

RECORD OF PROCEEDINGS

Minutes of

BARRETT BROTHERS - DAYTON, OHIO

Meeting

Form 5101

Held

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20th REGULAR COUNCIL MEETING

October 22, 2019

The 19th Regular Council Meeting was called to order by Mayor James B. Waller after the Lord's Prayer and the Pledge of Allegiance were said.

All Council Members present.

Guests: Donna Snyder

Motion to approve the Minutes of the 19th Regular Council Meeting held October 8, 2019 was made by Councilman Boldizar seconded by Councilman Hannen. All voted yea.

Administrator: The application for Random Road has been submitted and they are waiting on a decision.

Mayor: Congratulated Phil Turske on his wedding and their new house.

Service Director:

Street Dept.:

- Hillview storm sewer project completed.
- Preparing equipment for leaf pick-up approximately the first week of November.
- Bowman Tree Service will charge \$25/leaf load this year.
- D. Galay doing plumbing repairs in police department and village hall.
- Bowman Tree Service is putting tree in front of 118 Bonnieview on schedule.

Water Dept.:

- Letter sent to Minerva Dairy requiring a "Reduced Pressure Principle Backflow Prevention Device" to be installed on water service line by 12/30/19.
- Winterizing Park and Cemetery hydrants and fountains.
- Water main break 10/22 on West St.
- Working on Cross Connection Control Program for OEPA, due by 11/04/19.
- Working on Asset Management Plan.
- Flushing hydrants on October 26, 2019.
- Locating lines on W. Lincolnway for waterline project.

Waste Water Dept.:

- Minerva Dairy has been dumping increased solids into the sanitary sewer system. Increased solids were noted on 10/10, 10/13, 10/16, 10/18 and 10/19. Increased solids loading is requiring more wasting, increased press operation, increased overtime and increased sludge landfill disposal. With increased dumping by Minerva Dairy, WWTP effluent has tested in excess of 7mg/L Phosphorus. Limit is 1 mg/L. Samples are normally .5 mg/L. WWTP plant is again requesting a composite sampler and flow meter be installed at the dairy location to adequately bill for incidents. Dairy dumped sludge into sanitary sewer 7 times this month.
- Would like to begin billing Minerva Dairy surcharges per ordinance 925.07. Currently they are billed per occurrence when data is received (Minerva Dairy is required to report flow data from flow meter 2 times per year).

Park Dept.:

- Received handicapped swings purchased by the Rotary and Minerva Firefighter's Association. They will probably be installed in the spring.
- Winterized Park restrooms.
- Removed engine from Ferris mower, preparing to install new engine.
- Preparing spots for installation of new park equipment bought by grant.

Cemetery:

- 22 burials to date this year.

Swimming Pool:

- Pool has been winterized.
- Bath house will be winterized in the upcoming weeks.

Zoning:

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- Beiling property: Contacted about trimming around pond, wife reported Chuck had a health issue on 10/13, he will get to it as soon as he can.
- 102 W. Lincoln Way - high grass.

Miscellaneous:

- Lincoln Way water main contract documents are complete. SET, Inc. intends to start project in late October.
- In communication with TGC Engineering on expected change orders of Lincoln Way water project.
- In communication with TGC Engineering in reference to N. Market water line project. The plans have been sent to the Ohio EPA for review.
- Winter snow and ice on call list complete.
- After hour call out list by department complete.

Councilwoman Stoller noted that the cemetery trash cans need to be emptied. JT Williams replied that the guys were off on Friday and Monday, but he will see that it's done. Councilwoman Stoller said that the Rotary Park slide still only has 1 bracket. Councilman Boldizar asked if we were going to open up bids for the cemetery mowing. Mr. Turske noted that we still have 1 year left on the contract. Councilman Tarbet said that we have the option to cancel at any time. Councilman Boldizar said that he gets a lot of calls about the mowing. Mayor Waller asked if the West St. water line was only a little over 1.5" in part. Mr. Williams replied yes and that it may be something we need to look at replacing soon. Mayor Waller noted that there are about 5-6 patches in the road. Mr. Williams replied that those are gas cuts as there is a high pressure gas line that goes through there. We've only had a waterline break 1 other time in the past few years.

Attorney Battista: No Report

Mayor Waller: No Report

Old/New Business

Ordinance No. 29-19 an ordinance amending section 157.04 and sub-section 157.05(a) of the codified ordinances of the Village of Minerva to modify the language to qualify for life and health benefits, and declaring it an emergency.

Motion to hear first reading of Ordinance No. 29-19 was made by Mayor Waller seconded by Councilman Boldizar. Councilman Hannen, Councilman Tarbet, and Councilwoman Stoller all voted no. Mayor Waller and Councilman Boldizar voted yea. Motion to have first reading failed.

Councilman Hannen asked if this was pertaining to the Police Department shift change. Attorney Battista said yes. Councilman Boldizar stated that Attorney Battista told them last week that the Police Dept. changing their hours doesn't require a Council vote. Attorney Battista said right, that the Chief is really the one in charge of his department and he can set hours. But we brought it to Council's attention because we needed to address our ordinance so that the police dept. can still qualify for health insurance benefits. Councilman Tarbet said that he doesn't think like they're getting the whole story. He knows that it's not their responsibility, but the coverage is not the same. In some places there's only 1 officer on duty not 2, which is how it is now. And he's concerned the willingness of officers to come in on their weekends off will become a challenge. And he knows that Chief Miller cited the study, but he wants to know what police departments did the study and if those departments went to these shifts. Councilwoman Stoller asked how it would affect us. Councilman Tarbet would like to know a little more. And it doesn't really affect this. Councilman Hannen said that we're only passing this so that they can do the shift change. That they can't do the shift change if they don't pass this. Councilman Tarbet said that he could, but it would revoke their benefits. Councilwoman Stoller said that on Tuesdays there's an 8 hour window that there's only 1 officer on duty and on Sundays, there's a 4 hour window. Councilman Tarbet said he's really worried about getting full time staff to work on their weekends off for a call off. He said that he guesses Councilman Hannen is right, that this ordinance does affect their shift change. Councilman Hannen said that, "We kinda lose our leverage if we pass this. He can do whatever he wants at that point. So if we want to have more discussion with him, I'm ok with passing as an emergency, but let's wait until next meeting so we can have him in here so he can answer these questions." Mayor Waller asked if they wanted to pass it tonight. Councilman Hannen explained, "If we pass it tonight, there's no reason he needs to come in and talk to us at all." He's not saying that he would do that. Councilman Tarbet said he's not second guessing what he and his people want to do, he's just not sure. Councilwoman Stoller said that their priority is officer safety. Councilman Tarbet said, "And the financial piece behind it. And again, did the people of the departments that commissioned the study, what did they do? How did it work out for them? Did they save overtime if they did it? I just feel we don't have all the pieces here to make, I don't know, it just doesn't feel right to me right now about it." Mayor Waller suggested they pass it tonight and set up a meeting with the Chief about it for questions. Councilman Tarbet said, "The only thing is that he can go forward without us if we pass it. He doesn't have to answer." Mayor Waller said that he doesn't believe he would do that. Councilwoman Stoller said she would like to have more details on this as well. She's worried about the officers safety and how this is all going to work and how it affects the village. Mayor Waller asked, "You don't think he doesn't, he worries about that?" Councilman Tarbet said, I think he's worried about their safety. I don't think he's malicious in worrying about their safety. Is it the right thing for the village? And if we see it is the right thing, then

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there's no questions asked. We're not trying to run his department, that's not what we're trying to do. Just trying to make sure that we have the answers.

Mayor Waller stated that they will set something up with the Chief. He asked Attorney Battista if we could just bring this back up if everyone gets answers and he said yes that we could pass by emergency at the next meeting.

Resolution No. 30-19 a resolution accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the county auditor.

Motion to approve Resolution 30-19 was made by Councilwoman Stoller seconded by Councilman Hannen. All voted yea.

Finance Director, Patti Willoughby, stated that this is something we have to do for Stark County each year.

Ordinance No. 31-19 an ordinance authorizing the Village Administrator to enter into a contract for the purchase of one 2020 Ford Police Interceptor Utility AWD Base (K8A) through the State of Ohio Cooperative Purchasing Program Department of Administrative Services, General Service Division, Office of State Purchasing, and dispensing with the competitive bidding process in accordance with Section 735.053 and 125.04 (B) of the Ohio Revised Code. First Reading

Motion to hear first reading of Ordinance No. 31-19 was made by Mayor Waller. There was no second.

Mayor Waller asked if that meant that we weren't going to buy a cruiser. He asked if anyone had any ideas on purchasing a police cruiser. Councilman Tarbet said he looked at this and he knows that Chief Miller was worried about them being hybrids. He also said that his understanding is that the state bid for this vehicle isn't due back to the state for bidding until November 6. So this car is not out there under the administrative services for state purchase. So, looking at it from the price that Loudon's gave him, we're looking at a budgeted police cruiser that's going to top out at about 50 grand including upfitting. He would like to see us look at other options of vehicles to use. At 50 grand a piece, we're probably not going to be able to buy one every year. He believes there are other options out there. But he's not comfortable doing it now because we're quoting a thing in the ordinance that's really not true. It's not out there at state bid yet. Councilman Hannen said that our oldest cruiser has 80,000 miles on it. He understands that 30 years ago, 80,000 may have been a lot of miles on a vehicle, but today it's not. He thinks that we can go a year on, year off, basis on purchasing cruisers. He understands having quality equipment and keeping our guys safe and keeping maintenance costs down, but 80,000 miles is nothing on a vehicle any more. Councilman Boldizar asked if we budget one car per year. Finance Director Willoughby said yes that we've budgeted \$40,000 in the past. Councilman Tarbet said it's going to be closer to \$50,000. now. Councilwoman Stoller asked if we get could a few more quotes for the upfittings as well. Patti Willoughby said that Chris Miller said that was going to happen. That he wanted to buy 2 cars at the old price and not buy a more expensive car this year. Councilman Tarbet said that Chief Miller was very up front about that. Patti Willoughby said that Council decided only to get one. Village Administrator said that in Lorain they did a capital lease program with their cruisers so they're on a 5 year lease. He tried to reach out and was unable to get in touch with someone. The companies do all of the maintenance in the lease. He believes that if we're going to switch plans or vehicles that we should look at all of the options. Mayor Waller said that we can discuss this prior to our next meeting.

Motion to approve the upfitting of the police cruiser with Hall Public Safety Upfitters at a cost not to exceed \$12601.33. Mayor Waller noted that we don't need this motion because we won't have the car to put the stuff on. So it needs to be put back on the agenda when we decide what to do with Ordinance 31-19.

Councilman Tarbet noted that the property on Bonnieview that has several jet skis that the owner claims are his, that the owner owns a jet ski company, that he believes are beyond the zoning limits. That they may be fixing the jet skis there which isn't part of the zoning ordinance. Under the ordinance, can he rent that as storage for his jet ski owners? We need to contact him.

Councilwoman Stoller asked if the next meeting could meet at 6:00 for discussion of the employee handbook. Councilman Tarbet asked if it could be at 6:15? Everyone agreed. She then asked Service Director Williams about the house at 312 Murray and its status. Mr. Williams said that he has going to follow up. Patti Willoughby said there is a new owner and she will get the information to JT. The new owner is very willing to sell. Mr. Williams will contact him.

Mayor Waller announced Trick or Treat times as well as the parade and community building festivity times.

Motion to adjourn made by Councilman Hannen seconded by Councilman Boldizar. All voted yea.

The next Regular Council Meeting will be held November 12, 2019 at 7:30 p.m. in Council Chambers.

Attest:

Brenda Albaugh, Clerk of Council
(minutes taken by Patti Willoughby)

James B. Waller, Mayor