

RECORD OF PROCEEDINGS

Lithopolis Village Council Meeting Minutes

October 9, 2007

Council met in Regular session Tuesday, October 9, 2007 at 7pm.

Council Members Present: Carli Hush, Michael Long, Ted Simon, and Ginger Brenning

Council Members Absent: Linda Deem, Todd Brausch (arrived at 7:12)

Present: Eric Sandine – Mayor, Jon Browning – Solicitor, Sandy Casey - Fiscal Officer, Ed VanVickle Acting Village Administrator.

Mayor Sandine called the meeting to order; led the Pledge of Allegiance to the Flag of the United States of America, and asked for a moment of silence for the US Armed Forces.

Minutes

Minutes from Sept 11th and Sept 25th were reviewed.

Simon moved to accept minutes of Sept 11th Brenning seconded

Ayes: Hush, Simon, Long, Brenning

Nays: None

Motion passed.

Long moved to accept minutes of Sept 25th Simon seconded

Ayes: Hush, Simon, Long, Brenning

Nays: None

Motion passed.

(Brausch arrived 7:12)

Public

Mr. Waishnora had three issues tonight –

- 1) Village newsletter not listing American Legion Pancake Breakfast. Stated the Legion had given 325 thousand in donations to causes over the past five years.*
- 2) Sewer smell at Wagnall's run still strong and he wanted to know when something was going to be done.*
- 3) Manhole cover still not replaced or repaired.*

Mayor stated it was his decision not to place the Legion ad in the newsletter and he would be happy to talk to Mr. Waishnora after the meeting to discuss it. Mayor stated that the village's opinion was that the smell was either coming from the ground during new excavations (hydrogen sulfide) or from Air Release Valves on the Village force main, which would indicate that it is working correctly. Administrator Vanvickle stated that he had spoken with Steve Smith from the Canal Winchester WWTP and that they had a similar problem in Ashbrook Village (same builder) and they found that the problem was from the way bathroom drain pipes were installed in the homes. On the third issue, the Mayor reminded Mr. Waishnora that the village had not accepted the public improvements from Dominion Homes yet and it remained Dominion's responsibility to correct these issues and the Village had made Dominion aware that the cover needed replaced.

Mr. Solt concerned that village was accepting the Lithopolis-Winchester Road water line without notifying him. Mayor stated he had been in contact with Mr. Taylor, the party that constructed the waterline, and the contractor and they had provided an insurance claim number and stated that they were committed to resolving the damage to Mr. Solt's basement. Mr. Taylor was present and confirmed that the damage had been turned over to the insurance company of the contractor and they were committed to fixing Mr. Solt's damage. Mr. Solt asked why no one from the village had contacted him. Mayor stated that the waterline was built by Mr. Taylor and was just now being dedicated to the village, that it was Mr. Taylor's responsibility to work with him. Mayor

stated since Mr. Taylor had provided the information to the village that he had provided it to Mr. Solt as well, Mayor apologized to Mr. Solt for the breakdown in communications.

Mr. and Mrs. Alff having 6 rental units were unhappy that village changing the way utility billing is being done. They would like to see billing stay the same. Mayor indicated that the village was changing billing from renter's name to the property owner's name, that we had over \$13,000 in uncollectible account due to renters not paying then leaving town. Mrs. Alff stated the money wasn't "uncollectible" that the village could always assess the property for the outstanding bills, Mayor stated the village depended upon timely payments and it hurt everyone when we have to assess the property tax and then wait 6 or more months for the payment. Mrs. Alff said the current billing method worked good for her and she could always call in and check that her renters were paying their billing. Administrator Vanvickle stated that the last month we had two landlords at the meeting supporting the new billing method. Mayor stated that the village is growing and it's not the village's responsibility to monitor her renters for her.

Reports from officers

Reports were reviewed and filed.

Village Administrator

- Rt 674 storm water project pictures were viewed, it has been completed and is functioning well.
- Lighting strike at the standpipe caused damage to main valve, the telemetry system and the traffic light.
- The standpipe is now off-line and all water is provided from the new tower.
- Lithopolis-Winchester Road water line has passed the pressure test and is ready for acceptance.
- Ravine Park took a back seat this month to other higher priority projects.
- Stoney Bluff punch list still unfinished and Joshua is asking the village to accept the public improvements. Many issues to resolve first.
- Fridley house Look for bids on supplies for grant completion and working on an appeal building code
- Post office completed their stormwater project. They are now tied into our system and should no longer discharge onto Tim Mitchell's property.
- Contacted Bloom Township regarding a salt contract for the winter.
- Columbus St. grant project completed and turned in to OWPC. We should hear something by February.

Fiscal Officer

- Beggars' night will be 10/31 6 to 7:30 looking for volunteers to help with passing out treats at police station
- Reviews of draft 2008 budget also need to schedule a finance committee meeting before November meeting. Will contact Linda and Ted about date.

Police Chief

- Police report filed.

Old Business

Right of Way Ordinance Second reading pending update.

Solicitor explained hold up and believes 95% done. Would like to take a final look before next meeting. If no changes we will have 3rd reading at Nov. meeting if we change anything; changes will be sent out ahead of meeting and go back to 2nd reading.

Property Maintenance Ordinance Second reading

Changes were read and reviewed.

Water and Sewer Ordinance Second reading

New Business

Ordinance 18-07 authorizing the Mayor to enter into an agreement with DV Builders, LLC to release and Protect the Village of Lithopolis from all Liability arising from the installation of a Waterline and declaring an emergency.

Hush questioned if all up to code? Mayor: Yes QCI inspected construction of line.

Want to be sure Solts claim is taken care of.

Mayor: Insurance company has been contacted and claim filed.

Motion to suspend the rules and waive the second and third reading of ordinance 18-07 offered by Long
Seconded by Simon.

Ayes: Brausch, Long, Simon, Brenning, Hush.

Nays: None

Motion to accept ordinance 18-07 and declaring an emergency offered by Long
Seconded by Simon.

Ayes: Hush, long, Brausch, Simon, and Brenning

Ordinance 19-07 accepting the Dedication of a Water Line with improvements known as Lithopolis Winchester Rd waterline extension and declaring an emergency.

Hush reminding not to forget Solts.

Motion to suspend the rules and waive the second and third reading of ordinance 19-07 offered by Long
seconded by Simon.

Ayes: Brenning, Brausch, Hush, Long, Simon.

Nays: none

Motion to accept 19-07 and declare an emergency offered by Long
Seconded by Simon

Ayes: Long, Simon, Hush, Brenning, Brausch.

Nays: None

Council Round Robin

Brausch-Nothing

Simon- Grass still not mowed and trash on Lithopolis Rd.

Hush- Nothing

Long - Nothing

Brenning- Signs at the end of Gender. Mayor stated the right-of-way at the end of Gender is Canal
Wichester and is along SR674.

Resident John Rogers wished to thank Mayor Sandine and Administrator Vanvickle for all the long hours and hard work on the waterline extension, for keeping on top of the project also thanking Council for voting to participate and seeing the vision for the future and the types of new homes that will be coming in out at the Grottos.

Mrs. Hush commented that there is no reason to place "no trespassing signs" facing her property. Rogers said he would put up fence. Exchange began between Mrs. Hush and Mr. Rogers.

Mayor interceded to stop the additional comments.

Motion to go into Executive session to discuss pending legal action/ OEPA offered by Brausch
Seconded by Brenning
Ayes-Brenning, Brausch, Long, Hush, Simon.
Nays none
Ex Session 8:55

Council returned to regular session 9:13

There being no further public business -
Motion to adjourn: Brausch
Ayes-Brenning, Brausch, Deem, Hush, Simon.
Nays none
Motion passed, meeting adjourned 9:14