

RECORD OF PROCEEDINGS

VILLAGE OF MCCONNELSVILLE COUNCIL

REGULAR SESSION

Held: December 6, 2011

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The Village of McConnelsville convened in regular session from 6:30 P.M. to 9:30 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	Present
Councilman Rhett Matheney	Present
Councilman Terry Robison	Present
Councilman Kevin Morrow	Absent
Councilwoman Michele Blackburn	Present
Councilwoman Mary Gessel	Present

EMPLOYEES: Chief of Police Rocky Woodburn, Fiscal Officer Ellen M Hemry, Village Administrator Scott Brown

VISITORS: Leona Jewell, Kelly Hardman, Stantec Representatives, Evangelist Vernon Eldridge, Mark Dille, ADR & Associates Representatives

Invocation

Invocation given by Evangelist Vernon Eldridge

Pledge of Allegiance

Lead by Evangelist Vernon Eldridge.

Excuse Absent Council Member

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

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

OLD BUSINESS

Minutes of November 15, 2011

Councilman Matheney made a Motion to approve the minutes of the previous meeting, seconded by Councilman Bragg.

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

NEW BUSINESS

Bills of the Village

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

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

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Monthly Financial Reports and Bank Reconciliation

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

Public Participation

Kelly Hardman, representing Morgan Metropolitan House Authority; addressed council regarding their water bill and how the vacancy rate is being calculated. Mrs. Hardman feels our current ordinance is confusing and very vague.

Councilman Bragg stated they should send a notice of the vacant time and discretion should be used.

Mayor Finley referred the matter to Public Utilities Committee for review and to bring a response back to her within two weeks.

Mrs. Hardman stated she sends notices to the Water Clerk; therefore, she is familiar with how it is done and they might want to talk to her also.

Gary Silcott and Michael Betts from Stantec Engineering addressed council on how they felt they would be an asset to the Village of McConnelsville. Their business was established in 1954 and their office is located in Logan.

Brochures were handed out to council members showing the plan they have set up for the Village of McConnelsville. Mr. Silcott stated they find resources for villages in order to create and complete projects.

Mr. Betts stated they have Operators on staff that can actually operate waste water plants. They are involved in water and wastewater projects; water modeling to determine future needs; work with wetlands; park and public space work; roads and highways; and they have Engineers in their Columbus office that do bridge projects. They work with all funding sources in the State of Ohio.

Mr. Betts would be our point of contact for all projects. They believe in clear accurate and timely communication; regular attendance to meetings upon request; and, have a team approach with clients. They encourage input from staff on projects, so you get what you want and an outcome you can use. They are a full service provider; complete all applications, contractors draws; participate in public meetings; and, they are readily available to get involved with our current projects.

Mr. Silcott explained they give a ten percent discount on the general engineering; and, then once the project is set they charge their regular rates. Their percentage is based on construction cost; and, they bill you by the hour. The contract is set; however they only bill for the hours of actual work completed. From the start of the project you are given the scope of work along with the fee.

Mr. Silcott stated they have a close relationship with the EPA and are willing to negotiate with them if a mandate is put on the village. They also work regularly with RCAP.

Councilwoman Gessel questioned if their fees included surveying. They stated yes; they do everything from the applications clear through the construction of the project.

Councilman Bragg questioned if inspection was included in their costs. They stated yes, if inspection was required; it will always be included in the total project package.

Councilman Bragg questioned if the project wasn't completed in the time frame set forth; he felt it should fall back on the contractor not the village. They agreed; however, you have

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to take into consideration the paying of litigation fees verses paying the extra engineering expense.

Mayor and Council thanked them for coming and presenting what they had to offer to the village.

Richard Waugh, Jeff Carr, and Russ Krock from ADR & Associates addressed council with their proposal for the village engineering needs.

Mr. Waugh explained he was the one responsible for the funding management and communicates with the staff on a regular basis.

Mr. Carr, the project manager explained they have multiple different engineers with different capabilities; and, will bring in the best fit for which project we have. He explained they have two ways they could figure the cost; on a retainer; or, on a time and material basis. He believes the retainer option is a good option for villages.

Their office is located in Newark and they deal with several close villages; Malta, Beverly, Lowell, etc. They are in our area frequently. With a retainer, there is no extra travel time and you pay a lump sum per month.

Mr. Krock stated they become a partner with the village when they are on a retainer; and, they can work proactively. However, they also work per project, but they feel they are more effective and get more done for you when on a retainer as they become an extension of our staff.

Mr. Waugh explained their retainer fee is \$1,000 per month.

Councilman Elect, Mark Dille commented he did not feel \$1,000 was very much and wondered why they even charged that.

Mr. Krock stated it is a commitment on both parties when you do the retainer.

Councilwoman Blackburn questioned how long the contract was for. They stated normally one year at a time.

Councilman Bragg questioned if they were familiar with ISO ratings, storage capacities, flows, etc? Yes, they are; especially Mr. Carr.

Councilman Bragg questioned if they had any licensed operators on staff. They stated currently they do not.

Mayor and Council thanked them for their time and presentation.

Mayor John W. Finley

Mayor Finley stated we have had four presentations from Engineering Firms and he would like council to narrow it down to two; call their references and, be prepared to make a decision on who to contract with.

Mayor Finley reported November Income Tax receipts as \$25,215.37. Mayor Finley reported November Mayor's Court receipts as follows: Village - \$3,894.60; Treasurer of State - \$1,008.00 for a total of \$4,902.60. Mayor Finley reported November Parking Meter receipts as follows: Fines - \$412.00; Meters - \$1,643.84 for a total of \$2,055.84.

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Mayor Finley stated if council was satisfied with the Public Records Policy Councilwoman Gessel prepared he would like to turn it over to Solicitor Tarbert to review. Mayor Finley stated he questioned the low cost per copy and CD Rom charge; felt it should be increased.

Mayor Finley questioned if council has any objections; or require a hearing for any of our businesses that will be renewing their liquor licenses. Chief Woodburn stated he has had a few complaints on a local bar that he feels should possibly be checked out. It was decided the Mayor and Councilman Matheney will go talk with the bar owner before they formally make an objection.

Mayor Finley reported he came downtown to the Twin City Christmas and thought it was a fantastic event. He wants to recognize Deena Clark and all the work she put into this along with all the local businesses.

Councilwoman Blackburn stated we need to keep things like this going on as the Visitor's Center is going to lose a lot of their funding from the closing of the Burr Oak Lodge.

Mayor Finley reported he had a meeting with Misty Casto, the Executive Director of Buckeye Hills. He has a pamphlet for anyone who would like to look through it. They assist with grant writing and help the community out in many ways.

Mayor Finley stated he sent council e-mails regarding the Open Meeting Act. It only applies when council meets at a prearranged gathering; when there is a majority of members; and, for the purpose of discussing public business.

Mayor Finley reported he received information from Chief Woodburn on the Powers of Board; Abatement of Nuisance. Mayor Finley stated we have an ordinance in place; however, it needs reviewed and tightened up a little bit. Mayor Finley stated he feels he has been having success with just having a conversation with people so far.

Councilwoman Gessel stated she was at a conference one time; and, one of the suggestions was to have them go to counseling. She felt we should place people in counseling when it appeared to be a problem.

Mayor Finley reported he authorized VA Brown to order supplies to replace the water lines at Sandy Bank; Eighth Street; and, Fourth Street. Poplar Drive line will be at a cost of \$21,000 just for materials; therefore, we are holding it off until 2012. The water line behind the Legion has been completed.

Mayor Finley stated he gave council copies of a letter from Shannon Wells encouraging council to share with the people of McConnelville the housing project they are administering.

Mayor Finley reported on the Hess property donation. He stated he received information from John Wells and pictures. There are approximately 200 acres that lie in Bristol Township; it was donated to Morgan County as a whole and the Village of McConnelville. This donation has stipulations that it must be recreation property for the general public and if we don't do anything with it in a five year period of time; it goes back to the owner and the owners heirs. Mayor Finley thought we could possibly use it for horseback riding or 4-wheeler riders. He would like some of these groups to get a plan together and present it to us and the County Commissioners. Mayor Finley stated it is a beautiful piece of property just off of Fred Mummey Road.

Mayor Finley reported he has been looking over the different properties the village owns; he feels we should clean up our property if we are asking others to do so. The Fourteenth Street Building is not heated and in order for the employees to work on trucks, etc. they need a heated area to do this. Mayor Finley stated he would like to accomplish installing new overhead garage doors within the next two or three months. The cost of a new door

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installed is \$2,925.04 and an additional \$884.19 for the cost of the operator; additional block work would need done also. We currently have a 12 x 14 and he is proposing installation of a 16 x 14.

Mayor Finley reported TAM construction improperly installed a meter at a residence. The time frame is up where we can go back on them for repairs and he believes we should cover this expense.

Councilman Bragg made a Motion to reimburse Robert Leeper \$145.00 and add this to the current bill sheet; seconded by Councilman Robison.

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

The Motion carried.

Mayor Finley reported Solicitor Tarbert was unable to attend the meeting due to a surgery within his family. Mayor Finley stated Solicitor Tarbert and his family were in our prayers.

Mayor Finley passed around some information on new cruisers. Mayor Finley stated he has requested Chief Woodburn to look into purchasing one within the first quarter of 2012. We are looking at different Makes and Models; however, we will have to advertise and take bids.

Mayor Finley reported he received a letter from Columbia Gas regarding their rates and the fact they may be going up a large amount.

Mayor Finley reported he received a copy of the letter that will be going out to all of our residents in regards to the Electric Aggregation. This is what needs to be signed and sent in to get the discounted rate.

Mayor Finley reported he has contacted Cliff Littlefield in regards to the Opera House roof. His contractors estimate is \$30,000 at prevailing wage. We will turn this in to the Cultural Grant Facility and continue moving forward with that project.

Mayor Finley reported he has received quotes on removing the tank on Kennebec in the amount of \$11,500 and the old reservoir in the amount of \$9,600. These quotes were received by Mark Mondo. Mayor Finley feels these are very reasonable quotes; they are bonded, have their own crane and will have to take the tank down in sections; this is very dangerous work. At the reservoir, they will also complete the fill; this work will be tedious as they will have to work around the building we have there that houses the pumps and village radio system.

Mayor Finley reported the Joint Utility Meeting was held last evening at Malta. Mayor Finley felt it went well; they will be getting together early in 2012 to get reorganized.

Mayor Finley reported he, the Village Administrator, Councilman Bragg, and Councilwoman Blackburn attended the Ohio Municipal League Seminar in Columbus today. They will be going back tomorrow for the second day.

Ordinance 11-33

Mayor Finley introduced Ordinance 11-33, AN ORDINANCE ADOPTING THE VILLAGE OF MCCONNELSVILLE ELECTRIC AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4928.20, OHIO REVISED CODE.

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Mayor Finley stated the Ordinance needs to be amended and add a section to repeal Ordinance 11-12.

Councilman Bragg made a Motion to pass Ordinance 11-33 as amended on the first reading, seconded by Councilman Robison.

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

Ordinance 11-33 was passed on the first reading.

Ordinance 11-34

Mayor Finley introduced Ordinance 11-34, AN ORDINANCE ADOPTING THE VILLAGE OF MCCONNELSVILLE NATURAL GAS AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE PURSUANT TO SECTION 4929.26, OHIO REVISED CODE.

Mayor Finley stated the Ordinance needs to be amended and add a section to repeal Ordinance 11-13.

Councilman Matheney made a Motion to pass Ordinance 11-34 as amended on the first reading, seconded by Councilwoman Gessel.

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

Ordinance 11-34 was passed on the first reading.

Ordinance 11-35

Mayor Finley introduced Ordinance 11-35, AN ORDINANCE TO MAKE ADDITIONAL APPROPRIATIONS FOR THE CURRENT YEAR.

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

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

Councilman Bragg made a Motion to adopt Ordinance 11-35 on emergency measure, seconded by Councilwoman Blackburn.

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

Ordinance 11-35 was duly adopted.

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Resolution 11-36

Mayor Finley introduced Resolution 11-36, A RESOLUTION REDUCING THE APPROPRIATIONS FOR THE CURRENT YEAR.

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

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

Councilwoman Blackburn made a Motion to adopt Resolution 11-36 on emergency measure, seconded by Councilman Bragg.

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

Resolution 11-36 was duly adopted.

Resolution 11-37

Mayor Finley introduced Resolution 11-37, A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE WATER FUND.

Councilwoman Blackburn 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; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilman Bragg made a Motion to adopt Resolution 11-37 on emergency measure, seconded by Councilman Matheney.

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

Resolution 11-37 was duly adopted.

Resolution 11-38

Mayor Finley introduced Resolution 11-38, A RESOLUTION TO MAKE TEMPORARY APPROPRIATIONS FOR 2012 EXPENSES FOR THE VILLAGE OF MCCONNELSVILLE.

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

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

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Councilman Robison made a Motion to adopt Resolution 11-38 on emergency measure, seconded by Councilman Bragg.

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

Resolution 11-38 was duly adopted.

Ordinance 11-39

Mayor Finley introduced Ordinance 11-39, AN ORDINANCE ESTABLISHING PAY INCREASES FOR ALL EMPLOYEES.

Councilman Robison made a Motion to pass Ordinance 11-39 on the first reading, seconded by Councilwoman Blackburn.

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

Ordinance 11-39 was passed on the first reading.

Village Administrator Report

Village Administrator Brown reported both water and sewer budgets were approved by the Joint Utility Committees yesterday evening.

Village Administrator Brown reported DEFA is set to award the Grant on December 21, 2011; then ZEMBA can begin work in late January or early February.

Chief Rocky Woodburn

Chief Woodburn reported he contacted an LED Company in regards to purchasing bulbs for the street lights in the downtown area. By installing LED lights; we can cut our electric expenses between 50 to 80%.

Chief Woodburn reported with the globes we currently have there is only one bulb in the United States as they are shut down for the holidays. There is a company we can purchase replacement globes from that are not prised and we could purchase all the necessary bulbs. The new globes would cost around \$100.00 to replace and the bulbs would be \$465.00 each. Chief Woodburn stated we currently need about six replaced.

Chief Woodburn stated he also look at our other lighting; the tubes for the office would cost around \$85.00 each. He also checked on bulbs for the Monument area, pool and garages. Currently he doesn't have the cost of those.

Chief Woodburn stated the bulb life expectancy is about 14 years and they use ¼ the amount of electricity.

Mayor Finley stated they are a cleaner, brighter light, and they do not draw bugs.

Mayor Finley reported they heard 25 cases tonight in Mayor's Court.

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Recreation and Buildings Committee

Mayor Finley reported he and Council met at the pool this evening prior to the council meeting. They looked over several things they will be discussing soon.

Mayor Finley has a grant to apply for; it is a matching grant for up to \$40,000. Mayor Finley is going to see if the village is eligible for this grant.

Mayor Finley reported we have a shelter house grant for the park that has to be complete by the end of the year. Discussion was made as to whether or not it would be possible to complete; the materials are already ordered; however, the ability to pour concrete this time of year is in question. Village Administrator Brown is going to check into it.

Streets & Alley Committee

Mayor Finley reported the pool parking lot is in bad shape.

Councilwoman Blackburn reported we needed to get on board with the reflective signs within the village.

Economic Development Committee

Mayor Finley stated Councilwoman Blackburn will be attending a class tomorrow on Economic Development.

Public Utilities Committee

Councilman Bragg reported the next scheduled Joint Utility meeting is set for March 5, 2012. They may try and get it changed to January so they could get the reorganizing done.

Finance Committee

Councilwoman Gessel reported the committee met on November 28th. Fiscal Officer Henry guided them through the process of making out the appropriations. At the meeting, they came up with a two percent raise for the employees. Councilwoman Gessel reported no other meeting is set at this time.

Public Safety Committee

Mayor Finley reported they will be looking at purchasing a new cruiser in the first quarter.

Councilman Robison reported on the water drain issues by the new bridge. The state has been contacted.

Adjournment of Meeting

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

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

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The meeting was adjourned till December 20, 2011 at 6:30 P.M. at the McConnelsville Village Office.

John W. Finley
Mayor

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.