

Regular Council Meeting of June 7, 2021

- A. Mayor Duane Poudier opened the meeting at 6:00 P.M.
- B. The Lord's Prayer was recited.
- C. The Pledge of Allegiance was recited.
- D. Roll call was taken with Michael Coning, David Champ, Eric Rust, Chiane Tedrow, Brad Horsley and Nicole Whitesel was present.
- E. **Consent Agenda:**
 - 1. Approval of the Agenda
 - 2. Department Head Reports
 - 3. Accounts Payable with "now and then" May 1-31, 2021
 - 4. Statement of Balances June 1, 2021
 - 5. June 1, 2021 Municipal Income Tax Report
 - 6. June 1, 2021 Debt Report
 - 7. General Fund and Payroll Bank Statements
 - 8. Village Council Minutes May 3, 2021

Councilman Brad Horsley motioned to consent of agenda and Councilman Eric Rust seconded. The voice vote passed unanimously.

Councilman Brad Horsley motion to move the Public Hearing to the beginning of the meeting and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Public Hearing:

Hearing beginning at 6:02 P.M.

The Zoning Appeals Board (Council) will hear the following request: To rezone lot number 125 Parcel Number H33211329030312500, consisting of 3.661 acres on Melvin Eley Avenue from R-1 to R-2.

Barbara Clevenger asked the property owner Geoff Surber why he has not been mowing the property. Geoff Surber stated it is CAUV agriculture, someone will be mowing soon.

Tom Clevenger, 406 Water Street, stated he has concerns regarding the parcel. In the past he was told it would be an apartment building for seniors, and then was told public housing and now being told it will be condos. If condos, will they Home Owners Association management and who is the manager. Is everyone on their own? Will it be age designated, handicap assessable and does the Village have any proof or are they going to inspect for quality. My opinion is "put your money where your mouth is" give the

Village \$100,000.00, if they do not go up, the Village has \$100,000.00, if goes as planned, money to be returned. Councilman Brad Horsley stated the person who owns the property is not the person who is looking to build the condos. Councilman Eric Rust stated that he drives by fields in this town daily that are agriculture, nothing we can do. Mayor Duane Pouder stated the Village will not request any monetary donation, cannot legally do. Councilman Eric Rust stated the potential owners take very good care of their properties. Barbara Clevenger asked is it going to be restricted to 55 and older. Jeremy North stated it can only improve the neighborhood properties. Mayor Duane Pouder also stated that some of his best neighbors were younger. Young people want to improve their properties. Councilman Eric Rust commented that if you do not like who moves in behind you, you can allow put up a privacy fence. Residents must follow the rules of the association; the Village needs to accept any opportunity with open arms. Zoning Chairman Homer Stammen stated the Village need to act on this before the potential buyers cannot afford to build due to rising costs of building materials. Councilman Brad Horsley motioned to change the zoning from R-1 to R-2 on lot number 125 Parcel Number H33211329030312500 consisting of 3.661 acres on Melvin Eley Avenue and Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously.

Public Hearing ended at 6:19 P.M.

F. Village Citizens:

Jeremy North, owner of 605 E. Elm Street is requesting permission from council to set a dumpster on the road in front of the property. The dumpster cannot be placed at the back of the property. He informed council the property has been rented for a business. Councilman Eric Rust asked that he place a piece of plywood under the dumpster to prevent damage to the asphalt. Councilman Eric Rust motioned to approve the request to place a dumpster on the road at 605 E. Elm Street and Councilman Brad Horsley seconded. The voice vote passed unanimously.

Mike Bowers, Darke County Economic Development informed council they are working on a 1/3/5 year plan. The Darke County Commissioners have voted to pay for membership with Miami Valley Planning; this will come out of economic development dollars. The County Commissioners have approved legislation to improve rural internet access. We are currently putting together a committee for rural internet access.

G. Project:

Mike Bruns from Mote and Associates presented council with a project status update.

1. Detention Pond Modifications-Contracts were signed with Tom's Construction. A preconstruction meeting is being scheduled.
2. Street Maintenance Plan-A work session needs to be set up with members, Council members Eric Rust, Brad Horsley and Dave Champ volunteered to be on the committee along with Mayor Duane Pouder, Utility Supervisor Rick Reichard and Village Administrator/Fiscal Officer Karen Stubbs. A meeting will be scheduled for sometime this month.
3. Sanitary Sewer Rehabilitation-Manhole castings reinspection completed May 25, 2021 with incidental work remaining. Mote and Associates waiting on sanitary lining videos

from Granite Inliner to finalize approval and payment. Evaluate trunk sewer east of town under railroad of vitrified clay, approximately 568’.

4. Storm Sewer Map-Quote to be provided prior to July meeting.

5. Water Treatment Plant-Waiting on conference call set-up from Ohio EPA regarding funding offer.

Mayor Duane Pouder asked if any discussion has happened between them and the gas company. Mike Bruns stated the gas company will be replacing gas lines in Ohio next year.

H. Administrative Reports:

Mayor Duane Pouder the Muriel Celebration was well attended. He also stated that he received a letter from Mike and Sandy Grim, which will be passed around, they had some water issues and was very appreciative of the work of Tonya, Karen and the Street Department in resolving their issue.

I. Committee Reports:

Zoning Committee reports are in council’s packet.

J. Ordinances and Resolutions:

Ordinance 2020-14-Amended-Emergency Reading-“AN ORDINANCE ENACTING AN EXTERIOR PROPERTY MAINTENANCE CODE FOR THE VILLAGE OF UNION CITY, OHIO”, and declaring an emergency. Councilman Brad Horsley motioned to declare an emergency, suspend the rules and advance by title only and Councilman Michael Coning seconded. The voice vote passed unanimously.

Ordinance 2020-14-Amended-Second Reading-“AN ORDINANCE ENACTING AN EXTERIOR PROPERTY MAINTENANCE CODE FOR THE VILLAGE OF UNION CITY, OHIO”, and declaring an emergency.

Ordinance 2020-14-Amended-Third Reading-“AN ORDINANCE ENACTING AN EXTERIOR PROPERTY MAINTENANCE CODE FOR THE VILLAGE OF UNION CITY, OHIO”, and declaring an emergency. Councilman Michael Coning motioned to pass Ordinance 2020-14-Amended as an emergency and Councilman David Champ seconded. The voice vote passed unanimously.

Ordinance 2021-12-Emergency Reading- AN ORDINANCE DECLARING A 2007 DODGE S15 VIN NUMBER 1D7HU16P17J591273 and declaring an emergency. Councilman Michael Coning motioned to declare an emergency, suspend the rules and advance by title only and Councilman Brad Horsley seconded. The voice vote passed unanimously.

Ordinance 2021-12-Second Reading- AN ORDINANCE DECLARING A 2007 DODGE S15 VIN NUMBER 1D7HU16P17J591273 and declaring an emergency.

Ordinance 2021-12-Third Reading- AN ORDINANCE DECLARING A 2007 DODGE S15 VIN NUMBER 1D7HU16P17J591273 and declaring an emergency. Councilman Brad Horsley motioned to pass Ordinance 2021-12 as an emergency and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

Ordinance 2021-13-Emergency Reading-“AN ORDINANCE AUTHORIZING THE VILLAGE FISCAL OFFICER TO TRANSFER FUNDS FROM GENERAL FUND 101 TO DEBT SERVICE FUND 390 AS APPROVED IN THE 2021 VILLAGE APPROPRIATIONS FOR THE DEBT PAYMENT TO OPWC IN JULY”, and declaring an emergency. Councilman Brad Horsley motioned to declare an emergency, suspend the rules and advance by title only and Councilman David Champ seconded. The voice vote passed unanimously.

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K. Old Business:

1. New Vehicle for Public Service Department-SVG cannot provide as quoted, update from Rick Reichard, Utility Supervisor. Dave Knapp can provide a 2022 ¾ ton pick-up truck with V-plow for \$38,700.00, delivery in September. Basic truck with no extras. Councilman Eric Rust motioned to approve the purchase of a 2022 Ford ¾ ton pick-up with plow in the amount of \$38,700.00 and Councilman Michael Coning seconded. The voice vote passed unanimously.
2. Update on cat population in Village-Councilwoman Chiane Tedrow has been communicating with the Darke County Humane Society, they currently have a program that they pay ½ the cost to spay or neuter the cats and the Village pays ½ of the cost. There are grant programs available also. The Humane Society will provide the traps and transport the cat to the Veterinarian’s office. Councilwoman Nicole Whitesel asked if there was a limit on how many. Councilwoman Chiane Tedrow stated no as long as the money is available.
3. Dumpster at Knollwood Commons-A citizen complained about trash from the dumpster. Zoning Chairman Homer Stammen stated they were in compliance with zoning; a fence is erected around the dumpster. The problem is the dumpster lid is being left open. Councilman David Champ also stated the fence is down in some places. Zoning Chairman Homer Stammen to go back down and inspect, pictures were taken initially and no fencing was down.

L. New Business:

1. Bid Opening for 2007 Dodge Pick-up.

a) received 6-7-2021 at 7:41 A.M.-StructuredD-\$8,753.00

b) received 6-7-2021 at 10:05 A.M.-Village of Ansonia-\$8,500.00

Councilman Michael Coning motioned to accept the bid of StructuredD in the amount of \$8,753.00 and Councilman Eric Rust seconded. The voice vote passed unanimously.

2. Public Service Department-Employee Doyel Daniels will be on leave for a medical BWC claim, summer help mowing. Rick Snyder, Village water/sewer consultant has offered to work part-time assisting the Public Service Department on contract at \$15.00 per hour; he would be responsible for all taxes.

Ordinance 2021-14-Emergency Reading-“AN ORDINANCE AUTHORIZING THE MAYOR AND VILLAGE ADMINISTRATOR/FISCAL OFFICER OF THE CORPORATION OF THE VILLAGE OF UNION CITY, OHIO TO ENTER INTO A CONTRACT WITH RICK SNYDER FOR MOWING SERVICES FOR THE PUBLIC SERVICE DEPARTMENT” and declaring an emergency. Councilman Brad Horsley motioned to declare an emergency, suspend the rules and advance by title only and Councilman David Champ seconded. The voice vote passed unanimously.

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3. Council needs to adopt the mid-year budget for the Village. Councilman Brad Horsley motioned to adopt the mid-year budget for the Village and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously.

4. Application Christopher Widener-Fire/Rescue-Councilman Brad Horsley motioned to approve the application of Christopher Widener for Fire/EMS and Councilman David Champ seconded. The voice vote passed unanimously.

5. Dylan Bush-has completed his probationary employment. Councilwoman Chiane Tedrow motioned to move Dylan Bush to regular employee with a \$.50 raise and Councilman Brad Horsley seconded. The voice vote passed unanimously.

6. Purchase Order Requests:

Police Levy-John Jones Auto Group-\$31,837.00-Councilman Brad Horsley motioned to issue purchase order to John Jones Auto Group in the amount of \$31,837.00 and Councilwoman Nicole Whitesel seconded. The voice vote passed unanimously. Public Service-Rowland Truck & Equipment-\$3,312.50-Councilman Brad Horsley motioned to issue purchase order to Rowland Truck & Equipment in the amount of \$3,312.50 and Councilman David Champ seconded. The voice vote passed unanimously.

M. Emergency Business/Ordinances: None

N. Call of Council:

Councilman Eric Rust asked if the Village had a program in place to inspect Village owned property such as trees. Utility Supervisor Rick Reichard stated we do not. Councilman Eric Rust asked if this was something that maybe we need to look at and adopt a bi-annual inspection of the Village owned property looking at trees and concrete that may cause a trip hazard. Councilman Eric Rust also brought up the condition of the electrical power boxes at the park. Utility Rick Reichard stated they were vandalized, all power has been shut off and the breaker box is padlocked. Since they are not going to replace, they will strip the wiring out of the conduit.

Councilwoman Nicole Whitesel asked when the Public Service Department was going to work on pot holes. Utility Supervisor Rick Reichard stated next week. Councilwoman Nicole Whitesel also asked about the leak on Maple Street. Utility Supervisor Rick Reichard stated it has been fixed and the water has dried up.

Councilwoman Chiane Tedrow stated Ashley Austerman from Mississinawa School wanted to thank everyone who showed up and for their support of the Muriel.

Utility Supervisor stated the sewer lines had to be replaced at the Fire Department he wanted to thank Heath from Mote and Associates for all his help.

O. Communications and Announcements:

P. Executive Session:

Q. Adjournment or Recess:

Councilman Brad Horsley motioned to adjourn, and Councilwoman Chiane Tedrow seconded. The voice vote passed unanimously. Council adjourned at 7:33 P.M.

Duane Pouder, Mayor

Karen Stubbs, VA/Fiscal Officer

