

Council Minutes

March 18, 2019

Council Members in attendance: Council President Dave Heitmeyer, Rick Recker, Sue Schroeder, Sue Christman and Tony Wobler. Mayor Kevin Benton, Administrator Justin Barnhart, Fiscal Officer/Tax Administrator Renee Spangler, Solicitor Barry Schroeder, Police Chief Dennis Cupp, Brian Wagler, Kyle Stecschulte, Paulette Mills, Mike Bruns, Dan Hardy, Larry Place, Cher Barnes, Mark Dresbach, Curt Croy, Terry Homan, George Walton and Russ Teders. Al Pingle was absent.

Mayor Kevin Benton called the meeting to order at 7:30 p.m. He led everyone in the pledge of allegiance.

A motion to waive the reading of the minutes of the March 4, 2019 meeting and accept them was made by Dave Heitmeyer and this motion was seconded by Sue Schroeder. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer yea, Al Pingle absent, Rick Recker yea.

Property Review Board went over Ronald Sanchez's property and the Board gave him till May 1, 2019.

Personnel and Finance Committee met prior to the council meeting to discuss the Ordinance updating the Personnel Manual. This will be on its third reading tonight and council will then need to decide whether to pass it. Tony Wobler said he isn't in favor of demoting an employee and said he thinks Eric does a great job for the Village and Mr. Wobler said that Eric has mentioned in the future he could retire but he may not as well. Rick Recker said it really isn't demoting him that way, Eric wants to step down. Mr. Wobler asked so we aren't going to cut his pay then are we, Rick Recker said not at this time, no his pay level will stay the same.

There was a Neighborhood Revitalization Grant Community Meeting prior to council and Paulette Mills said if anymore surveys come in she will take them.

Dan Hardy was present at council to see if there would be a decision on the rental house tonight. Mr. Barnhart said he received fifteen applications, seven of which Mr. Barnhart checked references on and that narrowed it down to two applicants and Dan being one of them. Dan is the only one of the two that currently lives in Leipsic. Mayor Benton told Dan that Justin will make that decision and get back with Dan. Later, in council Mr. Barnhart told council that he is going to have Dan Hardy be the renter of the Villages house they are renting, and he will contact him this week.

Terry Homan from AEP was present to discuss why council shouldn't sign the Franchise Agreement for Hancock-Wood Electric Cooperative. Mr. Homan stated that doing this will only give the customer that purchases ground in that area one company to choose from for electric. He said for economic development it is best to have a choice. Curt Croy and George Walton from Hancock-Wood were present to talk to council. Mr. Walton told council that the franchise agreement that council has been presented doesn't give one choice. He said AEP has their service territory and Hancock Wood has theirs, he said all they are requesting through this franchise agreement is protection of territory that lies within the Village of Leipsic. He said as far as competitiveness Hancock Wood is very competitive to AEP. He said whenever Hancock-Wood goes into a community it's not just all about Hancock-Wood, they are a nonprofit, they try to be a partner with the village and the community. He said they want to protect their service territory and second, partner with the community. Tony Wobler said he has worked with both companies and he likes

them both. Mr. Wobler feels that it is better to give the choice to the future industry rather than having exclusive rights for one company. Dave Heitmeyer said regarding Hancock-Wood, all your asking for is the protection of your existing territory he said; that's nothing different than what AEP would do, correct? Mr. Homan from AEP said no, Mr. Heitmeyer said well I guess that I am confused. Mr. Homan said, say you have a new business come in and the Village annex's it into the Village for the taxes. Mr. Heitmeyer said, so AEP has their territory and Hancock-Wood has theirs; doesn't AEP want protection of their own territory? Mr. Heitmeyer said, they aren't asking for exclusive rights they are just asking for rights to their territory; and you wouldn't want the same thing for AEP? Mr. Heitmeyer said, I just don't get it. Isn't it a free market out there that if someone goes out there and builds and they can get rates from AEP and Hancock-Wood and then they go with whoever the ideal one is? Mr. Homan said isn't that what Hancock-Wood wants to eliminate. Mr. Heitmeyer said as far as he is aware, they just want their territory protected. Mr. Walton from Hancock-Wood added that under territorial law in Ohio, outside of the municipality, AEP has their certified territory that Hancock-Wood cannot go into, and Hancock-Wood has theirs that AEP cannot go into. But because being, a municipality there is a law called home rule; which allows a village or municipality to be able to decide whether they provide their own service within the municipality or to issue franchises and multiple franchises can be issued to bring electric suppliers in for a service to the village. So, when you get outside of the municipality AEP can't go into Hancock Wood's territory and Hancock Wood can't go into theirs. What they (Hancock-Wood) are asking for under this proposal is that within our certified territory that lies within the foot print of the Village of Leipsic, that it be exclusive to Hancock-Wood. Sue Schroeder said to Mr. Walton, so there is an exclusive clause within the agreement that you want us to agree to? Mr. Walton said, yes. Mrs. Schroeder also said, the agreement that we received from AEP, it doesn't have the exclusive clause in it? Mr. Homan said, that is correct. Mr. Walton told council that Hancock-Wood can't go into AEP's territory under Hancock-Wood's proposal within the Village of Leipsic, it is strictly what is listed under the certified territory map, the footprint. Sue Christman asked how many years Hancock-Wood's proposal is for, Mr. Walton said fifty years. Mr. Wobler said, he doesn't understand why they want it to be exclusive to their company. Mr. Walton said, the reason is, AEP has not only gone into our territory within another municipality, they have attacked every co-op in the state. Marc Dresbach asked if there is any territory within the Leipsic Corporation that isn't assigned to either AEP or Hancock Wood. Mayor Benton said no. The ordinance reading will be delayed due to needing to add more information to the ordinance and will be read three times over the next three meetings.

Justin Barnhart asked council if they were okay with renting a room at the community on April 25, 2019 to coincide with the community meal to increase community participation in the NRG grant process. Dave Heitmeyer asked we must rent the room, Mr. Barnhart said we must rent it. Tony Wobler made a motion to rent a room at the community center and get cookies and lemonade and Dave Heitmeyer seconded the motion. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

ORDINANCE 3075: AN ORDINANCE ACCEPTING CHANGES TO THE PERSONNEL MANUAL IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the third time. Sue Christman asked, so Eric wants this, and we are going to pay him the same pay until he retires? Sue Schroeder said, at this point we are, but going forward it will be like anyone else and we may consider not giving him pay raises, but we aren't going to reduce his pay. Mayor Benton said, he will probably not see a raise in the very near future. Sue Christman then asked what his job description will be then? Mayor said, he will be working under Leo Ellerbrock's group, but he could still be doing things he currently does now. Mrs. Christman said, so he will basically be doing a lot of things he already does, and he just will no longer be a Supervisor. Mayor Benton said correct. Tony Wobler said his biggest concern is that he doesn't get any cut in pay. But as far as being frozen, Mr. Wobler said Eric doesn't have an issue with having his pay be frozen for a period, he said he is okay with that if Eric is. A motion was made by Rick Recker to accept Ordinance 3075 and this was seconded by Sue Schroeder. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer No, Al Pingle absent, Rick Recker yea.

Council reviewed the bids by motor oil suppliers Mr. Barnhart said, we use about a barrel of each type of oil a year, we received bids from three places. Mr. Barnhart asked for a motion for where we should be purchasing our oil from. Mr. Barnhart said in the past we purchased from Duane Tooman and Mr. Tooman spent a lot of time educating him on Cenpeco. Rick Recker said he realizes Cenpeco is a lot more money, but Duane does a lot for our community. Dave Heitmeyer asked is the 10 percent discount included in the price or do we get that on top of it. Dave Heitmeyer said being a steward of the tax payer's money he gets it, but he agrees with Rick also, he does a lot for this community. Rick Recker made a motion to go with Cenpeco and Dave Heitmeyer seconded the motion. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

Council reviewed the bids from potential private companies interested in chopping the Village owned Reservoir, we received three bids Croy's and Morman's weren't far off on price and then we had Deitering's Landscaping which was high, Deiterings said this is what they charge CSX. Mr. Barnhart asked if council wants the upper and lower cut or just the upper. Rick Recker asked how far down the lower part would be. Mr. Barnhart said down where it curves out and Mr. Barnhart said currently a local farmer comes over and mows that part. Mr. Barnhart said, but there is an insurance liability there too. Dave thinks we should contract it out for the safety of our employees. Dave Heitmeyer made a motion to go with Croy's for the upper and lower mowing and Tony Wobler seconded the motion. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer No, Al Pingle absent, Rick Recker yea.

RESOLUTION 3083: A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A CONTRACT FOR A STUDY OF RAIL STORAGE FEES NOT TO EXCEED FIVE-THOUSAND DOLLARS IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the third time. A motion was made by Rick Recker to accept Resolution 3083 and this was seconded by Sue Schroeder. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

RESOLUTION 3085: A RESOLUTION DIRECTING THE ADMINISTRATOR TO OVERSEE THE DEMOLITION OR REMEDIATION OF STRUCTURES LOCATED AT 202 E MAIN ST., LEIPSIC, OHIO 45856, WHICH HAS BEEN DETERMINED A BLIGHTED PROPERTY IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO; AND DECLARING AN EMERGENCY. Was read for the first time. A motion to suspend the rules and read Resolution 3085 for the second and third-time tonight was made by Tony Wobbler and seconded by Dave Heitmeyer. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer Yea, Al Pingle absent, Rick Recker yea. Resolution 3085 was read for the second and third time. A motion was made by Dave Heitmeyer to accept Resolution 3085 and this was seconded by Sue Christman. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

RESOLUTION 3087: A RESOLUTION DIRECTING THE ADMINISTRATOR TO OVERSEE THE DEMOLITION OR REMEDIATION OF STRUCTURES LOCATED AT 123 S BELMORE ST., LEIPSIC, OHIO 45856, WHICH HAS BEEN DETERMINED A BLIGHTED PROPERTY IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO; AND DECLARING AN EMERGENCY. Was read for the first time. A motion to suspend the rules and read Resolution 3087 for the second and third-time tonight was made by Dave Heitmeyer and seconded by Rick Recker. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer Yea, Al Pingle absent, Rick Recker yea. Resolution 3087 was read for the second and third time. A motion was made by Dave Heitmeyer to accept Resolution 3087 and this was seconded by Sue Christman. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

RESOLUTION 3084: A RESOLUTION DIRECTING THE ADMINISTRATOR TO OVERSEE THE DEMOLITION OR REMEDIATION OF STRUCTURES LOCATED AT 220 W MAIN ST., LEIPSIC, OHIO 45856, WHICH HAS BEEN DETERMINED A BLIGHTED PROPERTY IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM

COUNTY, OHIO; AND DECLARING AN EMERGENCY. Was read for the first time. Dave Heitmeyer asked, say this house is going to be rehabbed, do we have a deadline for the rehab? Mr. Barnhart said, you can make a motion for there to be a deadline. Mr. Heitmeyer said is ninety days fair, so three months to get the outside cleaned-up and windows in if someone is going to buy it. Mr. Barnhart asked would that be ninety days after it changes hands, Mr. Heitmeyer said yes. A motion to suspend the rules and read Resolution 3084 for the second and third-time tonight was made by Dave Heitmeyer and seconded by Rick Recker. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer Yea, Al Pingle absent, Rick Recker yea. Resolution 3084 was read for the second and third time. A motion was made by Dave Heitmeyer to accept Resolution 3084 and this was seconded by Sue Schroeder. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

The way this Resolution is written we can start the process and stop it at any time. Dave Heitmeyer made a motion for, if the house is purchased that there be deadline of ninety days from the day the property changes hands for the new property owner to have the outside cleaned up and windows put in the house and Rick Recker seconded the motion. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer Yea, Al Pingle absent, Rick Recker yea.

RESOLUTION 3086: A RESOLUTION DIRECTING THE ADMINISTRATOR TO OVERSEE THE DEMOLITION OR REMEDIATION OF STRUCTURES LOCATED AT 712 W SUGAR ST., LEIPSIC, OHIO 45856, WHICH HAS BEEN DETERMINED A BLIGHTED PROPERTY IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO; AND DECLARING AN EMERGENCY. This has been tabled until May 1, 2019.

ORDINANCE 3088: AN ORDINANCE UPDATING THE VILLAGE TREE ORDINANCE 1332 TO PROVIDE FOR THE MAINTENANCE OF TREES WITHIN THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the third time. A motion was made by Dave Heitmeyer to accept Ordinance 3088 and this was seconded by Sue Christman. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

ORDINANCE 3089: AN ORDINANCE DIRECTING THE ADMINISTRATOR TO MAINTAIN ALLEYS IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the third time. A motion was made by Rick Recker to accept Ordinance 3089 and this was seconded by Sue Christman. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer Yea, Al Pingle absent, Rick Recker yea.

ORDINANCE 3090: AN ORDINANCE AMENDING ORDINANCE 3062 AS THE SECOND SUPPLEMENT TO THE 2019 ANNUAL APPROPRIATIONS AND DECLARING AN EMERGENCY. Was read for the third time. A motion was made by Rick Recker to accept Ordinance 3090 and this was seconded by Sue Schroeder. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

RESOLUTION 3091: A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO DISPOSE OF SURPLUS ITEMS THROUGH THE PUTNAM COUNTY PUBLIC AUCTION MAY EIGHTEENTH TWO-THOUSAND-NINETEEN IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the second time.

RESOLUTION 3092: A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO SELL TWO FIRE APPARATUS NO LONGER NEEDED AND VALUED AT OVER ONE-THOUSAND DOLLARS IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the second time.

RESOLUTION 3093: A RESOLUTION AUTHORIZING THE ADMINISTRATOR AND FISCAL OFFICER TO EXECUTE A CONTRACT WITH THE PUTNAM COUNTY YMCA FOR OPERATIONS OF THE LEIPSIC COMMUNITY POOL IN

TWO-THOUSAND-NINETEEN IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the second time.

RESOLUTION 3094: A RESOLUTION DIRECTING THE VILLAGE ADMINISTRATOR TO PROPOSE A BUDGET AMENDMENT TO COVER THE COSTS OF REPAIR TO A STORM WATER TILE, THE WORK TO BE COMPLETED BY THE VILLAGE PERSONNEL IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO. Was read for the second time.

RESOLUTION 3095: A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO CONTRACT WITH WARD CONSTRUCTION FOR THE 2019 PAVING PROJECT IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO; AND DECLARING AN EMERGENCY. Was read for the first time. Rick Recker made a motion to suspend the rules and read the resolution for the second and third time tonight. Dave Heitmeyer second the motion. Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea. Resolution 3095 was read for the second and third time. Dave Heitmeyer made a motion to adopt the resolution and Sue Christman seconded the motion. Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

RESOLUTION 3096: A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PAINTING AND REPAIR OF WATER STORAGE STRUCTURES IN 2019 IN REGARDS TO THE VILLAGE OF LEIPSIC, PUTNAM COUNTY, OHIO; AND DECLARING AN EMERGENCY. Was read for the first time.

Council was presented RFP's from Poggemeyer Design Group and Mote and Associates wishing to prepare a General Plan for Source Water Capacity to meet the expectations of the Ohio EPA. Mr. Barnhart told council there is already a document in place from 2016 it looks specifically at wells and the building of a new water plant that could be up to twenty-three million dollars with a couple million in engineering for that. So, we would build off that plan and that's what Poggemeyer's could do for \$8700.00 or there is a \$12,000.00 proposal from Mote and Associates. Mote plans would be a whole new plan and twenty-four thousand in addition if they were to start preliminary engineering on a new water plan for us. Poggemeyer Design Group also provided a \$19,000.00 solution that would get us a preliminary engineering report but that would not be quite to the USDA standards. Dave Heitmeyer asked what the total dollar amount was for both again, Mr. Barnhart said if you total them, the highest is from Poggemeyer which would be \$37,000.00 and the version without the USDA it would be about \$28,000.00 and the total from Mote would be \$36,000.00. Mr. Barnhart said we did spend \$19,000.00 on the last report we had done as well. Dave Heitmeyer made a motion to go with the plan from Poggemeyer design group for \$8700.00 to be in compliance with the EPA and Rick Recker seconded the motion. Roll call on this motion, Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer yea, Al Pingle absent, Rick Recker yea.

The Village has been using the competitive energy market for several years to reduce spending. Our gas contract is out of date and it appears the lowest and best supplier moving forward is IGS which is a multi-state company based in Dublin that will become a partner in our purchasing program. This will be for three years and offers a rate at half of the standard market which we are currently using. Dave Heitmeyer asked, there's nothing closer than Dublin or Cleveland, Mr. Barnhart said these guys are competitive, there might be people in Toledo, but they are all over the place. Mr. Heitmeyer asked if we must be in a three-year contract. Mr. Barnhart said, yes, to get that rate. Mr. Heitmeyer asked what the max cap is, he said it says they will have a position a blend and extend to avoid suffering the full brunt of the increase. Mr. Barnhart said if we were to get to the year 2022 and the rate was to go down from that \$4.36, they could then provide some of that savings earlier in our contract and spread that out over time. Mr. Heitmeyer said so if the price goes up, they are just going to absorb that difference, Mr. Barnhart said they pre-purchase the energy. Dave Heitmeyer asked how much we use on a yearly basis, Mr. Barnhart said he didn't have that information in front of him but for instance our water plant's electric bill is \$10,000.00 a month. With substantial use, the savings with this contract from that \$4.36 would be about \$7000.00 a year. Tony Wobler made a motion to enter into a three-year

contract with IGS and to extend an electric contract with them and Rick Recker seconded the motion. Roll call on this motion, Rick Recker yea, Al Pingle absent, Dave Heitmeyer yea, Sue Schroeder yea, Sue Christman yea, Tony Wobler yea.

RESOLUTION 3097: A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL. Was read for the first time.

Kyle Stechschulte said the fire department plans on going out and talking to the residents that live along the route of the parade for the fire convention. The Fire department is also going to fire school this weekend with the packets for the convention and hopefully get them out to as many fire departments as possible. St. Mary's Church is putting a flier together. Mr. Stechschulte said they have bands for all three nights at the St. Mary's social. Mr. Stechschulte also told council, he plans on being at the next council meeting and he needs councils' pictures for the yearbook for the convention.

Dave Heitmeyer said Neil Goodwin called him inquiring about the fire trucks, Mr. Heitmeyer said he spoke with Justin about getting Tucker to inspect the trucks on a regular basis. Mr. Heitmeyer said Tucker called him and said when we get pulled off to do different jobs, he can't get to it, so Mr. Heitmeyer spoke with Justin so that Tucker will do the Fire trucks on a certain day and time. Mr. Heitmeyer also said that Tucker told him that the village made Tucker purchase his own tools and when other guys come down there and work on stuff, they are using his tools. Mr. Heitmeyer said, if we made him purchase them and he doesn't want other people using them, then I don't think others should be using his tools. If something would happen to those tools who is going to replace it, The Village or the person that broke it.

Putnam County CIC Annual Business Meeting is April 4, 2019 at the Leipsic Fishing and Hunting Association.

Cher Barnes asked if something can be done for the alley behind Smokin B's and the one next to Paw Prints and she also wants the alley next to her house taken care of as well.

With no further business to come before the council, a motion for adjournment was made by Tony Wobler and seconded by Sue Christman. Roll call on the motion Tony Wobler yea, Sue Christman yea, Sue Schroeder yea, Dave Heitmeyer yea, Al Pingle yea, Rick Recker yea. Meeting adjourned at 8:37P.M. The next council meeting will be April 1, 2019 at 7:30 P.M

APPROVED: _____

ATTEST: _____