

# RECORD OF PROCEEDINGS

## VILLAGE OF MCCONNELSVILLE COUNCIL

### REGULAR SESSION

Held: February 1, 2011

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The Village of McConnelsville convened in regular session from 6:30 P.M. to 7:25 P.M. in the McConnelsville Village Office. Mayor John Wells called the meeting to order with the following members and visitors present:

Councilman Tom Bragg	Present
Councilman Rhett Matheney	Present
Councilman Steve Inman	Present
Councilman Kevin Morrow	Present
Councilwoman Michele Blackburn	Present
Councilwoman Mary Gessel	Present

**EMPLOYEES:** Chief of Police Rocky Woodburn, Fiscal Officer Ellen M Henry, Village Administrator Scott Brown, Solicitor David Tarbert

**VISITORS:** Sara Hurst, Ray Cordray, John Hoover

#### **Invocation**

Invocation given by Mayor John Wells.

#### **Pledge of Allegiance**

Lead by Mayor John Wells.

#### **OLD BUSINESS**

##### **Minutes of January 18, 2011**

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

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Steve Inman, Aye; Councilman Kevin Morrow, 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 Councilman Inman.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Steve Inman, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

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

Council signed off on the January 2011 Monthly Financial Reports and Bank Reconciliation.

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#### **Public Participation**

Mr. Ray Cordray addressed council regarding the creek on North Eighth Street by the Athletic Field. Mr. Cordray questioned why the Village is not mowing it.

Mayor Wells referred the matter to the Grounds and Buildings Committee to look at and make a decision on what needed done.

#### **Mayor John Wells**

Mayor Wells reported they will be meeting with the EPA in Logan on Thursday, February 3, 2011 at 10:00 A.M. regarding the Sewer Separation Project.

Mayor Wells reported we did not get the radio grant we applied for through the EMA. Mayor Wells stated we will need to purchase these out of the General Fund Budget. The Police Department do not have proper communication outside of their cruisers.

Mayor Wells reported January Parking Meter receipts as follows: Fine - \$309.01; Meter - \$1,261.04 for a total of \$1,570.05. Mayor Wells reported January Income Tax receipts as \$44,429.28. Mayor Wells reported January Mayor's Court receipts as follows: Village - \$1,826.50; Treasurer of State - \$209.00 for a total of \$2,035.50.

#### **Village Administrator Scott Brown**

Village Administrator Brown passed out paperwork to council regarding the 8" Conversion Project. VA Brown stated this is not the streamlining project and the figures he has come up with to do this conversion with contingencies would be approximately a total of \$60,000.

Mayor Wells reiterated this is not the Streamlining Project; these problems were discovered while doing the project. Mayor Wells stated, since it is over \$25,000 normal procedure would be to bid the project out; however, this issue is an emergency and there is a procedure in ORC 735.051 that allows Council with a 2/3rds vote to go forward without bidding and advertising. Mayor Wells stated we are unable to shut down our main line from the reservoir as the valve does not work, along with several other valves; creating a real and present emergency. Mayor Wells stated later on this evening he will be asking Council to pass an Ordinance authorizing the Village Administrator to go forward without bidding. Mayor Wells stated VA Brown will be getting prices from other contractors along with Zemba.

Village Administrator Brown stated he advertised for mowing bids and the bid opening was Monday; he received four bids. VA Brown stated in his packet he gave to council lists each bid and the breakdown of what the approximate cost the village incurs when mowing themselves. VA Brown stated the employees will still mow the two sewer plants and park.

Mayor Wells referred the matter to the Buildings and Recreation Committee; and they are to bring an answer back to the next meeting.

Councilman Matheney questioned who the owners of each company were. He was informed D & M Lawncare is owned by Darrin Carpenter; B & W Landscaping by John Hoover; Dave's Landscaping by Dave Lapp; and First Step Lawn Care by John and Sharon Slowter.

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It was questioned how many hours it took to mow the sewer plants. VA Brown stated it was only mowed every other week with the zero-turn mower and it took about 3 hours; normally a General Relief Worker runs the weedwacker.

Councilman Bragg stated he felt this would take work away from our employees. VA Brown stated he believes when there is "down time"; the employees should be exercising valves and flushing hydrants.

Village Administrator Brown reported a former village employee called ODNR and informed them we had dead fish at our outfalls. The ODNR was here today and upon investigating found there were dead fish further up the river as well; even at the boat docks in Malta. Village Employee, Damon Drake gave them all the information necessary for them to determine the problem was not ours and that the river freezing and thawing had created the fish to die.

#### **Ordinance 11-01**

Mayor Wells introduced Ordinance 11-01, AN ORDINANCE APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2011 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF MCCONNELSVILLE, OHIO.

Councilman Bragg made a Motion to pass Ordinance 11-01 on the second reading, seconded by Councilman Morrow.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Steve Inman, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Ordinance 11-01 was passed on the second reading.

#### **Ordinance 11-02**

Mayor Wells introduced Ordinance 11-02, AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH ATTORNEY DAVID TARBERT.

Councilman Matheney made a Motion to pass Ordinance 11-02 on first reading, seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Steve Inman, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Ordinance 11-02 was passed on first reading.

#### **Ordinance 11-03**

Mayor Wells introduced Ordinance 11-03, AN ORDINANCE AUTHORIZING CONTRACT WITHOUT BIDDING.

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Councilman Bragg 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 Steve Inman, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilman Bragg made a Motion to adopt Ordinance 11-03 on emergency measure, seconded by Councilwoman Blackburn.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Steve Inman, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Ordinance 11-03 was duly adopted.

#### **Public Safety Committee**

Mayor Wells stated the Village will be replacing the sidewalks where they have been damaged from the new waterline.

Councilman Inman stated he has spent many hours researching the position of Code Enforcement Officer; and, he has changed his mind. Councilman Inman stated he believes if we enforce the current Property Maintenance Ordinance we don't need this position. Councilman Inman stated he would like some additional wording added to the current ordinance and will be sending the new language to Solicitor Tarbert.

Councilman Inman stated he wanted to encourage people to bring issues regarding property maintenance to our attention so they can be addressed.

#### **Public Utilities Committee**

Councilman Bragg stated there will be a Work Session on February 8, 2011 at 6:30 P.M. to discuss the waterline at the WODA Project. Councilman Bragg stated he would like to have other people in attendance with knowledge of our current water lines.

#### **Finance Committee**

Councilwoman Gessel stated she has had further communication with John Morris on the website; it is tax time and we need the forms available. Mayor Wells stated he feels we should move on with another preparer of websites.

#### **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 Steve Inman, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

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The meeting was adjourned till February 15, 2011 at 6:30 P.M. at the McConnelsville Village Office.

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John A. Wells  
Mayor

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Ellen M. Hemry  
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.