

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held

October 15, 2012

Mayor Conley called the regular meeting of Council to order at 7:00 pm with the Pledge of Allegiance. Roll call was requested with the following members present: Don Douglas, Bill Eberle, Jon Fickert, Angela Petersen, Jim Seaman and Donna Wendt-Elliott - excused.

Minutes of the October 1, 2012 meeting stand approved with the correction under Mayor's report revitalization spelling correction, under Parks Committee the Cot Lot should read Tot Lot, Parks Committee Randy is working on a drawing should read Randy is working with the committee.

Privileges of the Floor:

None

Mayor's Report: Apple Festival this past weekend was a success, the Mayor would like to thank all the Village crews and the many volunteers that make it happen.

Letter from the Planning Commission recommendation to the Village Council: Amendment to Title 15, Land Usage, Chapter 153 of the Codified Ordinances of the Village of Oak Harbor, Ohio, to Rezone Parcel No. 0271021014066400 and Parcel No. 0271021014067000 From Light Industrial District (LI) to Central Business District (CB), dated October 11, 2012. The Planning Commission held a Public Hearing to consider the request for rezoning of Parcel No. 02710210140664000 and Parcel No. 0271021014067000 property formerly owned by The Gordon Lumber Co., and currently owned by Snyder Real Estate Ltd., commonly referred to as 127 & 133 S. Locust St., from Light Industrial District (LI) to Central Business District (CB). Following the Public Hearing, and after discussion and deliberation, the Planning Commission does recommend to the Village Council of the Village of Oak Harbor, to Amendment Title 15, Land Usage, Chapter 153 of the Codified Ordinances of the Village of Oak Harbor, Ohio to rezone Parcel No. 02710210140664000 and Parcel No. 0271021014067000 from Light Industrial District (LI) to Central Business District (CB).

At this point it has been recommended to Council that they change the zoning, council needs to set a public hearing. Mr. Barney explained that the public hearing has to be no more than 40 days from October 15th which is when Council received the recommendation from the Planning Commission. The Village needs to give a 20 day notice to the adjoining land owners 20 days before the hearing. Mr. Barney suggested that Council have a public hearing on November 19, 2012 before the regular council meeting. Discussion took place on the time of the public hearing with a decision to make the public hearing on November 19, 2012 at 6:45 p.m.

Police Report – Chief Weirich was excused from the meeting.

Fiscal Officer's Report: Mrs. Carpenter reported she will be adding to the temporary appropriations resolution to the November 5th agenda.

Income Tax Administrator's Report: None

Village Administrator's Report: Mr. Pauley's report was included with the agenda.

Solicitor's Report: None

Business of the Meeting:

Letter of recommendation for the Library Board appointment, the Library Board is recommending John Liske. John Fickert moved, seconded by Angela Peterson that Council accepts John Liske for the appointment to the Library Board. On roll call Mr. Fickert voted yes, Mrs. Peterson voted yes, Don Douglas voted yes, Bill Eberle voted yes, Jim Seaman voted yes. Motion carried.

Mayor asked Mrs. Carpenter to call the Library to let them know of the appointment and if the Mayor would need to administer the Oath of Office to Mr. Liske.

RECORD OF PROCEEDINGS
OAK HARBOR COUNCIL

Minutes of

Meeting

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Third Reading or Ordinances and Resolutions:**Second Reading or Ordinances and Resolutions:**

Ordinance No. 15-2012 A Ordinance providing for a pay increase for the Village Council, and the Mayor of the Village of Oak Harbor.

Mrs. Peterson asked if the amounts were voted on or was it discussed in a prior meeting. The Mayor said it came from prior minutes, Mr. Barney confirmed it came from the minutes. Mrs. Peterson discussed that the amounts for PERS changed the figures for credit for a full credit verses a partial credit for a month. Mrs. Peterson suggested that Council look into raising the Mayor to the limit to get the full credit and Council getting a half credit with PERS. There was discussion on changing the ordinance before it is passed. Mr. Fickert pointed out that Council needs to make sure that the amounts are within range of the prior pay ordinance.

First Reading or Ordinances and Resolutions:

Ordinance No. 16-2012, An ordinance amending Ordinance No. 01-2012, to make appropriations and other expenditures for the Village of Oak Harbor, State of Ohio, during the fiscal year ending December 31, 2012.

Mrs. Carpenter explained that for this ordinance the Village received a loan from OWDA, therefore it is needed to amend the appropriations to include the money received from the approved loan. Mrs. Carpenter explained there are two different aspects to this ordinance, one being the loan and the other is a decrease of various accounts to be more in line with the revenue collection. Also the \$200,000 for the transfer out is no longer needed do to getting the loan from OWDA, so there is a reduction of the transfer out/advance in the General Fund of \$200,000 with the other side of that being the transfer out of the Sewer Fund back to the General Fund of \$200,000 reduction. The increase of \$70,000 for contractual services and the increase in Capital Outlay of \$298,976 is the amount is being adding to the appropriations from the OWDA loan proceeds. The total loan money received from OWDA was \$361,785.

Don Douglas moved, seconded by Jim Seaman to waive the three reading rule for Ordinance No. 16-2012. On roll call, Don Douglas voted yes, Bill Eberle voted yes, Angela Petersen voted yes, Jon Fickert voted yes, and Jim Seaman voted yes. Motioned carried.

Don Douglas moved, seconded by Jon Fickert to adopt Ordinance 16-2012. On role call Don Douglas voted yes, Jon Fickert voted yes, Jim Seaman voted yes, Bill Eberle voted yes, and Angela Petersen voted yes. Ordinance No. 16-2012 passed and will be published in the Ottawa County Exponent for the next two weeks.

Tabled legislation Ordinance NO 11-2012.

Mayor Conley started the work session at 7:18 p.m.

WORK SESSION

Council Committee Reports:

Safety Committee: Mrs. Petersen had a concern about St Boniface BBQ event with the temporary no parking signs. They were put up the morning of the event and were facing the wrong direction and they were in the middle of the street. Mrs. Petersen didn't know if the Village puts the signs out. The Mayor said that it was forgotten and put out at the last minute. Mrs. Petersen said they should be put out the night before and not put in the street and facing the way you can read them.

Street Committee – Mr. Eberle would like to thank Randy and his crew for the cleanup they did after the Apple Festival. Mr. Eberle thought it would be a good idea if he submitted a letter to the editor for the street levy. Mr. Eberle read the letter that he would like to have published. Mr. Fickert suggested that the Solicitor review the letter before submitting it to the paper. Mr. Barney had done a press release that was forwarded to the Exponent and the Exponent said it was too legal for a press release and ran it as a classified ad. The Mayor made note that the Village did not pay for the classified ad.

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Utilities Committee – Mr. Fickert reported that he and Donna Wendt-Elliott attended the RCAP Financial Management for local officials they received a book from the class, it was a useful class. Mr. Fickert also attended the Utility Management Class for local officials. Mr. Fickert mentioned there is a need for three out of the six council members to take the course. Mr. Fickert informed Council that they can go to OhioEPA.360water.com online for RCAP. Mr. Fickert said if you take it online there are two courses and each one consists of three one hour segments. Mr. Fickert explained that Council would not have to do all the course material in sequence they could do a portion of the course and go back at a later time and finish. When the course is finished the council member that takes the course will receive a certificate. If the Village were to apply for principal forgiveness the Village would need to have at least three people take the course and it would be good for five years. Mr. Fickert explained that if a member of council would take the course online they would not receive the book they would need to download the information in PDF format. The Mayor asked who we would have as additional council members do the course so the Village could fulfill the requirement. Mr. Eberle and Mr. Seaman are planning on taking the course and Mrs. Wendt-Elliott will need to complete the second half of the course.

Mr. Fickert asked if anyone had any comments regarding the proposal solar agreement. Mr. Fickert mentioned that the consultant and the village solicitor have been given the agreement to look at. Mr. Fickert noted that the Village is spending money to do something with it, he asked if council understood if that was what would be happening. Mayor Conley made the comment that at the last meeting he asked Rob Pauley to get the information to look at and that the village solicitor needs to invest time to look at it. Mr. Fickert wanted to point out to council that the Village is not just looking at the agreement but looking at the agreement to move forward. Mayor Conley said that the Village has not made any commitments with the agreement except the time that the village administrator and the village solicitor would spend to look at the agreement. Mr. Fickert pointed out that the consultant also has the agreement to review. Mr. Fickert said that he is not all for it, by 2020, 18 to 20% in the electric would need to be renewable and that is what it is today. If different people are elected into office it could change. The Village already meets that requirement so the Village is not under pressure to gain more. Traditionally people get these when they don't have that percent. The solar panels to Solar Planet are free, they get them from the government, the sun is free, and the land that the Village would give them is free. Mr. Fickert said that the Village pays four cents a kilowatt hour from coal plants, but would pay seven cents a kilowatt hour from Solar Planet that is getting the free panels, the free sun and the free land. Mayor Conley said that the Village is a part of AMP and the Village pays whatever AMP charges and the Village doesn't have the option to pay the four cents. Mr. Fickert said some of the Village's portfolio includes the four cents, half of what the Village would get is from that four cents as the Village has a seven cent average. One question was if the seven cents was based upon the median average or spelled out. Discussion continued on the proposal and its content. Concern that the company has not been in business very long and that the request for additional information has not been provided. Mr. Fickert has some concern about the agreement. Mayor Conley stated that the Village has an obligation to look into it and that council will make the final decision.

At the last utility meeting Mr. Fickert asked the Village administrator for a monthly report on the radio read meters. Mr. Fickert said that the Village had the consultant come in and the consultant informed the Village that they needed to do something about the meters. If the Village got new meters the Village probably would not need to increase the rates and may be able to reduce the rates. The residents that are not paying for all the water they are using, their cost would probably go up, other people who have a normal meter this would not affect them, it may even go down. Mr. Fickert did some research and checked with Gino Monaco with the County he had some ideas for the Village. What Mr. Fickert would like to do is get the administrator to give counsel a monthly report to see what the Village is doing on this project. Mr. Fickert gave three choices that the Village can do, and would like to explore all three. The administrator is interested in doing the AMI towers. The three choices are replace the old meters until they are all replaced and continue reading the meters the way the Village is reading them now that would be less expensive. Second the County uses radio read meters where they drive by. That is older technology. Mr. Monaco from the County told Mr. Fickert that the Village should be looking at the cost. Mr. Fickert would like to look at all the options. The Village would want water and electric to be read. The County would need to look into the matter to see if they could read the Village's meters for water and electric. The drive by may be able to be graded to a tower AMI in the future, that would need to be looked into. There are three basic options, replace the meters, get the drive by or get the tower. If the Village only looks at the AMI or not getting any reports then the Village is not moving in the direction which it needs to be moving which is replacing the meters. Mr. Fickert said that the administrator said he has checked the meters, Mr. Fickert is not sure that many of the meters have been checked. Mr. Monaco suggested to Mr. Fickert that the Village check ten percent, with that

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being a lot of meters to check, it then was suggested that three percent be checked. The Village should check the meters for accuracy, meters with an average household use and are up or if the meter is really old. That would give the Village an idea of usage. Mr. Monaco told Mr. Fickert that the 4500 usage that the consultant gave the Village for a family is low and the Village's use for a family is now averaging 2000. Mayor Conley asked if the Village has a master meter that meters the water that the Village is getting from Port Clinton. Mayor Conley said that the Village is not metering all the water. Mrs. Petersen asked if council was supposed to do something with the request from the administrator. Mr. Fickert asked if anyone had a chance to look at the request. Mr. Douglas said he was in favor of it as that is the way the consultant wants to go, that is what the Village could afford, taking the money out of the electrical fund, this takes out a loan from our self. Mr. Fickert is concerned with the cost. Mr. Fickert pointed out that when it was first discussed the Village was looking at \$750,000 and now it is up to 1.5 million. Mr. Fickert is interested in seeing all options and then making the best choice after seeing the options. Mrs. Petersen said that if there is something specific for the administrator to bring back to council? Does the administrator want something specific from council on this? Mr. Seaman said he would like to see a business come in for each option. Mr. Fickert would like more than one business per option. There was discussion on the different meters. Mr. Seaman said council should direct Rob Pauley to get proposals and have the companies come in and address the issue. Water is not only being lost electric is also being lost. With Rob Pauley not doing anything the Village is not going to get any payback, the Village needs to move on this as soon as possible. Mrs. Peterson clarified that council is directing Mr. Pauley to get to council proposals on all three options. Mr. Fickert would like to see a monthly report on the progress of checking into the meter replacement. Council needs information so they can make a determination. Mr. Douglas said a firm timeline on this being done needs to be set. Mr. Fickert said six months to a year the Village should be able to move forward. Mr. Monaco would bring this up at the next water utility meeting if anyone would like to go. Mayor Conley clarified that council would like to direct Mr. Pauley to bring to council information for all three options. Mr. Seaman would like to see a comparison chart. Mr. Fickert has concern that there may be ground leakage. Discussion as to the percent of loss that is meter related.

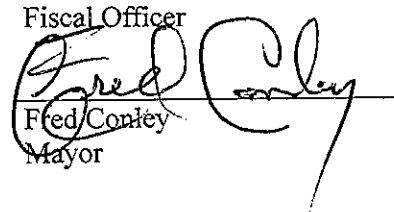
Mr. Fickert noted that in the last meeting there was discussion on the reimbursement of mileage for going the RCAP class and that it was asked that the rules and policy individual to come up the policy for the reimbursement. Mr. Seaman stated that the policy does reimburse for travel cost, however the policy does state that if the village car is available people are to use the village car for travel. If a person does use their own vehicle for travel they are to be reimbursed for mileage at the set rate allowable by the IRS. That is if the village car is unavailable. There was a question as to if tolls are reimbursed, it was noted they would be reimbursed. Mileage reimbursement will be discussed at the next meeting.

Other Business –

Mr. Fickert requested Executive Session at the next meeting as an update on the Executive Session on personal matters that was at a prior meeting for a progress report of what has happened.

Mrs. Petersen moved, seconded by Mr. Eberle to adjourn. With all members of Council present answering in the affirmative, meeting adjourned 7:53 p.m.


Debbie L. Carpenter
Fiscal Officer


Fred Conley
Mayor