

**VILLAGE OF PEMBERVILLE
COUNCIL MEETING
August 3, 2021**

Mayor Bailey opened the August 3, 2021, Council meeting at 7:00pm with a prayer and the pledge of allegiance.

Roll Call: Present at the scheduled meeting of Council were Rahe, Angel, Long, Madaras, Mazur, and Meyer. Others present were, Chief Darling, Harold McArthur, Gene Steel, Ed Wozniak, Eric Campbell, Tom Mauk, Tom Bettenbrock, and the Clerk.

Minutes: Rahe moved, and Meyer seconded to approve the minutes from the July 19, 2021, meeting. Motion passed unanimously.

Treasurer's Report: Long moved and Angel seconded to approve the bills for \$7,866.30. Motion passed unanimously.

Long asked if the financial audit payment was the final payment. Clerk stated it was not.

Police Activity Report: Police activity report provided with more detailed information.

Qualification Range: There was brief discussion regarding a qualification range on Village property. Chief explained the department received a substantial donation from Opelt's Estate. It was recommended that the department purchase something not normally purchased or a part of their annual budget. Chief stated after speaking with a few of the Officers it was determined a qualification range would be of great benefit to the department. Chief explained they are currently qualifying once a year and that is not enough. Chief stated the proposed are the extreme north area of Rees Rd. property as the qualification range. Chief provided a quote for used turf and soil. Chief was asked to obtain a quote for new turf and soil from local vendors. Meyer asked if they spoke to neighboring properties. Chief stated he and Kwapich did speak to neighbors along Hickory St. and College Ave. near the new condos and received all positive feedback. Chief stated they will ask the opinion of the community before proceeding. Long asked if this would benefit other departments. Chief stated yes other departments would be invited to utilize it.

Grant: Rahe stated Chief obtained a grant for 6 bulletproof vests for a cost of \$2,975. The grant amount was for \$2,231 with a 25% match from the Village. Rahe moved and Meyer seconded to approve the 25% match of \$743.99 for the 6 vests. Motion passed unanimously.

Zoning:

Nuisance Abatement: Mayor asked Council to review the potential nuisance abatement ordinance provided. Mayor stated this would bundle several ordinances into one. Meyer asked why it was not considered the first reading. Mayor stated it needs to go to legal first. Campbell asked Council to review the penalty phase and discuss with Kuhlman the penalty phase prior to a first reading.

Easement: Campbell discussed a potential easement issue. Campbell stated he received request for a zoning permit for an accessory building located behind the Krukemyer property and during their discussion it was asked about placing the building under powerlines behind the house. Campbell stated in his research and conversation with the Village Electrical Superintendent as to the nature of the two easements on the Krukemyer property, it is his understanding the Village has no easement. Campbell referenced easements that were a part of the development process with one easement created from the vicinity of the old Keiser Farmers Market between the west side of town and the field behind Krukemyer's barn that services Pember Grove, and a second easement he was not aware of that runs east to west behind Rahe's property but were never finalized. Mayor stated there were several conversations with Krukemyer regarding the utility lines. Long stated he recalled conversations of upsizing a line but nothing about obtaining an easement we didn't already have. It was discussed and asked to research how far the easement goes and if the Village needs to seek the easement.

Water St. and Kesson Rd.: Campbell stated he spoke with Tom Bettenbrock prior to leaving on vacation regarding the south end of Water St. Campbell stated the communication between both parties has been open.

Mr. Bettenbrock spoke to Council regarding multiple issues he is having with his neighbor, including the safety issue near the bend of Water St. and Kesson Rd. Bettenbrock explained there is planted greenery encroaching on the right-of-way causing visibility issues for pedestrians and vehicles. Campbell explained the neighbor in question does live on the edge of the Township with the other half of the bend located in the Township. Campbell stated since his return from vacation both parties have been communicative. Meyer asked Chief Darling if he knew what the safety visual clearance should be on that bend. Chief stated he was unsure and would find out and let them know.

Madaras asked that this be viewed as a safety issue. Madaras added there is a large tree located on the corner that belongs to the Village and should be removed. Mayor stated she will speak to the resident regarding her butterfly garden and the overgrowth on the bend.

Survey: Campbell stated that when the Village began discussing the new engineer, he reached out to Steve Darmofal and inquired about survey work. Campbell stated Darmofal recommends hiring Feller Finch when needing any surveying done. Campbell contacted Feller Finch and requested a quote for general surveying services. Campbell explained there have been some unknown discrepancies' and when they surface, he would like to have them addressed. Campbell explained a permit for Bond St. resulted in a survey and according to the Village right-of-way, Bond St. is offset. Campbell asks Council to review the quote and consider approving.

Complaint Letter: Rahe asked about the letter from the concerned citizen (attached). Campbell explained this was not the only individual who has mentioned the property at 123 Bierley Ave. and the falling down building behind it. Campbell stated the building is not only unsightly but dangerous. Campbell stated that going after abandon and falling down buildings is not an easy task and as a governing body it needs to be determined how to approach and handle dilapidated buildings.

Residential Rentals: Madaras stated he was approached by two separate residents concerned with high grass on Water St. Madaras stated he did not realize the number of rentals in Pemberville. Madaras stated this would be a question for Kuhlman but asked if it were possible to create an Ordinance with verbiage that holds landowners that rent to a higher standard. Madaras stated an example would be the rental property near him where it is owned by someone out of state that has never been to the property and needs attention. Mayor added the other issue is the Village is unaware of some renters for income tax for collection purposes.

Rock-pile along Tracks: Campbell stated he spoke with Countyline and the weeds within the rock pile located along the railroad tracks belonging to CSX have been sprayed.

Council Reports:

Rahe:

Personnel and Finance Committee: Rahe stated BPA is moving the current BPA Clerk to full-time status. Rahe stated she is currently working full-time hours so this would give her the benefit of full-time vacation and holiday hours. Rahe stated the clerk currently does not need the Village health insurance.

Lands, Building, Streets & Sidewalks: Rahe stated there is a meeting Wednesday, August 11, 2021, at 10:00 a.m. with Chris Waterford and residents of West Front St. to discuss the State Route 105 speed limit and speed study.

Angel:

Safety Committee: Angel stated the Officer Moore will not be leaving the Village for employment elsewhere. Angel stated Moore does return from sick leave on Thursday, August 5th.

Angel stated he wanted to apologize for losing his temper during the Committee meeting earlier. Angel stated he typically does not do that and wanted to apologize.

Long:

BPA: Legion: Long stated there is currently a problem with the meter at the legion and it is leaking. Long stated water will be seen running down to the street and catch basin. Long stated unfortunately the lead

time for the materials needed for the repair is 12 to 16 weeks. Long stated in the meantime, they are pumping it out of the pit and is bypassing the meter with the intent to bill the Legion based on previous annual estimates for that time frame while waiting for the parts.

Water tower: Long stated that with the understanding of Eastwood's intent to move their administrative offices and preschool elsewhere, the school board was approached with the concept of how the Village could acquire that land. Long stated the school board did allow the Village to do some exploratory boring to see if the site would be a possible option for the tower. Long expressed that it is just an exploratory option and that the school board has not transferred any property. Long stated that if it's a viable location the Village will re-approach the school board and consider our options at that time. Rahe asked if the school board had provided any options. Rahe stated her reason for asking is what she is hearing on the street. Mayor explained that she approached Mr. Welker and asked for all the grass area between the park and the driveway. Mayor stated at this point the school board has not moved any further with it unless the soil boring serves it as a worthy spot. Mayor stated when she and the Village Water Superintendent met with Mr. Welker, he inferred that the school board was very amicable to giving the Village that property, but it may include the entire corner, including the building. Mayor stated if that were to be the case, Mr. Welker inferred they may want to lease the building back from the Village for a period of 8 to 10 years. Mayor stated their intention is to move the pre-school and administrative offices to the centralized campus. Mayor added that due to the preschool the school board does not want the water tower out back where the current playground equipment is located or at the corner of blacktop. Long and Mayor both stressed that this is very preliminary, allowing the Village to see if the location is even a viable location.

Long wanted to make note of a conversation the Mayor had with the Fire Chief after the water tower meeting regarding his preference that the tower stay centralized within the central heart of downtown area for the purpose of any future potential firefighting that would occur in downtown, at Bethlehem or the school. Long stated for what it is worth, that is one public official that wanted it to be known that he is highly preferential to it being centrally located and not pushed out to the extremities, or other locations mentioned because the path of water would be contorted. Rahe asked if Chief Martin's preference indicated BPA was not exploring other locations. Long stated they are always exploring and open to locations. Long stated the location behind the fire station was reconsidered. However, when Darmofal looked at it, there was a list of challenges on that site including overhead powerlines, underground infrastructure, and the continued fact there is a fair portion believed to be fill and he recommended not to spend funding to do boring. Long stated there are still options and wants to stress that no one has picked a location; the Village is simply looking at preferential locations in reverse order to build that list. Long stated as much as the Village needs to get this done in a hurry, this is not something we will see construction on anytime soon. Rahe stated she just wanted to be sure BPA was still looking at other options. Long stated BPA did discuss the concept of going to the east side of town on the other side of the tracks however it provides a lot of challenges because of the control that CSX has for that part of the right-of-way under the railroad tracks.

Funding Options: Long discussed the OPWC and ARPA funding options becoming available and that these projects require some stack ranking for the water, sewer, and electrical infrastructure. Long stated there was a lot of conversation on how to best rank these projects and what projects took priority. Long stated he would encourage the community to push for having projects engineered and shovel ready. Long stated projects get expensive quickly when paying out of pocket and that grant opportunities are critical and the Village needs to take advantage of them. Long stated both Darmofal and the Mayor are very good in that field. Long stated the list of projects submitted for grant funding in no order are the water tower, E. Front St. force main and waterline separation, phosphorus irrigation removal for the sewer plant, and the south end water loop, Long added that Hirzels voiced their concern if this project is not completed. Long stated the estimated cost for all projects is over 6 million and does not include the cost of waterline replacement and how grant funding is critical.

Electrical: Long stated BPA discussed with Tom Oberhouse and approved the light poles for Pember Grove. Long stated they match the poles downtown including the preform base.

Substation: Long stated the north substation is over 60 years old and is facing some significant challenges. Long stated there are several quotes for repairs on the table from different repair

providers, each quote providing a different scope. Long stated he had suggested to BPA to consider identifying a source to provide an inspection, an engineered repair scope, and a construction estimate which would allow the Village to seek funding and then bid the same scope to multiple providers. Long stated it could be asked to have the scope tiered based on good, better, and best and the number of years to have it fixed and identify the cost accordingly. Long stated Amp is a good resource to identify a provider for the Village based on our corrected scale.

Rate Increase: Long stated that for the Village to keep up with the cost of repairs to the infrastructure, there is a need for the Village to review how we are going to pay for them. Long stated the recommendation from RCAP is to create a rate schedule that is continuous. Meyer asked how the rate increase would be addressed. Mauk explained that Roberta at RCAP will prepare a rate analysis in hopes to have it ready by early fall.

Misc. Personnel Items: Long stated Kevin Osborn is working towards taking his Class 1 water test. Long stated BPA spent time discussing multiple vacation requests for the same day and making sure there is proper coverage for the plant checks.

Term Limit: Long reminded everyone this would be his last term and will not be running for re-election. Long encourages other council members to ask him questions about BPA.

Covid: Long asked if there was a plan B in place for meetings due to the increase in Covid cases. Mayor stated zoom has been cancelled but can renew if needed. Mayor stated she will also update the phone tree.

Planning Commission: Long stated due to a conflict with the fair there will be no meeting in August. Long stated Planning Commission did meet in July and worked through approximately 15 questions of the codification. Long stated the Mayor requested from American Legal Publishing sample legislation to further discuss chickens. Mayor added that due to the codification there are a lot of Ordinances that will be updated to blend with the Ohio Revised Code and a single Ordinance will be provided to the Village that will cover everything changed in the codification process. Mayor stated she had a few items to finish up and will be sending everything back to them.

Madaras:

Tree Committee: Madaras stated the Tree Committee met on July 14th and they continue to work on trimming, mulching and a list of stump grinding. Madaras stated they are working on finalizing the fall planting schedule and will have quotes soon. Madaras stated the next meeting is September 15th at 7:00pm located at Lockard residence.

5-Mile Race: Madaras stated he had painted the roads for the 5-mile yesterday. Madaras stated he will speak to Chief Darling about traffic control during the race and asked that the pool is also open.

Misc. Residential Concerns: Madaras stated that while out painting the roads for the race he ran into a few residents with some concerns and suggestions.

- Madaras stated he received multiple compliments on the trimming of the trail on the south end. Madaras stated individuals walking the trail feel much safer and can see without looking around brush. Madaras stated it was encouraged to continue the trimming all the way up to the carryout.
- Madaras stated multiple individuals have expressed the need to add stone to the recycling area.
- Madaras stated Memorial Park playground area needs mulch. Madaras added this is a good one to submit on the park grant.
- Madaras stated multiple residents thanked Madaras and Council for the informational meeting regarding the water tower. Madaras stated these individuals also encourage the Village to be cautious when listening to the loud minority.
- Madaras stated the other concern is monitoring speed on Water St., Front St., and College Ave.

Mazur:

Park and Rec: Mazur stated the Park and Rec Committee met on July 26th. Mazur stated the manager attended to discuss and make the Committee aware of an incident at the pool with a lifeguard that has been resolved. Mazur stated it was recommended to think about hiring a schoolteacher as the pool manager next year. Mazur stated Megan will provide a list of lifeguards for next year. Mazur stated they are hoping to have roughly 10 lifeguards for next year.

Park Grant: Mazur stated the Committee will begin working on a park grant and submit three projects. Mazur stated the projects they are looking at are a skate park, splash pad, and guardroom refreshing. Mazur explained the guardroom was in rough shape and could use some paint and sprucing up.

Pool: Mazur stated the pool will be open from 7 to 9 the night of the 5-mile race. In addition, Mazur stated the pool had not been open during the fair in the past but this year it will be open Wednesday, Thursday, and Friday from 1pm to 5pm the week of the fair.

Meyer:

No report.

Mayor:

Recycling Area: Mayor reported there was a hole in the recycling truck causing piles of broken glass throughout the recycling area. Mayor stated she did put up barricades and closed signs while waiting for the area to be cleaned. Mayor stated she contacted the company, and it will be taken care of.

Trash Cans: Mayor stated the new trash cans have been delivered. Mayor stated Stoney Ridge is taking the old trash cans.

Christmas Wreaths: Mayor stated there are 12 5-foot Christmas wreaths at the old street garage that she is trying to get rid of. Mayor stated Luckey does not have a place to store them and Bradner is thinking about it.

American Rescue Plan Act Funds: Mayor stated ARPA was passed over a month and a half ago with the government announcing a week ago the grants that would become available but provided no guidance until yesterday. Mayor stated the deadline is August 17th; Mayor stated she and the engineer put together 4 proposals in February for the EPA. Mayor stated ARPA is being handled through the Wood County Engineers office and a lot of the information gathered for the EPA will apply to these. Mayor stated the Village will apply for 3 construction grants for the water tower, E. Front force main and waterline separation, and south water loop, and 2 design grants for the water tower and to replace all the WPA-pipes. Mayor stated the order in which the projects were placed last night was to help the engineer's office and once scored at the Engineers office the Village will re-apply to the Department of Development. Mayor stated the Village should receive an answer within 45 days from submission.

Pool: Mayor stated she spoke with someone at Rain Drop products out of Ashland, to get ideas and cost for a splash pad. Mayor explained the pool received \$50,000 from Opelt's Estate and the thought is to replace the kiddie pool with a splash pad.

Free Fair: Mayor stated the Pemberville Free Fair is August 18th through 21st.

Car Show: Mayor stated there is a car show Thursday.

Animal Shelter: Mayor stated she received a call from the Assistant Prosecutor, they have been able to get a solid address on the owner, so the health department has served the owner with the violations.

Guest:**Gene Steel:**

Gene volunteered to smooth out the recycling area. Mayor stated she will check and let him know.

Harold McArthur: McArthur asked how big a tree must get before the Village will remove the tree. McArthur currently has a walnut tree located on Hickory St at the alley that is causing issues and would like to see it taken down.

Mayor Bailey adjourned the meeting at 9:05 P.M.

*Audio recording and attachments of the meetings are available upon Public Records request.