

RECORD OF PROCEEDINGS
Lithopolis Village Council Meeting Minutes
September 13, 2004

Council met in regular session Monday, September 13, 2004 at 7:00pm.

Council Members Present: Vincent Argobright, Ginger Brenning, Terri Gilmore, & Michael Long

Council Members Absent: Linda Deem (arrived late), and Charles Finks

Others Present: Eric Sandine – Mayor, Jon Browning – Solicitor, Eric A. Long – Fiscal Officer, Mark Anderson – Village Administrator, & Patrick Gilfillen – Chief of Police

Mayor Sandine called the council meeting to order and led the Pledge of Allegiance to the Flag of the United States of America.

Fiscal Officer Long presented Council with minutes for the August 9, 2004 Public Hearing and August 9, 2004 Council meeting. Mayor Sandine asked if anyone had any questions, comments, concerns, or changes regarding the minutes presented. Fiscal Officer Long noted that he needs to insert the complete legal wording describing Ordinance # 20-04.

Vincent Argobright moved to approve the August 9, 2004 Public Hearing and August 9, 2004 Meeting Minutes as amended.

Second by Ginger Brenning.

Vote: Ayes: Argobright, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Mayor Sandine asked for Council input regarding when the Village should hold beggars night within the Village this year.

Terri Gilmore moved to hold Beggars Night on October 28th from 6:30 to 8:00pm.

Second by Michael Long.

Vote: Ayes: Argobright, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Fiscal Officer Long noted that he has three bills to present to Council tonight for their approval. They are as follows. \$34,867.05 to RD Zande for Water Plant & Tower construction observation, \$24,840.00 to CB&I Constructions for Water Tower construction, and \$21,966.84 to Canal Winchester Utilities for 2004 Debt payment. Fiscal Officer Long noted that the Zande and CB&I invoices are being paid with money received from the OWDA water plant and tower construction loan.

Michael Long moved to approve payment of the bills as presented by the Fiscal Officer.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Administrators Report – August 2004

2,333,500 gallons of water pumped from wells, 438 hours of operation, 40 water service repairs/maintenance, and 11 sewer service repairs/maintenance.

Police Report – August 2004

3,491 miles logged, 650 paid hours worked, 90 unpaid hours worked, 35 total citations, and 64 dispatched calls. Council member Argobright noted that it doesn't appear that the Village has officers on duty in the morning when the local kids are getting on the school bus. Mr. Argobright believes that the Village police department should have a presence during this time of day. Police Chief Gilfillen stated that he would check the scheduling and see what could be done and report back.

Council Member Linda Deem arrived.

Mayor Sandine stated that he has an update regarding the wireless internet grant. Mayor Sandine stated that Paula Dayoff who was hired to complete the grant application is unable to meet the grant deadline. Mayor Sandine stated that there are other options for funding the project and that he would explore them further and report back.

Solicitor Browning stated that the most recent offer to the Fridley's to purchase their property was accepted.

Ordinance # 23-04

An Ordinance authorizing purchase of real property located at 11820 Lithopolis Road not to exceed \$210,000.

Terri Gilmore moved to suspend the three readings rule.

Second by Ginger Brenning.

Vote: Ayes: Deem, Brenning, Gilmore, & Long

Nays: None

Abstain: Argobright

****Motion Failed****

Mayor Sandine asked Mr. Argobright if further discussion would change his mind. Mr. Argobright just stated that he wasn't sure that the property purchase was a good idea. Mayor Sandine reminded him that the barns around the property that are owned by Dominion Homes would be given to the Village as well as the property in question provides access to the park land being given to the Village by the developer.

Linda Deem moved to reconsider.

Second by Terri Gilmore.

Vote: Ayes: Argobright, Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Terri Gilmore moved to suspend the three readings rule.

Second by Michael Long.

Vote: Ayes: Argobright, Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Terri Gilmore moved to approve Ordinance # 23-04 and declaring an emergency.

Second by Ginger Brenning.

Vote: Ayes: Deem, Brenning, Gilmore, & Long

Nays: None

Abstain: Argobright

****Motion Carried****

Mayor Sandine stated that he has received a revised pre annexation agreement from Rex Williams. Mayor Sandine stated that the 3 properties to the North of Williams has asked to annex along with the Williams property.

Resolution # 07-04

A resolution to provide sewer services, water, police, and franchised solid waste pickup services to the territory to be annexed and owned by Rex F. Williams and Michelle R. Williams, and Gregory B. Drake and Nancy L. Drake annexing petitioners and repealing resolution # 05-04 and declaring an emergency.

Michael Long moved to suspend the rules.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Michael Long moved to approve Resolution # 07-04 and declaring an emergency.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Mayor Sandine stated that he has an updated pre-annexation agreement for the Williams property. Mayor Sandine stated that the previous agreement stated that if anyone else that wanted to join the annexation could. Mayor Sandine stated that the three properties to the North are owned by the Drakes and that the new pre-annexation agreement incorporates their names. Mayor Sandine stated that the agreement needed amended to include the Drakes and their property and repeal the previous ordinance that accepted the pre-annexation agreement with the Williams'.

Ordinance # 24-04

An Ordinance approving and accepting a pre-annexation agreement and repealing Ordinance # 14-04 and declaring an emergency.

Vince Argobright moved to suspend the rules.

Second by Ginger Brenning.

Vote: Ayes: Argobright, Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Michael Long moved to approve Ordinance # 24-04 and declaring an emergency.

Second by Vincent Argobright.

Vote: Ayes: Argobright, Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Council Member Vincent Argobright needed to leave.

John Grosse of RD Zande arrived. John stated that the preliminary platt for the Edgewood Subdivision should be rejected by Council. John stated that there are numerous things that need fixed and none are simple corrections. John stated that the developer would need to go back to the drawing board so to speak and start over.

Ginger Brenning moved to disapprove the Edgewood Subdivision platt.

Second by Michael Long.

Vote: Ayes: Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

John stated that the new water plant is on target for a start up date of September 28,2004.

John stated that he has several change orders for the water plant. John stated that there is a \$100,000 contingency amount built into the water plant loan and so far only 1,000 of that has been used. John stated that the following change orders would come out of that contingency amount and are as follows.

911 Alarm System \$ 5,222.52

Change existing wells to 240V \$ 3,287.55

Additional fencing and gates \$ 14,565.00

Sidewalk \$ 3,600.00

Delete painting block walls, just waterproof (Minus \$ 1,680.00)

Paint water plant floor, anti skid material \$ 3,686.30

Asphalt paving inside newly fenced area \$ 14,609.45

Council Member Linda Deem stated that a Village resident approached her and stated that they were concerned about the condition of the American flags hanging on the village light poles. Mayor Sandine stated that the flags throughout the Village are not maintained by the Village, they are maintained by the Lithopolis VFW post.

Michael Long moved that Council go into Executive Session to discuss personnel and legal matters.

Second by Ginger Brenning.

Vote: Ayes: Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****

Council returned from Executive Session.

Ginger Brenning moved that Council adjourn.

Second by Michael Long.

Vote: Ayes: Deem, Brenning, Gilmore, & Long

Nays: None

****Motion Carried****