

**REGULAR COUNCIL MEETING
AUGUST 22, 2023**

PRESIDING: Mayor Peter Wilson

PRESENT: Temple, Darcy, Cox, Donnalley, Hiner, Thomas & Beech

ABSENT:

The regular meeting on August 22, 2023, was called to order at 6:30 with Mayor Peter Wilson presiding.

Reverend Shuman opened the meeting with prayer followed by the Pledge of Allegiance.

MINUTES REGULAR MEETING AUGUST 8, 2023

Donnalley made the motion to approve the minutes from the 8/8/23 regular meeting.

Thomas 2nd

All Ayes, with Darcy abstaining

Motion Passed

APPROVAL OF BILLS

Darcy made the motion to approve the bills in the amount of 2,285.54

Thomas, 2nd

All Ayes

Motion Passed

Darcy made the motion to approve payroll for PPE 8/5/23 in the amount of \$70,569.16

Temple 2nd

All Ayes

Motion Passed

GUEST (S)

Council received a request from Crystal Siembida Boggs for a Halloween Dash 5k and Monster Mile for Sunday October 29th. Mayor Wilson explained this is a race that has been held in the past. Council indicated they have no issues with having the event, however the correct paperwork needs to be completed and approved by the Chief of Police.

OLD BUSINESS:

RE: AHRB/126 W LINCOLN WAY

Zoning Committee Chair Donnalley reported the zoning committee met having a very productive meeting, including Chapter 146 of the codified ordinances referencing the Architectural Historic Review Board (AHRB) being incorporated into the zoning code while rewriting the current code. This will be a long process with the committee and council asking for patience during this time.

Donnalley made the motion to table any action from Chapter 146 being taken on the property located at 126 W Lincoln Way.

Hiner 2nd

Sunset Dr resident Pat Kronenberg spoke out against council going against the committees which are put in place to follow the rules, she does not see where this is going with council tabling any action from the ordinance in question. The committee and appeals board are only following the rules they were given. She believes that if council does not follow the rules the village will be on a downhill slide. If the correct questions were asked at the beginning this could have been avoided, she feels.

John Deichler Chair of the AHRB board explained his position based on the rules they were given to follow. The board tries their best to work the businesses with the rules they have, the outcome may not always be what the business requested. He also pointed out this is an appointed board of individuals who live in this village who are not paid to be on the board. He took exception with all the negative things being said on Facebook about the members who volunteer their time to be on this board, as far as some saying they take money under the table to approve request. Council President reiterated from the last meeting, Council is not putting the blame on the AHRB they followed the rules they were given, and the board is not being asked to overturn what they passed just suspend any action being taken until updated rules and processes and be put into place.

Shannon Clark, owner of The Lincoln Social Hall respected both opinions just given, she may not live in the village limits, but she does have a business. Her issue is the double standard on how things are approved in the village. She is not trying to cause problems but feels the village needs to update what they have.

Mayor Wilson stated an update needs to be made as quick as possible but not so quick that it needs to be changed again when something goes wrong. He feels a compromise has been met, it may not be great most compromises aren't. He admitted the village has an issue that needs to be corrected and this situation has given the village a black eye. He believes the village is pro-business and wants to work with people. He ask for a vote to the motion made.

All Ayes
Motion Passed

RE: GRANT ST BRIDGE UPDATE

Mayor Wilson reported the right of way report has been submitted for review, with an offer being made to the property owner for the small piece of land needed for construction. He will report those details after ODOT reviews, mentioning the cost is lower than anticipated.

RE: PRITCHARD AVE BRIDGE PROJECT

Mayor Wilson reported that all of council was sent an email regarding the project forms as requested from the last meeting. He than read from a prepared statement his feelings on why this project should be approved and move forward. There are several changes in the ODOT Municipal Bridge program that benefit municipalities regarding required contribution, it has been reduced from 20% to 0% since COVID. The paperwork sent estimates the village cost to be an estimated \$100,000.00 of the total \$991,331.00 cost. The ODOT representative believes the village cost could be as low as \$50,000.00 to \$60,000.00. The mayor pointed out the current encumbered balance in the general fund of \$778,031.81 up from just over \$450,000.00 this same time last year, he feels the village has the money to commit now. The tentative construction date ODOT is pushing for is 2026. Council woman Donnalley stated she has mixed feelings about moving forward with this project, a big concern being how much time of this project will village employees in the street and water department have to spend there are currently enough projects in the early stages they need to concentrate on. The mayor indicated it will take some time from the employees, but he also plans on being on site for these projects as much as possible with the help of the engineers. The positive she does not want to wait until something bad happens with the bridge. Council woman Hiner ask if ODOT representative Dan Lorenz could come to the next meeting to discuss this, and she would also like to schedule a finance committee meeting before deciding. The mayor said he would invite Mr. Lorenz.

RE: 3RD READING ORDINANCE NO. 2159-2023 – VILLAGE PAYROLL ORDINANCE

Hiner made the motion to approve the 3rd and final reading of Ordinance No. 2159-2023 the village payroll ordinance.

Darcy 2nd

All Ayes
Motion Passed

Mayor Wilson requested his displeasure be noted in the minutes on how he did not like how the Fiscal Officer wage increase was handled, he feels this type of raise should have gone to the personnel committee if it is an equity increase as mentioned in the paper this morning. There are rules in place to follow and he feels this were followed. Finance Committee chair Hiner explained the increases were discussed in the finance committee all members agreed with the figures presented on the payroll ordinance the rules were followed. All council members were given the worksheet prior to the meeting of the first reading, prompting the mayor to question in the conference room is this again not against the rules. Ms. Hiner stated there was no discussion just information being handed out as has been done before with nothing being said when other items are passed out during this time. Ms. Hiner reminded they mayor the ordinance was in the packet which was sent out the Friday prior to the first reading if you had done your due diligence, you would have read the current ordinance to the proposed ordinance you would have seen the increase. She does not understand why he is only singling out one positions increase since there were several who received the same type of increase.

RE: RISERS ON E LINCOLN WAY

There is no pricing available for this meeting per Street Supervisor Jim Oliver on the cost of the needed risers, he is waiting for a call from the company. The department did remove concrete from around 2 risers on E Lincoln Way between Vine and Exchange St replacing the concrete with black top.

RE: APPALACHIAN REGIONAL COMMISSION (ARC) AND/OR OHIO GOVERNOR'S OFFICE OF APPALACHIA GRANT

Mayor Wilson informed those in attendance the Board of Public Affairs received an ARC grant in the amount of \$250,00.00, the max which can be awarded, towards the NE Pressure Project.

RE: ELECTRIC AGGREGATION

Mayor Wilson reported he has had several calls as to when the aggregation is going to start for the village. He has called PUCO and since the village registration had expired with PUCO there is a 30 day wait period to be reinstated. The village is required to have a PUCO registration only when in an aggregation, since the village has not had an aggregation in several years new paperwork had to be filed to give Trebel authorization to speak on behalf of the Village for rate availability according to Fiscal Officer Wonner. The mayor mentioned he thought the village was in an aggregation, they are not the village electric accounts are in a contract with an electric supplier the same concept as if a resident had entered a contract with a supplier for electric services. Council President Thomas ask if there has been a rate determined and any paperwork to sign, the mayor indicated this can't happen until the PUCO registration is complete.

NEW BUSINESS

RE: RESOLUTION NO. 2163-2023 – A RESOLUTION TO SELL A 2005 CHEVROLET SUBURBAN ON GOVDEALS

Council woman Hiner explained this resolution authorizes the village to sell the 2005 Chevrolet Suburban on GovDeals and advertise in the paper regarding the online listing. The listing will be put on after Labor Day for a period of 14 days.

Hiner made the motion to approve Resolution No. 2163-2023, a resolution authorizing the sale of the 2005 Chevrolet Suburban on GovDeals.

Thomas 2nd

All Ayes
Motion Passed

RE: RESOLUTION NO. 2164-2023 – A RESOLUTION TO SELL A 1998 FORD TRUCK (VACCON) ON GOVDEALS

Council woman Hiner explained this resolution is the same as 2163-2023 except it authorizes the sale of a 1998 Ford truck, the old vaccon.

Hiner made the motion to approve Resolution No. 2164-2023, a resolution authorizing the sale of a 1998 Ford Truck (Vaccon) on GovDeals.

Temple 2nd

All Ayes
Motion Passed

RE: PURCHASE TRUCKVAULT/SHOTLOCK FOR K9 CRUISER

Cox made the motion to approve the purchase of a Truckvault and Shotlock for the K9 cruiser in the amount of \$3,353.00.

Darcy 2nd

All Ayes
Motion Passed

RE: JOHNNY APPLESEED FESTIVAL SUPPORT

Mayor Wilson on behalf of the Chamber distributed prior to council a letter requesting a donation for sponsorship for the Johnny Appleseed Festival. He reminded council they had donated in the amount of \$500.00 for the Firefighters Association Golf Outing. The chamber thanks the village for any amount they would donate.

Hiner made the motion to contribute a \$500.00 sponsorship for the Johnny Appleseed Festival from the lodging tax received for tourism.

Temple 2nd

All Ayes
Motion Passed

RE: CANDIDATES NEEDED FOR BOARD OF ZONING APPEALS (BZA)

Mayor Wilson indicated he received the resignation of Micheal Kleinknecht from the Board of Zoning Appeals; he would like authorization to request advertise on his Facebook page and if the paper would mention in their upcoming article the village needs to fill this position. Council has no issue with accepting letters of interest, they would like to read all letters of interest submitted for review before the vacancy is filled.

RE: RESOLUTION NO. 2165-2023 – A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMITTAL OF AN APPLICATION TO PARTICIPATE IN THE APPALACHIAN REGIONAL COMMISSION (ARC) AND/OR OHIO GOVERNOR'S OFFICE OF APPALACHIA PROGRAMS (GOA) FOR THE NORTH MARKET ST SANITARY SEWER REPLACEMENT

Temple made the motion to approve Resolution No. 2165-2023, a resolution to authorize the preparation and submittal of an ARC/GOA grant in the amount of \$250,000.00 for the North Market St Sanitary Sewer Replacement.

Thomas 2nd

All Ayes
Motion Passed

FISCAL OFFICER'S REPORT

The following reports were submitted to council in their packets: the most current August month end fund summary. All vouchers were presented prior to the meeting for review and signatures. Ms. Wonner received the 2023-2024 Property and Liability Insurance renewal from PEP, there is an increase of \$5,954.00 from the previous year. Ms. Wonner explained the noted changes to the upcoming renewal. Ms. Wonner requested approval to make 2 monthly transfers on a continuing basis from the General Fund (1000) to the Capital Improvement Fund (4901), \$7,500.00 which represents what the village was paying in a loan payment for village hall, this loan has paid off and a total of 5% of the monthly income tax deposits. The mayor ask if the village general fund would end with a balance of over \$700,000.00 unencumbered, Ms. Wonner indicated that she did not. The reason being if the request for the transfers are complete this could be anywhere from \$15,000.00 to \$20,000.00 plus a month, in addition to any other transfers for other funds which may be needed prior to year end or other expenses including payroll. The estimated balance is closer to the \$550,000.00 to \$600,000.00.

Hiner made the motion to approve a monthly transfer of \$7,500.00 and 5% of the previous month's income tax collections.

Temple 2nd

All Ayes

Motion Passed

Council woman Hiner mentioned the 5% can always be adjusted either way if and when needed.

A finance committee meeting was scheduled for Monday August 28th at 5:30 pm.

STREET DEPARTMENT REPORT

The street department report was distributed to council in their packets. Council man Cox reported during the process of taking off the lien to behind the street garage it was discovered that a 12 to 14 section of 4x4's were installed with concrete behind up against the inside wall of the garage. This needs to be corrected before the work on the roof can begin, the thought is this was added when the structure was being used as salt storage to guard the wall from the machinery hitting when loading. The damage can't be determined until the area is knocked out; the department will be doing this in house. Council was reminded of the \$50,000.00 threshold for bidding requirements on any project.

Council woman Hiner ask if the village was responsible for mowing along the new bike trail on SR 154, the mayor indicated the village is not this is the responsibility of the County Parks District. She ask when they plan on mowing, the mayor said the project was not complete, so it has not been turned over to the district from ODOT yet. He will mention the mowing to the parks district.

The street committee was reminded of their meeting on Monday August 28th at 4:30 pm.

FIRE DEPARTMENT REPORT

Chief Hall reported the Golf Outing was a success thanking all those who participated. The association does not have the total figures yet, he will report those when finalized. He informed council that he had been contacted in regard to the condition of a certain building in town and it being a danger to children walking to and from school. He has been to the building and does have some concerns. The next step is to inform the owner the department would like to inspect the building, Chief Hall, Fire Inspector Gresh and Zoning Inspector Barkley will work together on this process. The village can't condemn but can suggest. Council woman Temple said there is a garage in town which needs inspected also, she will get the information to Chief Hall.

PARK'S REPORT

Sr. Plant Operator and Committee Chair Donnalley questioned the pool hours now that school was in session, they both understood the pool to be closed Monday through Friday the week of August 21st and 28th only open on the weekends. Mr. Peterson reported that he had set the chemical levels to maintain the water not for swimmers but when his department went to the pool on Monday around 11:30 there were people swimming. Mayor Wilson and Council man Cox said they understood the pool to be open for Sr swim each day 11:00 am to 12:00 pm. Mr. Peterson said if this is the case, he will need to order more chemicals because the pool will need to be treated as if open all day to keep the levels correct for swimming. After some discussion it was decided to leave it as is open for Sr swim 11:00 am to 12:00 pm each day.

BPA REPORT

Bill Hoover, BPA chair, reported the department is working in the area of Saltwell Rd south on N Market St to Family Recovery approximately 70 feet. During normal maintenance jetting the department found gravel and dirt this is an indication there could be an issue, Mr. Hoover wanted everyone to know it is not a leak. There is no leak and was not a leak, the area will be dug up and the pipe inspected with any work to be completed while open. The other projects the department was working on are on hold during these repairs, the work is expected to be 2 to 3 weeks. Mr. Peterson questioned if in the plans for the Pritchard Ave bridge do the plans include the needed water line replacement? He has not seen any plans and would like to start planning if this is the case. Mayor Wilson was not sure, he will contact ODOT.

ZONING REPORT

The most current approved zoning applications were distributed to council in their packets. Mayor Wilson ask who would be taking the lead on the Chapter 146 portion of the code for the Architectural Historic Review Board, Solicitor Beech stated he will do as directed with the time frame depending on what route council would like to go first. It was decided after some discussion the most time efficient way to start is with reviewing and updating the design review standards addendum referenced in Ordinance No. 1316. Mr. Barkley, Mr. Beech with the assistance of council and the mayor will work on the addendum. Ms. Clark commented it would be nice if business/property owners in the affected area could be involved at some point.

With nothing further to come before council, Mayor Wilson adjourned the August 22, 2023, meeting at 7:56 pm.

Mayor Peter Wilson

ATTEST:

Tracey Wonner, Fiscal Officer