

June 5,

2018

The Council of the Municipality of New Lebanon, Ohio, met in regular session on Tuesday, June 5, 2018 at 7:30 p.m. with Mayor Arriola presiding. Present were Municipal Manager/Fire Chief George Markus, Law Director Ronald D. Keener, Police Chief Rick Daulton, Zoning Compliance Officer David Lunsford, Clerk of Council Sandy Wright and several visitors. Chief Financial Officer Brenda Etter and Service Department Superintendent Scott Brock were absent.

### **ROLL CALL**

The following members were present at the Call to Order: Raymond Arriola, Gale Joy, Carol Macmann, Glenna Madden, Hillary McClusky, Christopher Sands, and Douglas Thompson.

### **INVOCATION**

Mayor Raymond Arriola gave the invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

### **APPROVAL OF MINUTES**

Mayor Arriola stated next is the approval of the May 1, 2018 regular meeting minutes. Are there any corrections or changes that need to be made to these minutes?

Mayor Arriola stated all in favor of these minutes please signify by saying aye, all opposed same sign.

### **OLD BUSINESS**

Mayor Arriola stated next is old business. Tonight we have a tutorial presentation by Jennifer Whiddon to explain the Nixle One Call Service.

Mayor Arriola stated next we have the second reading of **SECOND READING OF ORDINANCE 2018-01: AN ORDINANCE AMENDING §35.501(A) AND (B) FIRE DEPARTMENT PAY SCALE FORTHE PARAMEDIC ONLY PAY RATE AND ADDS AN INCENTIVE PROGRAM TO THE FIRE DEPARTMENT EMPLOYEE COMPENSATION OF THE MUNICIPAL CODE OF ORDINANCE OF NEW LEBANON TO ALLOW THE FIRE DEPARTMENT TO BE MORE COMPETITIVE IN THE RECRUITMENT AND RETENTION OF DEPARTMENT PERSONNEL AND IMPACTS VOLUNTEER AND PART-TIME PERSONNEL ONLY AND HAS NO IMPACT ON FULL-TIME PERSONNEL.**

### **NEW BUSINESS**

Mayor Arriola stated next is **RESOLUTION 2018-11. A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ACCEPT AND SIGN ANY DOCUMENTS RELATED TO A REIMBURSEMENT GRANT AWARD FROM THE MONTGOMERY COUNTY SOLID WASTE DIVISION IN THE AMOUNT OF \$27,975.13 WITH A MATCHING AMOUNT OF \$8,392.54 TO PURCHASE FOUR (4) TRASH CONTAINERS, FOUR (4) MESSAGE BOARDS, THREE (3) WHEELCHAIR ACCESSIBLE PICNIC TABLES AND TWO (2) A-FRAME SWINGS FOR OUR PARKS.**

June 5,

2018

Mayor Arriola stated anybody have any questions before we go further. Nothing was heard.

Mayor Arriola stated do I have motion to adopt Resolution 2018-11.

Motion by Council Member Madden, second by Council Member McClusky to adopt Resolution 2018-11.

**ROLL CALL ON ABOVE MOTION.** Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes. 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2018-12.** **A RESOLUTION FORMALIZING THE CAPITALIZATION THRESHOLD FOR THE VILLAGE OF NEW LEBANON MUNICIPAL ASSESTS.**

Mayor Arriola stated any questions.

Council Member Sands stated this is basically saying we already have this on the books but because the council has not okayed it the auditors did not see it is why we are doing this.

Municipal Manager/Fire Chief Markus stated correct. We are adding things this evening we have had in place for decades but it has been policy rather than formalized by a resolution or an ordinance.

Council Member Sands stated that is what I thought.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-12.

Motion by Council Member Sands, second by Council Member Madden to adopt Resolution 2018-12.

**ROLL CALL ON ABOVE MOTION.** Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2018-13.** **A RESOLUTION APPOINTING CLERK OF COUNCIL AS THE OFFICIAL DESIGNEE OF THE MUNICIPALITY OF NEW LEBANON ELECTED OFFICIALS FOR THE PURPOSES OF PUBIC RECORDS TRAINING.**

Mayor Arriola stated any questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-13.

Motion by Council Member McClusky, second by Council Member Macmann to adopt Resolution 2018-13.

June 5,

2018

**ROLL CALL ON ABOVE MOTION.** Council Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2018-14**. **A RESOLUTION FORMALIZING THE BLANKET PURCHASE ORDER AND SUPER BLANKET PURCHASE ORDER THRESHOLD FOR THE VILLAGE OF NEW LEBANON PURCHASES.**

Mayor Arriola stated any questions.

Council Member Joy asked what is covered under blanket purchase orders?

Municipal Manager/Fire Chief stated it can be a variety of things. They are things departments use Village wide, for example fuel or if there is a particular material and supply; super blankets are even more rare and it could be more of what we use for water and sewer plant operations when we contract with Matt Fraley and his Company. It is just a difference in the dollar amount; a blanket goes up to \$50,000.00 and the super blanket goes up to \$125,000.00.

Council Member Joy asked how are they approved?

Municipal Manager/Fire Chief stated they are approved at council in the budget and they are good for that particular fiscal year and any monies not spent revert back to whatever fund they came from.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-14.

Motion by Council Member Madden, second by Council Member McClusky to adopt Resolution 2018-14.

**ROLL CALL ON ABOVE MOTION.** Council Member Madden, yes; Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Mayor Arriola stated next is **RESOLUTION 2018-15**. **A RESOLUTION AUTHORIZING THE MUNICIPAL MANAGER TO ENTER INTO AN AGREEMENT WITH MIAMI VALLEY LIGHTING, LLC AN OHIO LIMITED LIABILITY COMPANY AND SUBSIDIARY OF DPL, INC. ("MVL") FOR STREET LIGHTING AND OTHER ENERGY RELATED SERVICES ON PUBLIC GROUNDS, FACILITIES AND STREETS IN THE VILLAGE OF NEW LEBANON, STATE OF OHIO FOR A TERM BEGINNING JANUARY 1, 2019 THROUGH DECEMBER 31, 2023.**

Mayor Arriola stated any questions.

Council Member Thompson asked did our rate go up or down or stay the same with them?

June 5,

2018

Markus Municipal Manager/Fire Chief replied our rate goes down. It is a five (5) year contract. In fact in the new contract saves the municipality approximately \$14,838.66 over our current rates in a four year period as well as changes out all of our High Pressure Sodium and Mercury Vapor lights converting them into LED lights. The new contract starts on January 1, 2019 and extends through December 31, 2023.

Council Member Thompson stated excellent.

Markus Municipal Manager/Fire Chief stated thank you.

Mayor Arriola stated any other questions. Nothing was heard.

Mayor Arriola stated do I have a motion to adopt Resolution 2018-15.

Motion by Council Member Thompson, second by Council Member Sands to adopt Resolution 2018-15.

**ROLL CALL ON ABOVE MOTION.** Council Member McClusky, yes; Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council Member Macmann, yes; Council Member Madden, yes; 7 yes 0 no

**ALL IN FAVOR. MOTION CARRIED.**

Mayor Arriola stated next is public comments or questions. If anybody has any comments or questions please come forward to the podium and state your name and address for the record.

Council Member Joy stated I should have brought this up in old business but I am just concerned or curious as to why we are having a special council meeting next week.

Municipal Manager/Fire Chief stated we are having a special council meeting next week because we are currently over a month behind on our project proposed deadlines for the addition for the Fire Station. If we don't have the meeting next week then we will be six weeks behind and we will end up doing the contract award at the last meeting of this month. By the time we do the paperwork and we get started we are looking at July. There is nothing really any different than the way we would handle any other business. The special meeting will have a sole item on the agenda and that will be a resolution awarding the bid of the construction and authorizes the Manager and the Chief Financial Officer to secure financing for the cost of the project. That will be the only item on the agenda. It is a time saver more than anything else.

Council Member Joy stated my concern is that we are rushing this. I don't personally see the benefit. Going back to some of the things we have discussed about the project on the whole I am concerned personally that we are going to spend so much money on 1,700 square feet and in words of yourself a slab, three (3) walls and a roof.

Municipal Manager/Fire Chief stated absolutely.

Council Member Joy said to spend \$470,000 on something that expensive. I am questioning whether or not it is a good idea. I question why we are only advertising in Brookville when we could probably have done cheaper advertising from somebody coming up from a larger firm in Cincinnati maybe or Columbus. From what I understand and what you have mentioned the only reason they are looking at this is to change our Fire Department to be a full time Fire Department instead of a Volunteer Fire Department and we don't even know if this will actually make that happen. I just

June 5,

2018

think that we should probably discuss other options or incentives prior to spending \$470,000.

Municipal Manager/Fire Chief stated a couple of corrections; there is actually also identified in the F.W. Dodge Corporation as well as the Dayton Builder's Exchange and the reason for that is to draw the larger companies and that is part of the reason that we want to move this forward because we are so late in the season now that a lot of the typical contractor organizations that you might expect to bid are already bid out and already have projects. Our bid actually comes to fruition tomorrow here at 12:00 Noon and we see just exactly how many bids we have. We will see exactly what the bid price turns out to be. As far as full time the word full time has never been mentioned other than the positions the incumbents currently hold. What we clearly stated was because of the declining number of volunteers we are finding ourselves in the position of having to hire additional part time personnel. Because of that demand we need to have the space and facilities to put them in, which we do not have right now. I agree it is pretty pricey only from the perspective that it is a prevailing wage project and that drives the price up. If it was not prevailing wage it would probably come in lower than what we expected. The building and everything else when we had the plans and drawing back here, to do the things that need to be done, 1,700 square feet trying to keep the number down and to keep the cost down that is one of the reasons we did not do anything different like add a second floor for training and storage space. Much like the Municipal Building here is bereft of storage space the fire department is pretty much the same way because everything we have has something in it. Keeping it at one (1) story and keeping it functional for a crew of four (4), which is what we do with daytime staffing with our part time people; the magic number for us is four (4) because that gets both medics out the door or it puts four (4) people on a piece of apparatus responding to some other call for emergency or non emergency service. So we need that space.

Council Member Joy stated basically we already have part time people here all the time.

Municipal Manager/Fire Chief stated not all the time but we have part time people here. Part timers are in the building, the volunteers would be the ones who are on call from their home.

Council Member Joy stated we don't know if this incentivizes either volunteers or more part time to come through here anyway.

Municipal Manager/Fire Chief stated we are pretty certain that it will. When we looked around at other fire departments that done staffing changes, building changes, and changes in pay scales, etc, that is what you need to do. As we have discussed in prior meetings is one of the things we are trying to do is operate within a budget. That is one of the reasons why you saw the Ordinance with the second reading tonight that impacts paramedic only and moves them from \$12.00 to \$14.00. Last time we discussed that, if you remember one of my comments was, when you are paying it is difficult to compete with someone who is paying \$18.00 or \$20.00.

Council Member Sands stated I understand that. I am trying to refute that but I am just thinking there are probably some options that we could put on the table for someone going through Fire or EMS or whatever training that would make us more desirable. For an example we have not discussed any scholarships, additional training, or even putting money into a 401K or whatever retirement is if they are here for a specific amount of time. I am in IT and that is very hard to get good quality people. That is one of the things that they have done is in some cases they have added a

June 5,

2018

specific percentage to a retirement plan, or a bonus at the end of the year if they stay for a specific amount of time.

Council Member Sands stated George I have a question. Correct me if I am wrong but you said that the part timers are on a twenty four (24) hour shift. They go out and come back in they don't have any facilities to clean up; they don't have any facilities to sleep, they are sleeping in the lounge or where ever. If I was a part time person wanting to come to a Village and that is all of the facilities they had for me to clean up after a fire or being on a twenty-four shift I would not want to come here either. We have to some incentive for them to come in here.

Council Member Joy stated we have enough empty houses in this village that we could buy or rent one for that matter to be used.

Council Member Macmann stated I do not think that would work.

Council Member Joy stated why not, they have a shower and some of them have four (4) bedrooms.

Municipal Manager/Fire Chief stated some of the things you have mentioned we already do. We provide paid training, bonuses and rank steps, some things of that nature. Those are pretty common industry wide. We need to correct the things we can and these are some of the things we can do.

Vice Mayor Madden stated I have a question. What is the length of time to complete the project?

Municipal Manager/Fire Chief stated probably about six (6) months which is another reason why we need to move it forward we want to get them in before Halloween or Thanksgiving if we can. It may not be doable now because of delays we have had.

Vice Mayor Madden stated all of this \$470,000.00 comes straight out of the fire budget.

Municipal Manager/Fire Chief stated it does not. Part of it comes out of our D03 Capitol and part of it comes out of the fire budget. The numbers we have given you are the architect's projection. The bids will come in at Noon tomorrow and then we will have a hard number.

Mayor Arriola stated next is public comments or questions. If anybody has any comments or questions please come forward to the podium and state your name and address for the record.

### **PUBLIC COMMENTS OR QUESTIONS**

Tony Horn, 86 North Johnsville-Brookville Road stated Chief Daulton and Mr. Lunsford know me pretty well. I brought a visual aid with me tonight. This is my neighbors' yard. I called Mr. Lunsford last week and he said he would notify the property owner but no one has made any effort to do anything about it. Grant you this is in a small area that I use to maintain but we have a lot of problems going on up there right now. I maintained that and they told me I could park my vehicle there if I wanted to. Occasionally somebody would pull a car there. We had a big blowout. They told me to stay off the property so I have stayed off their property. I want something done about this. Right here is the Newsletter I got in the mail and it say's seven (7) inches or else the Village cuts it. Move on it don't jack around. I want something done about this. This property is a nuisance property next to me. The

June 5,

2018

police probably have been called out there 300 times in the last five (5) years. I am guesstimating that. Chief Daulton can back that up pretty good for me to. He knows they have been out there a bunch. They have been out there ten (10) times in the last four (4) weeks. We had a police officer who had to draw a gun on a vicious dog and the dog was charging him. I have seen it all. There was another police officer there too. I thought he would shoot it. That is what he should have done but the owner got the dog before he shot him. I absolutely would have shot the dog. I shot at the dog. I did not shoot to hit or kill the dog. I shot at it to get it off my property. The dog tried to attack me on my property. This has happened three (3) times now. They sicked the dog on my oldest son just a couple of weeks ago. He went to court about it. I am going to tell you something else about our court system. It sucks! I know Chief Daulton and I know Lunsford. They have both cited these people into court. They go to court and they slap them on the hand and let them loose. The dog chased the woman down the street from me around her car. She is 70 something years old. She got in her car and a guy down the street came up there with a stick and scared the dog off. I crossed the other side of the street and called the police and the people came and retrieved the dog before the police got there. These are bad dogs and that is all there is to it. I have great grand kids from 5 months old to 9 years old. They like to play in my driveway but this next to it. It is a blacktop driveway. They play basketball, hop scotch and whatever else they do there but anyhow we can't even let them out in our driveway. Of course we are with them anyway. I am not going to take a chance of letting them out there alone. Right beside her flower bed we found a pistol laying there. Now that is bad. When you have got situations like that it is bad. You can ask Mr. Lunsford and you can ask Mr. Daulton. They know what is going on. This ain't just started. This has been going on a few years now. They have got a junk yard in their yard which you say right in here to about that. In the back yard they have approximately eight (8) vehicles sitting there now including a motor home that was fire bombed in the front driveway which was some kind of retaliation thing and they pulled it in the back. Now it is in front of their barn. Somebody is living there. Let me back up there just a minute. According to what they told the Village of New Lebanon no one lives on that property. Nobody is paying taxes at that house is what it boils down to. I am paying taxes. I am 70 years old and I am retired and I still pay my taxes. As a matter of fact I don't even get the exemption like the people on social security do on this school tax. I paid five hundred and something dollars in school tax last year above and beyond my property taxes. I am a taxpayer, these people are a deficient. We have been working together pretty good, me and the police. I want this property deemed a nuisance and I want to see what I have to do to get it deemed a nuisance. First they told me I need to address the Council and I am addressing the Council. It is a nuisance property. Check the police records. I am sure you have got a record of every time there has been a call up there. Check to see how many times our police department has been up there at that house. The man sicked the dog on my son in my driveway. I wasn't home. I was out of town. There would have been some serious problems there if I had been home. That is what I am telling you right now so this is going in the minutes. There is going to be a serious, serious, problem up there. And I will probably end up going to jail on the account of them because I can't get nothing done about these people. I have talked to the people at the courts too. I talked to the one lady who works for the judges and she told me I might come back and try to talk to the judge myself which I am going to try to do. I felt the Council was the first place to start. I am not taking anything away from either of these two (2) men right here because they have done what they say they have done. The prosecuting attorney showed my wife four (4) folders this thick on nothing but the dog issue. That is where I am at right now. I want the grass mowed. Supposedly there is nobody living there, supposedly the people who are there it is not their house, it is supposedly another guy's house. He has been cited into court. I have been to court twice as a witness for the Village and neither time have I gone in the court room. I talked to the prosecuting attorney over there and he said they would not need me so I would go back home.

June 5,

2018

Now the latest is they have served these people with an eviction notice but nobody lives there. The property owner and that his son, daughter-in-law and I don't know who else. There are about fifteen (15) over there. But anyhow he has supposedly served them with an eviction notice. I don't know if any of you folks have had any dealings with eviction notice or not but it takes a long time to get somebody out of your property. I am sure she has because I know her mom. It takes at least ninety days to get them out of the property and I think this is just a ploy to get us through the better part of the summer without a whole lot of trouble. How would you like to wake up at 3:20 a.m. and with stuff in your garage vibrating off the walls from the big base music next door? I called the dispatch here and they sent an officer out. The wind was coming away from the street and he went down the street and looked and then came back. So I called back and told the dispatcher to send your officer back out here and send him down my driveway where he can hear. They have surveillance cameras on this property. One of them is aimed at my driveway so they can see the police when they pull in my driveway. They did not see him. He got there before they shut the music off. When he got out he said I see what you are talking about. Not a mouse was stirring in that place. That is what I am dealing with. I did not go into a whole lot of detail I am just briefly touching on it. I don't know if Chief Daulton or Mr. Lunsford are aware of what is going on up there with his property. It is a nuisance property. I am going to take every step I can possibly take to get it ruled as a nuisance property and get them out of there.

Vice Mayor Madden asked Mr. Horn what is the address on that property?

Zoning Compliance Officer Dave Lunsford stated 92 North Johnsville Road.

Mr. Horn stated I need some help. I built my house new in 1995. This is my retirement home for me and my wife. We are in our seventies now retired and we live there and we would like a little peace and harmony in our elderly years and we are not getting it at all. I know what they are trying to do but nothing is getting done.

Mayor Arriola asked is the court letting them off?

Police Chief Daulton stated they have been made aware of the dog situation which makes them as liable as they are because you are allowing it to happen.

Mr. Horn stated I have contacted them several times. They have been advised of the vicious dog situation.

Police Chief Daulton stated I don't have a clue.

Vice Mayor Madden asked are there more than 2 dogs there?

Mr. Horn stated yes there are more than 2 big dogs and other dogs also.

Vice Mayor Madden stated don't they have to have a kennel license.

Mr. Horn stated they can buy individual license on them. They have tags on the dogs because they are in the girls' name. She was cited to court where the dogs chased the woman into her car but the girl was fined but they suspended the sentence. What good does that do? I know it is our court system more than anything but I am not getting anything done with the court system. They are not getting anything done.

Vice Mayor Madden asked Dave have we sent letters for the grass, etc?



June 5,

2018

Zoning Compliance Officer Lunsford stated not on this issue but I am a little behind due to the demo project. It is on agenda to get the letters out.

Mayor Arriola asked how long do we have to wait before we cut it?

Zoning Compliance Officer Lunsford stated five (5) days.

Mr. Horn stated I have something else. They are not coming down my driveway to cut it and they are not going to throw that grass in my driveway because numerous times I have told them about throwing the grass in the front. They have cut maybe 10 times this summer, if even that. Right now Law Director Keener stated there are actually two different types of nuisance. There is a private and there is a public, which is what I am trying to digest to decide which one we have. It sounds to me like this is something that goes beyond you and your property. It goes to some of the other people that are in the area who are being affected by it. I will talk to the Chief about it. I think we should continue to write citations and charge them. I will talk to Ryan about how those things are disposed of at any trial or court hearing. I agree with you totally. Getting the court to basically uphold us is very, very, difficult. We don't really have much control over it. We can't control what the judges do. There is no easy answer.

Mr. Horn stated I was at the court when the property owner was there one of New Lebanon's Officers came in and I asked him if he was there for that hearing. He told me he had delivered 4 more charges to the court over them people and the dog warden came while I was there also to deliver citations.

Law Director Keener stated the dogs are licensed but they are loose so they are in violation.

Police Chief Daulton stated they have received citations for multiple charges. Animal Control has cited them along with us. We always contact the Animal Shelter and have them come out. They can do a lot more with checking for license and violations with animals plus we have been trying to get them deem the dogs as vicious animals. Once they get so many complaints that are found to be valid they can actually deem the dogs as vicious animals which requires that the owner carry special insurance, have special kennels and the whole nine yards.

Vice Mayor Madden stated once they are deemed vicious do they remove them.

Police Chief Daulton stated the Animal Shelter would have to do it.

Law Director Keener asked how much or if any are you getting from the owners of the property?

Police Chief Daulton stated when I called and told them about the dogs they said they were going to evict them. That has been a few months ago. It is in Gerald's name on Glenada Court.

Mr. Horn stated I am not here to bitch about the Chief or Mr. Lunsford. They are both doing what they can do. But I cannot live like this. The boy came over with the dog and sicked it on my son. It was two against one. Nobody else seen it. My wife came outside to see what was going on when the dog was attacking my son. She is 72 years old, she does not need this. She had our great grandbaby in her arms. She called 911 crying, she knew that dog was going over and eat them up.

Law Director Keener stated when that incident occurred who was cited and for what.

June 5,

2018

Chief of Police Daulton stated I think it was Steve.

Mr. Horn stated and Kelly also, they were both cited.

Law Director Keener stated it sounds like an assault to me.

Police Chief Daulton stated I think that is what they were charged with.

Mr. Horn stated they threw it out.

Police Chief Daulton stated they threw out the one when the gun was pulled on somebody.

Mayor Arriola asked are the judges going to wait until somebody is hurt really bad.

Mr. Horn stated that is what I told the lady at the court yesterday. I have another son who said he wasn't going to watch his Dad fall over dead with a heart attack. I told him he was not going to interfere. I am not making no threats, I just telling you and I told Chief this also. There is something serious going to happen one of these days. I am doing everything within my power legally to try to get something done about this. It is just like that lady who lived over in Dayton who called and called about the dogs and nothing was done and they dogs finally killed her right in front of her house. That is what I am afraid is going to happen right here. I have got little babies there. These dogs are a big ugly dog. They are similar to a pit bull but they are a whole lot bigger (one of them is) and the other one is half pit bull. They are vicious dogs. There ain't no doubt about that. I am worried about it. This would have never happened if they had done something about their loud music and their dog. Nobody lives there so I guess they just come over and party in that barn there. I don't know what they are doing over there but I do know they have surveillance camera all around the property and one of them aimed right at my driveway.

Law Director Keener stated which house is this? I know it is 92.

Police Chief Daulton stated it used to be Smith's.

Law Director Keener stated Virgil Smith on the right hand side. I about ran over a couple of small dogs out that way.

Mr. Horn stated they have always had dogs and they always ran but they were not mean dogs. They never caused any problems.

Law Director Keener stated the only thing I can suggest is that we will get together and talk to see what we can get together and what we can file to put pressure on the courts as well as perhaps going forward trying for the public nuisance and on your end of it document anything that you can, get as many witnesses who have seen these dogs, who have been perhaps attacked by them or anything like that because it all boils down to when you go in court you have to have the testimony and the evidence in order to get anywhere. Believe me I have been down this road many times when people have a valid complaint but when you go to court they are either afraid to come in, or they are too busy to come in, or they don't show up and you can't accomplish anything.

Mr. Horn stated that is just like when we went to court yesterday. I told them they were not going to get anything done because it was my son's word against his and his daughters. My wife never seen him sick the dog; she just seen the dog trying to get him. And of course the police officers did not see anything either.

June 5,

2018

Mayor Arriola stated if you can think about it use your phone to video tape it.

Law Director Keener stated anything you can do to get proof or evidence will be a big help to all of us in trying to correct the situation.

Mr. Horn stated that is why I am here crying the blues to the Council right now. I would rather cry the blues than go to jail. I am too old to be going to jail. Something is going to happen. Something has got to be done. I appreciate anything you can do.

Mayor Arriola stated thank you for coming in.

Mayor Arriola stated anyone else. Nothing was heard.

#### **ADMINISTRATIVE STAFF COMMENTS**

Mayor Arriola stated we will go to administrative staff comments.

Mayor Arriola stated Police Chief Daulton.

Police Chief Daulton stated most of our new vests came in for the officers. We have gone to an exterior carrier. It looks just like their uniform shirt. So far everyone loves them. They say it is really nice to be able to pop it loose and get a little air when it is 90 degrees. That is all I have.

Mayor Arriola stated anyone have anything for the Police Chief. Nothing was heard.

Mayor Arriola stated Fire Chief.

Municipal Manager/Fire Chief Markus stated I have nothing tonight, sir.

Mayor Arriola stated anyone have anything for the Fire Chief. Nothing was heard.

Mayor Arriola stated Zoning Compliance Officer David.

Zoning Compliance Officer David Lunsford stated there is a Planning Board Meeting on Thursday, June 28<sup>th</sup> at 7:00 p.m.

Municipal Manager/Fire Chief Markus asked are you going to give an update on demo?

Zoning Compliance Officer David Lunsford stated I plan on giving it at the next meeting.

Mayor Arriola stated anything for the Zoning Compliance Officer. Nothing was heard.

Mayor Arriola asked is there anything from Chief Financial Officer Brenda?

Municipal Manager/Fire Chief Markus stated she has nothing tonight, sir.

Mayor Arriola stated Service Department Superintendent Scott Brock is not with us tonight. Anything from Scott.

Municipal Manager/Fire Chief Markus stated he has nothing.

June 5,

2018

Council Member Joy stated the mains down on Main and Fuls Road. I know several people who live back there and they have called me several times about brown water and weak pressure. How soon is that going to be replaced.

Municipal Manager/Fire Chief Markus stated that should be completed by the end of this week. The issue there is the old line. We have had a number of breaks on that line even as recent as this past Sunday night at about 12:30 in the evening. They were there until 6:00 a.m. Monday morning. We are ready to discontinue service on the old line. We have moved all of the home services off of the old main and put them on the 12" main so we are going to drop an insert-a-valve in there. Basically that will seal off the old line. That should take care of that problem. Every time they crank a valve we have discoloration of water from sediment and low water pressure. All of that should be fine now.

Council Member Joy stated they called me this morning.

Council Member McClusky stated the pressure is still pretty low. I live back there.

Municipal Manager/Fire Chief Markus that should be taken care of when the insert-a-valve is put in. That should be done Friday but we anticipate having it done by Wednesday.

Council Member Sands asked if more gravel could be dumped where the break was at Church Street. How about the one on Bronwood? They are beginning to be craters.

Mayor Arriola asked are there any plans in the works to redo Comer Court?

Municipal Manager/Fire Chief Markus stated not at this time. We are coming down Church Street with a three (3) phase project. Only one (1) phase has been approved so far and that would be from about Perry Street to Main Street. We submit for Phase 2 this August and will be notified in January of 2019 if it is approved. If approved then we will submit in August of 2019 for the final phase and be notified in January of 2020 if approved for the final phase. Church Street if we split it is an ideal project. It is about 3,000 feet long so we would have 3 projects each 1,000 feet long. Main Street is already finished. If we get Church Street that will be finished and that little neighborhood area with Franklin, Comer, Sunset, everything right in there down Blosser right behind Speedway would be an ideal project area. That is at least two (2) years down the road because we would like to finish up Church Street and if we get awarded. We did get awarded Phase 1 but the State's budget does not kick in until July 1 of this year. So July 1 of this year is when we will actually get funding to start on Phase 1, which of course will be the Engineering drawings. The line that we are talking about now is just immediately north of Main Street on North Church where that big gravel area is. That is an old main that has broken probably five (5) times because of its age and that is no different than anybody else's infrastructure issues because of the age so we are stubbed out on Perry Street because we finished Phase 2 of Perry Street so we have a stub there we can pick up. When we bid Main Street we put a 12 inch stub there so we can pick that up when planning for the future for Church Street. With the award of Church Street we want to do if nothing else is try and get that 12 inch linked between Perry Street and Main Street late this fall. If it happens it will not happen before mid November because by the time we get the engineering drawings done, get the bids out, and then get ready to work the project. If we can actually get that in the ground, unlike the way we normally do them where we complete the project with asphalt and everything and be done with it we will have the main in the ground but we will not be able to asphalt due to the plants being closed so that would be asphalt in the second quarter of 2019. Addressing the Bronwood issue with the water main break there as we are coming down the full length of Yorkwood

June 5,

2018

and then basically we are going to make a left hand turn on Laredo Avenue so we are going east then go down to Bronwood and go north on Bronwood up to about Yale Avenue and that will be our Street Levy Project 4 turns out to be this year. We get about \$192,000 if everybody is paid up we get \$204,000, but everybody doesn't. We will get about \$192,000 and that is what we can do.

Mayor Arriola stated any other questions. Nothing was heard.

Mayor Arriola stated Parks and Rec.

Recreation & Community Development Specialist Cummins stated I just want to update you on a few things. This Thursday at 6:00 p.m. we are hosting our parent orientation for Camp Connect. We are welcoming 135 kids ages K through 12 so if you would like to come just to see what it is like and what the program looks like we would love to have you. It is a lot of fun. We are also still looking for readers. Some of you may have missed the sign up sheet. We have it here. The first 2 weeks are filled out. We are looking for volunteers for the last 3 weeks. It is just a 15 minute commitment so if you have any free time during the mornings or afternoons on Monday through Thursday we would love to have you. We will be approaching Council the next meeting or early July about the potential to continue on with our beer garden at the Sunflower Festival and potentially at our last Friday Night Out event. We have the 4-Miler for (Runners) and a 1-Miler for (Walkers) and you can register 3 ways: Online, Paper Application by Mail, and Same Day registration beginning at 7:30 A.M. and all the proceeds go to the local Chamber of Commerce. This will kick off the Sunflower Festival event on August 4<sup>th</sup>. Our next Friday Night Out event is next Friday. We would love to have you guys out. We have 6 Food Trucks scheduled to be here. We are going to wrap all the vendors around the pond. We will also have our 3 on 3 Basketball Tournament that evening as well. We had our first vegetable give away on Sunday. We did not know what to expect. The garden team has been working very hard and if you guys have not seen the garden I would like to encourage you to walk on over. We gave 60 lbs of vegetables to over 30 people. It was pretty awesome. We are going to start delivering soon too. We will probably open it up to the people we delivered to last year. There were a lot of elderly included and the shut-ins in the Village. We also deliver fresh flowers bouquets from the garden as well.

Vice Mayor Madden stated it was brought up at the Park Board Meeting about the Playground equipment and the safety inspections. I am just curious where we are at with that.

Municipal Manager/Fire Chief Markus stated they had two (2) issues. We pulled the tire out and they have taped off several times that particular piece of equipment until we can get it repaired. They look at them twice a year.

Mayor Arriola stated Municipal Manager comments.

#### **MUNICIPAL MANAGER'S COMMENTS**

Municipal Manager Markus stated I have a two. We have already kind of discussed the Special Council Meeting next Tuesday at 7:00 p.m. It will have a single agenda item and that will be the resolution awarding the bid for the Fire Station Addition Project as well as authorizing the Manager and Financial Officer to secure financing in the bid amount for the project. That will be the sole item on the agenda. That is a 7:00 p.m. instead of 7:30 p.m.

June 5,

2018

The second comment would be just a repeat that the State has a grind and pave project on Main Street this year. They will be starting slightly west of Fuls Road and going to slightly east to Brumbaugh Avenue and that is where they will stop. Mayor Arriola asked are we going to do Church Street?

Municipal Manager/Fire Chief Markus stated no, we will not. They are going past the Church Street intersection.

Vice Mayor Madden asked when did you say that would start?

Municipal Manager/Fire Chief Markus stated the end of this month. We do not have a firm date on it.

Vice Mayor Madden stated that is alright that makes people happy.

Municipal Manager/Fire Chief Markus stated it is a State Project.

That would be the extent of my comments this evening.

Mayor Arriola stated any questions for the Manager. Nothing was heard.

#### **COUNCIL MEMBER COMMENTS**

Mayor Arriola stated Gale.

Council Member Joy stated I have nothing further for this evening.

Mayor Arriola stated Doug.

Council Member Thompson stated I have nothing. Thank you.

Mayor Arriola stated Hillary.

Council Member McClusky stated I have nothing.

Mayor Arriola stated Chris.

Council Member Sands stated I have nothing.

#### **VICE MAYOR'S COMMENTS**

Vice Mayor Madden stated I have nothing.

#### **MAYOR'S COMMENTS**

Mayor Arriola stated I have nothing further.

#### **ADJOURNMENT**

Mayor Arriola stated do I have a motion to adjourn.

Motion by Council Member Thompson, second by Council Member Madden to adjourn the meeting.

ROLL CALL ON ABOVE MOTION. Council Member Sands, yes; Council Member Thompson, yes; Council Member Arriola, yes; Council Member Joy, yes; Council

June 5,

2018

Member Macmann, yes; Council Member Madden, yes; Council Member McClusky, yes; 7 yes 0 no

ALL IN FAVOR. MOTION CARRIED.

Meeting was adjourned at 8:41 p.m.

Approved:

\_\_\_\_\_  
Mayor Date

\_\_\_\_\_  
Clerk of Council Date