

Metamora Village Council

Council met in regular session Monday, February 1, 2010 at 7:00 p.m. at the Village Office. Council present: President Ken Wysong, Karon Lane, Cheryl Geer, Chip Vance and Barb Georgia. Absent Eric Gonzalez

Other officials present: Mayor Loar, Fiscal Officer Karin Sauerlender, Deputy Clerk Sue Clendenin, Water Superintendent Rick Meiring, Village Solicitor Alan Lehenbauer and Zoning Inspector Bob Sabo.

Guest: Jeff Comstock

Mayor Loar opened the meeting at 7:00 p.m. with the Pledge of Allegiance.

Guest: Jeff Comstock present to observe council proceedings

Minutes: Cheryl Geer motioned to approve 01-18-2010 council minutes as written. Second by Ken Wysong and approved by all council.

Report of Water Superintendent - unable to install Solar Bee last week due to rain, warm weather, and nearly 2 inches of ice on lagoon; delivery truck got stuck in mud. Will try again in week or two when weather permits. Thursday the water plant will be tested for re-certification. Includes Rick recalibrating all equipment and water employees being tested by a member of the EPA, at a cost to the village of \$2800.

Pipe being delivered and equipment on site to begin the Northeast Water District Project. Project schedule expects it will take only three months to lay all necessary water line. Could have as many as five crews on site at same time. Due to financial availability the final phase of the project was approved, even though it doesn't appear the Village of Lyons will join new district. The new water line will go to the Michigan line near Stamtec Corp.

Report of Zoning Inspector – presented 2009 zoning update; issued 13 permits, 12 violations of which 2 have been carried over to 2010. Most violations are remedied after initial violation contact. Zoning office does not have many surveys on file, inspector obtaining copies of surveys when available. Consequently, to draw accurate maps for addresses he visits properties to measure buildings, locate side yards, etc. Has used Aceglobe systems but found several errors, considers it unreliable. Attended a couple zoning seminars for information. Technology in office; has GIS system from county has yet to use, mayor offered to show Bob how to navigate and use the system. Zoning library; receives Zoning bulletin that offers information on court cases from other entities. Needs to document cases so if an issue comes up he can locate relevant cases quickly. This data processing will take some time.

Karon Lane asked what the long-term goal is for property drawings? Sabo found from past experience the best way to have the zoning office run is by addresses and to have a catalog of all zoning issues on each property. Lane asked what does one do with this property information? Sabo said he ran across a situation once where someone was going to sell his or her property, and a property line question arose. Sabo was able to find in his information that one property had built part of their home on the neighbor's property. Zoning appeal information also kept in address file. Rick Meiring said if someone was selling his or her property and a property -line dispute occurred it would be the homeowner's responsibility to have a survey completed. Sabo agreed.

Wysong asked if Sabo received a response from Carl Pope, Jr. or his attorney in regards to allowing the zoning inspector on his property? Not yet, will call village prosecutor tomorrow for update. Village code permits zoning inspector to enter village properties when enforcing the zoning code.

Vance asked if all zoning violations were issued on a complaint basis. Sabo said most violations come to his office as a complaint, but he also locates violations when driving the village. Vance doesn't want the village to have the appearance it's picking on certain people, because if the code were enforced to it's fullest, many residences would have violations. Mayor Loar said when Mr. Sabo was hired he was asked to look for blatant violations like junk cars, cars without current plates, etc. and also to follow up on resident complaints. The zoning inspector first tries to work with residents before taking civil action. In the past, we lost a couple court cases because the village didn't have the manpower hours to follow through, now we do.

Report of Street Supervisor – attendance requested at Lands & Buildings committee meetings followed by attendance at the second meeting of council

Report of Solicitor – presented solicitors and prosecutor's ordinance, which is effective for two years. Reviewed both proposed ordinances submitted by Time Warner's in regards to collecting franchise fees. Alan suggested council approve the ordinance with provisions to collect ad revenues.

Bills -The bills were read for approval:

Discussed excessive gas use at rental building. Contact building owner to report high fuel consumption and ask for heaters to be serviced.

Barb Georgia motioned to pay bills. Second by Ken Wysong and approved by all council.

Old Business – Men's league fees still not paid in full. Mayor has yet to call the league president again, but will before further action is taken.

CINTAS – village uniform vendor has agreed to reduce length of new contract to one year, will not go less. Fees not to increase and weekly minimum reduced to \$10. Council would like mats discontinued, with Rick's approval. Village has donated mats

that could be used at the water plant in place of CINTAS mats. Ken Wysong motioned to allow mayor and clerk to enter into a 12-month renewal contract with CINTAS. Second by Barb Georgia and approved by all council.

Solar Bee funding – Sue spoke to Kathy from Bob Latta's office, she offered to find out if the purchase of a Solar Bee (to be installed at the village sewer lagoon) would be eligible for stimulus funds. Steve Brown from Regional Planning said it would be eligible for CDBG funding.

Buckeye Drive – Paperwork completed to turnover property to the village, necessary paperwork has been recorded with the county auditor. Yet to receive survey bill from Stantec, which is holding up ODOD funds to Parker Hannifin for road improvements. Georgia inquired about guard-rail status. Mayor said APC offered to install removable guardrail or gate to allow APC vehicles access to and from the area. Mayor will follow up with Mike Anderzack. On request from Tom Vershum, former owner of property that is now Buckeye Drive Mayor Loar drafted a letter thanking Trustee Thomas Vershum from Vershum Land Company, LLC for his generous donation of 0.757 acres to the village. Mr. Vershum had indicated the approximate value of the property to be \$20,000.00. The 0.757 acres has been incorporated into the use for public streets and right-of-ways. The construction of the street is the beginning to the future of the industrial site, and allows access to two existing companies.

New Business -

Ordinance #784 increasing 2010 sewer rates 5%- Cheryl Geer motioned to approve the third and final reading of Ordinance #784 under emergency measure. Second by Barb Georgia. Roll call vote taken: Geer yes, Wysong yes, Lane yes, Georgia yes, with Vance abstaining. Ken Wysong moved to pass Ordinance #784 under emergency measure. Second by Cheryl Geer. Roll call vote taken: Geer yes, Wysong yes, Lane yes, Georgia yes, with Vance abstaining.

Ordinance #785 establishing a video service provider to be paid by any video service provider offering video service in the Village; Authorizing the mayor to give notice to the video service provider of the video service provider fee. Ken Wysong motioned to suspend the rules on Ordinance #785 including revenue from ads and keeping franchise fees at 3%. Second by Barb Georgia. Roll call vote taken: Vance-yes, Wysong-yes, Geer-yes, Lane-yes and Georgia-yes. Ken Wysong motioned to pass Ordinance #785 under emergency measure. Second by Barb Georgia. Roll call vote taken: Geer-yes, Vance-yes, Wysong-yes, Georgia-yes and Lane-yes.

Ordinance #786 appointing Village Solicitor and Village Prosecutor and establishing compensation for a period of two years ending December 31, 2011. Ken Wysong motioned to suspend the rules on Ordinance #786. Second by

Barb Georgia. Roll call vote taken: Wysong-yes, Vance-yes, Lane-yes, Geer-yes, and Georgia-yes. Cheryl Geer motioned to pass Ordinance #786 under emergency measure. Second by Barb Georgia. Roll call vote taken: Vance –yes, Geer-yes, Wysong-yes, Lane-yes and Georgia-yes.

Walter Drane Company's proposal to update the Village's codified ordinances - cost prohibitive at this time. Barb Georgia motioned to decline the Walter Drane contract. Second by Ken Wysong and approved by all council.

Trash Hauler- Contract with Fondessy Enterprises expires March 31, 2010. Contact has been made to renegotiate contract. Several residents have voiced satisfaction with current hauler.

Council president Ken Wysong and Mayor Loar meeting with VORP and two juveniles accused of breaking into the park concession stand Tuesday, February 2, at 5:00 p.m. at the village office. Council agreed to allow teens to perform community service instead of pursuing monetary compensation.

Report of Fiscal Officer – Cub Scouts requesting council waive park shelter fee for scout picnic May 15 and reserve one ball field. Ken Wysong moved to waive shelter fee for Cub Scouts and hold one field for scout use during picnic.

Fresh Cut Lawn Service submitted 2010 quote to provide mosquito spraying. At \$125 per application, same cost as last year, with a minimum of 6 applications. Cheryl Geer motioned to enter into contract with Fresh Cut Lawn for mosquito control in 2010. Second by Ken Wysong and approved by all council.

The following increases requested:

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|-------------------------|-------------|
| Increase Revenues | |
| E7—I-142 | Issue 2- NE |
| Water District | |
| \$275,000.00 | |
| Increase Appropriations | |
| B1-6-B-255-1 | |
| County Reimbursement | |
| \$275,000.00 | |

Barb Georgia motioned to approve revenue and appropriations increase as requested by the Fiscal Officer. Second by Ken Wysong and approved by all council.

Report of Mayor – county dinner is at 6:00 p.m. Tuesday, February 16 in Arch bold. Council member Barb Georgia submitted a letter resignation from council, effective at the end of tonight's meeting. Ken Wysong moved to accept Barb Georgia's resignation effective at the end of tonight's meeting. Second by Cheryl Geer and approved by all council. Barb was thanked for her many years of service and constant dedication to the village.

Sheriff's report for December read. Officer's spent a total of 71 hours patrolling the village and handled 12 complaints.

Barb Georgia motioned to adjourn at 8:40 p.m. Second by Ken Wysong and approved by all council.