questioned what the next step would be after contacting the Health Department. Mayor Finley stated he is going to have the Solicitor to check into it. Mayor Finley stated Shannon Wells does receive grant monies to demolish homes of this nature.

Solicitor Tarbert stated he will look into the matter.

Mayor Finley stated he has been in contact with Attorney's for the Lowe properties as well.

#### **Village Administrator Report**

Village Administrator Thompson reported the sewer separation is progressing well. They are up to the Citizen's Bank Drive-thru. Village Administrator Thompson stated the soil is getting worse the farther away from the river they go; today walls were caving in and a sewer main is falling in. Once they get to Main Street, they will cross it at night. Detours will be set up for this.

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Village Administrator Thompson reported Jefferson Avenue, Morris Drive; and, Twelfth and Thirteenth Streets have been paved. The grindings were hauled to the ball field and spread around.

Village Administrator Thompson reported he has been working on the water ordinance; and, has sent copies out for review. Village Administrator Thompson stated a couple of issues he is addressing is users under 500 gallons; and, adding of a vacant rate. Village Administrator Thompson stated he is going to go to the addresses of those using under 500 gallons to see if they are occupied full or part-time. Once he gathers this information he will bring it back to Council for further discussion. Village Administrator Thompson stated he would like Council to note any changes or corrections they see. Village Administrator Thompson stated Council should have input in this also.

Village Administrator Thompson reported he has redone some of Flood Plain Ordinance to co-relate with new information from the Ohio Department of Natural Resources. He has sent it in to ODNR for their review prior to bringing before Council for passage. It must be in effect by September 19, 2012.

Village Administrator Thompson reported the Village had some additional storm damage a week or so ago; a pine tree was leaning over the street by Subway.

Village Administrator Thompson reported he has received a request from 156 S Eighth Street to cut the curb. They are putting a driveway in below the house for their business. Village Administrator Thompson stated Council may want to review that issue once the curb is cut.

Village Administrator Thompson reported he received notification Monday the Village was awarded the Distress Grant. He does not have the official letter; but, it is coming. Village Administrator Thompson attached a listing of the projects applied for to his report.

Councilman Matheney stated he believes we should put weight limits on the alleys; the trash trucks are tearing them up.

Mayor Finley stated he recently had a resident on Bell Avenue complain about his alley; three trash trucks travel his alley each week.

Councilman Robison questioned what the time frame was on the grant.

Village Administrator Thompson stated most of it will be done in the spring. Once we sign the contract, an Environmental Assessment will need done. There may be some items we can start on this winter.

Mayor Finley stated the previous Administrator was beginning to get things together to apply for this grant back in October when he first became Mayor. Village Administrator Thompson put a lot of work into getting it together to make it happen.

Council thanked Village Administrator for a job well done. Village Administrator Thompson stated Shannon Wells applied for the grant; he just assisted in gathering information and helped put it together.

Village Administrator Thompson stated there are nine items on the list and all of them have been a priority for some time; they were prioritized from a survey that was done at the beginning of the year. (See attached listing)

Village Administrator Thompson stated once the Village receives their credit card he is going to purchase a couple of the LED lights to see how they will work.

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Village Administrator stated the Village's share on this grant is not additional out of pocket money; it was combined with other projects we were already doing.

Fiscal Officer Hemry stated she has completed all the paperwork for the credit card; however, they require her Final Audit. The paperwork is starting to come in from the State; therefore, we should be receiving it in the very near future.

Village Administrator Thompson stated he is going to have the crew put a new waterline in at Main and Union since there have been so many leaks on that line.

Councilman Dille stated he agrees we definitely need to put weight limits on the streets and alleys.

Councilman Robison stated he will check into current ordinances and see what is on the records; and, write any necessary ordinances.

#### **Recreation & Buildings Committee**

Councilman Matheney stated the two things that caused the increase in chemicals at the pool this year were the heat; and, a greater attendance.

Councilman Matheney stated everything at the pool as a whole is good. He had a problem with the baby pool pump; and, found it was a loose cap.

Councilman Matheney stated he feels the budget looks very good. Councilman Matheney stated Pool Manager Teresa Brannon has done an unbelievable job this year. She has a spreadsheet on everything and keeps track of everything coming in and going out on a daily basis.

Councilman Dille questioned if any of the chemicals could be held over and used the following year. Councilman Matheney stated no, they lose strength.

Councilman Bragg stated he has heard nothing but compliments on the pool this year.

Councilwoman Gessel questioned if anyone noticed the fees to get into the New Lex Pool. She stated they were less than here. Councilwoman Gessel stated she talked to Pool Manager Teresa Brannon about it; and, she stated she is going to visit this and other pools to see what they are doing and how.

Councilman Matheney stated Lowell had to raise money to keep their pool open; and, residents are working the stands in order for them to have enough money to keep it running the entire season.

Councilwoman Blackburn stated she feels the slide will help out with attendance next year also.

Mayor Finley stated we have had two and three times the kids per day this year. Mayor Finley reported the storm picked up a few of the tables and busted them up.

Village Administrator Thompson stated there are picnic tables coming in the grant next year also.

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#### **Streets & Alley Committee**

Councilman Robison reported he talked with the Fiscal Officer last week in regards to streets and alleys being closed. Councilman Robison stated the Fire Department likes to keep abreast when they are closed and would like to implement a fax being sent to the Fire Department on a daily basis; or, when necessary of these closures so they can prepare to route around them during emergencies.

Councilman Robison stated he wanted to compliment the Crew and Village Administrator on the painting of the Village streets; and, striping at Parkway and the Eagles. Councilman Robison stated the Eagles needs a handicap parking spot and the Village Council has to approve of allowing them to mark one.

Councilman Robison made a Motion to allow the Eagles to have a handicap parking space on the East side of North Second Street; seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Village Administrator Thompson is going to order some handicap signs and we will paint the handicap areas on the streets blue.

Councilman Bragg reported there are a lot of sidewalks on Main Street with grass growing out of them. Councilman Bragg stated he would like to see the fine workers clean that up.

Councilman Bragg reported he had a few properties that need to be discussed with Captain Copeland.

#### **Economic Development Committee**

Councilwoman Blackburn stated she is still working on the project at the Wharf Park. She is going to call it Rapping on the River and would like to do an Oktoberfest. She will be talking to businesses about food.

Councilwoman Blackburn questioned if anyone had been to Lancaster and seen the banners hanging throughout the city. It is called Hometown Heroes; they are four foot banners and have the Military with pictures on them. Councilwoman Blackburn stated she thought this would be something we could work on for next year for Memorial and Labor Day to honor our Hometown Heroes. Councilwoman Blackburn has been in contact with someone who can make the banners and they will cost around \$30.00 each. Councilwoman Blackburn thought we may be able to alternate the flags to the banners.

#### **Public Utilities Committee**

Councilman Bragg reported the Joint Utility Committee met on July 23, 2012. It was brought up regarding the splitting of the cost of the water for the Fire Department. Also discussion was made on receiving the Grant for the UV. Malta would like to know ahead of time what their portion will be.

Councilman Bragg reported the next Joint Utility Meeting will be held on October 15, 2012 at 7:00 P.M. in Malta's Council Chambers.

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#### **Finance Committee**

Councilwoman Gessel reported there is a Finance Meeting scheduled for Thursday at 5:00 P.M. to discuss the Village's Health Insurance Renewal. Councilwoman Gessel stated the premiums are up quite a bit. Fiscal Officer Henry has the figures.

Mayor Finley stated he wants everyone to get involved in the Employee Compensation/Benefit Ordinance. Mayor Finley would like to get a final rough draft together then present it to the employees for review.

#### **Public Safety Committee**

Councilman Dille reminded everyone of the Employee Party Sunday evening from 6:00 P.M. to 9:00 P.M. Councilman Dille is requesting each Council Member to bring three to five gallons of something to drink and cups. Everyone is to bring their own place settings. Mark Howdyshell will be preparing the pig. Councilman Dille asked everyone to stay and clean up the pool area after it was over; rather than to leave all the work for the Pool Employees. Councilman Dille is going to speak with Galen Finley to say Grace.

Mayor Finley stated a couple of people mentioned bringing their grandchildren and extended family members. Mayor Finley stated he felt this would be great and encourages it.

Councilman Dille stated the property down on Ninth Street appears to be a public hazard and feels it should be taped off.

#### **Technology and Website Committee**

Councilman Robison reported he has put a Calendar of Events on the front page of the Website. If there is anything Council would like to have added, they can just e-mail it to him and he will take care of it. Councilman Robison stated he has some changes to make; but, would like everyone to check it out and let him know their thoughts.

#### **Other Business**

Councilman Matheney stated he received a card from David Lapp thanking him for the work at the pool.

Councilman Matheney stated when we received the donation from First National Bank, we agreed to allow them to put two signs on the fence. They are now requesting to put the signs up on poles.

Council did not agree with putting the signs on poles; therefore, they will be placed on the fence as originally agreed.

#### **Adjournment of Meeting**

Councilwoman Gessel made a Motion to adjourn, seconded by Councilman Matheney.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Terry Robison, Aye; Councilman Mark Dille, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

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The meeting was adjourned till August 21, 2012 at 6:30 P.M. at the McConnelsville Village Office.

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John W. Finley  
Mayor

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Ellen M. Henry  
Fiscal Officer

All formal actions of the Village of McConnelsville concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.