Council Members Present:

Heidi Robinson, Council President

Lynne Snider Dale Brussee Mary Renner Ryan Yzenski Olivia Newbold Other Village Officials

Gavin Renner, Mayor

Beth Patrick, Village Administrator Sharon Brussee, Clerk of Council Melissa Tremblay, Fiscal Officer Darrell Ball, Chief of Police

Guests Present:

Anderew Kimble

Lisa Ridenour-Marton

Call to Order/Pledge of Allegiance:

The Village of Thornville regular Council meeting was called to order by Mayor Gavin Renner on September 28, 2015 at 7:00 p.m. by saying the Pledge of Allegiance.

Roll Call:

Roll call taken with all members present.

Approval of Agenda for September 28, 2015:

Councilman Dale Brussee stated a change needs to be made to the Executive Session by removing "and ORC 121.22 (G) (3) conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action."

With no further discussion, a motion was made by Council President Heidi Robinson to approve the September 28, 2015 agenda with changes and seconded by Councilman Dale Brussee. A roll call vote was taken with all members voting yea. Motion passed 6-0.

Review/Approval of Minutes from Regular Council Meeting August 24, 2015: With no discussion held, a motion was made by Council President Heidi Robinson to approve the minutes from August 24, 2015 as written and was seconded by Councilwoman Mary Renner. A roll call vote was taken with all members voting yea. Motion passed 6-0.

Review/Approval of Minutes from Special Council Meeting September 21, 2015: With no discussion held, a motion was made by Councilman Dale Brussee to approve the minutes from the Special Council meeting on September 21, 2015 as written and was seconded by Councilman Ryan Yzenski. A roll call vote was taken with all members voting yea. Motion passed 6-0.

Andrew Kimble - Kimble Recycling and Disposal, Inc.

Mr. Andrew Kimble commented that he was invited to the Council meeting by Village Administrator Beth Patrick. He wanted to see if there were any outstanding issues at this time. He stated there were some issues that were addressed 3 or 4 months ago, and they weren't corrected as quickly as he liked. Councilwoman Mary Renner thanked Mr. Andrew Kimble for personally coming to pick up the trash that hadn't been picked up. He stated that he had ridden with the drivers on the route, and found issues were with the re-route skipping streets, and they sat down and worked out the problems. Councilwoman Lynne Snider asked Village Administrator Beth Patrick if she received any complaints recently, and she responded that she had not. Village Administrator Beth Patrick added that Mr. Kimble calls every Tuesday evening to see if she has received any complaints. She added that she has not received any complaints in the last month, and she stated that Mr. Kimble is very quick about addressing those complaints. Councilman Ryan Yzenski stated the only problem he has had is in the winter the trash cans were thrown and the lids were broken. Mr. Kimble asked if those were personal trash cans, and Councilman Ryan Yzenski responded they were. Mr. Andrew Kimble apologized for that. Mr. Kimble stated they are a family-owned business and take extreme pride in people's property. Councilman Dale Brussee commented about the varying sizes of

trucks, and he thought it would make sense to use smaller trucks on tight areas in the Village. Mr. Kimble responded that the larger trucks are more cost-effective from a business perspective because only 1 truck and 1 driver are needed. Mayor Gavin Renner thanked Mr. Andrew Kimble for his time.

Public Hearing

Ordinance 15-06 AN ORDINANCE TO AMEND ORDINANCE 11-15 (WEEDS AND GRASS MAINTENANCE) AND DECLARING AN EMERGENCY.

Mayor Gavin Renner opened the Public Hearing for Ordinance 15-06 at 7:07 p.m.

Discussion was held. Mrs. Lisa Ridenour-Marton asked why Ordinance 15-06 was declared as an emergency. Council President Heidi Robinson responded that it waives the 30-days for it to take affect after it passes. Council President Heidi Robinson added that this is the way that Solicitor Zets writes his ordinances, but it does not mean that Council is just going to pass it through. Council President Heidi Robinson also stated that it will go through the first reading, public hearing and second and third readings and it will waive the 30 days after passing it. Mrs. Lisa Ridenour-Marton also asked why it was declared an emergency this time of the year. Councilman Dale Brussee stated that at the time it originally written, it was the beginning of the year and because of the revisions to the ordinance it delayed the ordinance, and it won't come into play this year. Mrs. Ridenour-Marton also had a question regarding noxious weeds, and she noticed that milkweed is listed, and there is a fairly large movement in the Midwest for people to plant milkweed in their flower beds to aid with monarchs because they are becoming highly endangered and are on the verge of extinction. Mrs. Ridenour-Marton asked if this in reference to weed kind of situations or can they be planted in butterfly gardens. Councilman Dale Brussee responded that a weed is an unwanted plant. Mrs. Ridenour-Marton stated that she asked for this clarification because she is planning on purchasing milkweed seeds, and she wanted to know if there was going to be a problem with this. Councilman Dale Brussee asked if she was going to plant in a contained area and not spread around her property. Mrs. Ridenour-Martin responded ves.

Councilwoman Olivia Newbold voiced her concern with "large family of (Gramineae)" found in Section 1 (a) (1) in Ordinance 15-06, which she thought was too broad. She stated this family consists of more than 10,000 domesticated and wild species, which includes corn, wheat, bamboo and ornamental grasses. She also voiced her concern regarding Section 1 (a) (2) in reference to milkweed. She stated that no weed is listed on the 2014-2015 ODNR Rare Native Ohio Plant Status list as potentially threatened. She stated that the ODNR classifies milkweed as a Native Ohio wildflower. Councilwoman Olivia Newbold read the ODNRs classification of milkweed. She also gave ODNRs description of dandelions, which are classified as an herb. Councilwoman Olivia Newbold questioned whether Ordinance 15-06 is in conflict with ODNRs rules and regulations. She added that she did not understand why there is a problem with milkweed growing wild without being in a garden. Councilwoman Olivia Newbold also had questions about Section 1 (b) and (c) regarding the language of "his/her designee" referring to the Zoning Inspector getting someone else, and asked if this sets up an employee/employer relationship with the Village or whoever is the designee of the Zoning Inspector. Councilwoman Olivia Newbold asked this for payroll purposes. She also had a question regarding Section 4 the mowing season is undefined in this ordinance. Council President Heidi Robinson responded that it is the previous Weed and Grass Ordinance. Mayor Gavin Renner responded that it falls in line under the Ohio Basic Code which is defined April to October. Councilwoman Olivia asked if Ordinance 15-06 is in conflict with Ordinance 91-13 and copies of that ordinance were handed out to Council members. She read Section 1 of Ordinance 91-13 to Council. "It is hereby declared to be in the public interest that the consent of said Village be, and such consent hereby is, given to the Department of Transportation of the State of Ohio for said Department to maintain the traveled portion of, apply standard longitudinal pavement markings." Mayor Gavin Renner asked Councilwoman Olivia if what she is saying is

that it conflicts with Ordinance 15-06 because it requires residents to maintain the strip Councilwoman Olivia Newbold responded yes. between the street and sidewalk. Councilwoman Olivia Newbold commented that these were some of her concerns regarding Ordinance 15-06. Councilman Dale Brussee stated that these concerns will be summarized and given to Solicitor Zets for his review to see if there are conflicts. Councilwoman Olivia Newbold read from the Ohio Revised Code 5579.04 regarding Destruction of brush, briers, weeds, and thistles along highways "between the first and twentieth days of June, the first and twentieth days of August, and, if necessary, the first and twentieth days of September of each year or whenever necessary to prevent or eliminate a safety hazard, shall destroy all brush, briers, burrs, vines, noxious weeds." Discussion was held regarding the differences between local, state, townships, villages, roads and highways. Councilwoman Olivia Newbold read further "political subdivisions are liable for injuries, death or loss of personal property that is caused by the negligence of their employees that occur within the grounds". Councilman Dale Brussee stated this is also something for Solicitor Zets to review to get distinctions between Village and other. Village Administrator Beth Patrick stated that Ordinance 91-13 is about the State maintaining state routes -- plowing, signage, painting and school markings of the State Routes in the Village, and the Village does not do this. She added the Village is responsible for the stop light.

With no further discussion, Mayor Gavin Renner closed the Public Hearing for Ordinance 15-06 at 7:18 pm.

Ordinance 15-07 AN ORDINANCE CREATING AND ADOPTING REGULATIONS GOVERNING THE TRIMMING OF TREES AND SHRUBBERY AND DECLARING AN EMERGENCY.

Mayor Gavin Renner opened the Public Hearing for Ordinance 15-07 at 7:18 p.m. Mrs. Lisa Ridenour-Marton asked for a clarification for "designee" and qualifications. Mayor Gavin Renner stated the Village only has a Zoning Inspector, and there are no plans to hire anyone else for Zoning to support the Zoning Inspector. Mrs. Lisa Ridenour-Marton cautioned about the chain of command because this could become a problem Mayor Renner commented that currently the Village only has the Zoning Inspector and he is not sure what was meant by designee, and he wondered if that could mean another Village employee. Village Administrator Beth Patrick thought designee may refer to Section E, and she went on to read Section E (Service Fees) "The Police Chief, Village Administrator, Zoning Inspector, or any Village of Thornville Police Officer may make service and return of the notices provided for in Chapter, and shall be allowed the same fees as that provided for service and return of summons in civil cases before a court or magistrate." Councilman Dale Brussee stated the purpose of Ordinance 15-07 is that alleyways are overgrown and intersections can't be seen and also vehicles could be scratched by bushes while driving through those alleys, and currently the Village has nothing to enforce. He added there are no right-of-ways for alleys. Mrs. Lisa Ridenour-Marton voiced her concern about broad statements regarding designee. Administrator Beth Patrick commented that residents need to know who they are dealing with. Councilman Dale Brussee stated that it is a safety issue and intersections can't be seen from the alleyways. He added the Police Chief could observe or someone talking to the Police Chief about it and then Police Chief would have something to enforce. Mrs. Ridenour-Marton responded that she would rather see the Police Chief working on issues rather than tree branches. Village Administrator Beth Patrick added this ordinance follows closely the Ohio Basic Code, and she had the solicitor add language about branches because the Ohio Basic Code does not address anything about branches and brush on alleys, and branches are impeding traffic. She added that it talks about streets, sidewalks, traffic lights, and regulatory signs -- stop signs, etc. Mayor Renner commented the difference between the Ohio Basic Code is that Council has to provide that order, and make that decision and permanently conferring on the Zoning Inspector permanently, and if the Zoning Inspector observes something he/she can take care of it instead of coming to a Council meeting.

Councilwoman Olivia Newbold commented that J. Jennie used to trim trees, and she asked why he stopped. Village Administrator Beth Patrick responded that it was her understanding that Council had chosen not do this based on Solicitor Zets' recommendation the Village no longer do this type of work because of the damage to the trees, and was directed not to do this anymore because it is the responsibility of the property-owner. Councilwoman Olivia Newbold asked if it could be proven if the property-owner planted the trees. Village Administrator Beth Patrick responded that really doesn't matter. Mayor Gavin Renner also responded that it is the property-owners' responsibility regardless of how that tree got there in the first place. Councilwoman Olivia Newbold asked if there are any maintenance agreements with ODOT, AEP or AT&T. Councilwoman Mary Renner responded there are no agreements with any of them. Councilwoman Olivia Newbold also commented about maintaining signage and as a citizen if she doesn't want to maintain signage or street signs on her property, does she have the right to remove it. Mayor Gavin Renner responded that is not the intent of this ordinance, and this means these sign should be kept clear, and the property-owner cannot remove any signs. Councilwoman Lynne Snider stated this is for safety purposes. Councilman Dale Brussee added that the State takes care of state signs.

Mayor Gavin Renner closed the Public Hearing for Ordinance 15-07 at 7:26 p.m.

Police Report for August 2015:

Police Chief Darrell Ball presented the Police Report for August 2015.

Cases Handled:

2 Assistance Calls

27 Thefts

4 Traffic Cases

Auxiliary Hours:

Total: 67

Craig Garver - 14

Chuck Stuphen - 12

Brett Blake - 8

David White - On leave Air National Guard

Mark Stoneman - 9

Wendy Swinehart - 16

Trainings Attended:

No trainings attended.

Items of Importance:

From August 9 to August 25, 2015 The Thornville Police Department took 27 reports pertaining to identity theft from the Circle-K in Thornville. The Perry County Sheriff's Office took approximately the same amount of reports. This is still an ongoing investigation with assistance from BCI, the Secret Service and the FBI.

Mayor's Report for September 28, 2015:

Mayor Gavin Renner gave the September 28, 2015 Mayor's Report to Council

Office Hours: Mayor Renner will be unavailable for regular office hours due to project work. His role may be changing, and he may be available to start having office hours. He can be reached at 614 745-4802 or mayor.thornville@gmail.com

Correspondence:

- Received a letter from Village of New Lexington on the behalf of Kent Cannon, Perry County Engineer, requesting a Mayors meeting to select a Mayor's representative to serve on the Ohio Public Works Commission (OPWC) County Sub Committee.

- Second Public Hearing on September 30, 2015 at 6:30 at the Somerset Elementary School to hear concerns regarding the proposal from Burr Oak to Perry County Commissioners.
- Sent email to Perry County Commissioners regarding Burr Oak proposal.
- Received letter of resignation for the position of Zoning Secretary from Sharon Brussee. Mayor Renner thanked her for her service. Mayor Gavin Renner asked for a motion to accept her resignation.

With no discussion held, a **motion** was made by Councilwoman Lynne Snider to accept Sharon Brussee's resignation from the Zoning Secretary position and was seconded by Councilwoman Mary Renner. A roll call vote was taken with all members voting yea. **Motion passed 6-0**.

Mayor Renner stated that the position will be advertised, and Council President Heidi Robinson will be assisting with the interview process.

Legal:

- Brian Zets will be attending the public hearing on September 30. Brian Zets also represents Glenford.

Press:

- Statement to Scott Rawdon regarding Burr Oak proposal. Comments published on September 17.

Facebook:

- Post regarding the Trick or Treat night date. Date is Thursday prior to Halloween on October 29, 2015 from 6-9.
 Discussion was held regarding the time. It was stated that it is always from 6-8. It was decided that since it was advertised just to leave it from 6-9. No motion was needed to change the time. After further discussion, it was stated that Trick or Treat night should always be on the Thursday before Halloween.
 With no further discussion, a motion was made by Councilman Dale Brussee to make the Thursday before Halloween Trick or Treat Night and establish the time from 6-8 p.m. and was seconded by Councilwoman Lynne Snider. A roll call vote was taken with all members voting yea. Motion passed 6-0.
- Post regarding programs sponsored by Perry County Health Department.
- Post regarding Thornville Thorn Township Fire Department.
- Post regarding the upcoming Public Hearing in Somerset.
- Post regarding Country Fair. Date 3rd Sunday in October 18, rain date October

Other:

A Mayors meeting was held on September 26 at the Hoover in Glenford. Attendees included:

- Thornville Mayor Gavin Renner, Thornville Village Administrator Beth Patrick Glenford Mayor Leonard Sheppard, Somerset Mayor Tom Johnson. Purpose of meeting was to discuss issues and form a united stand opposing the recent proposal from Burr Oak to Perry County Commissioners.

Suggestions include:

Requesting that Village Councils allocate a certain amount of fund for legal fees to address this issue. Mayor Tom Johnson suggested \$500 per Village. Purpose is to investigate legal options for opposing the proposal in court. Discussion was held regarding sharing in the cost for attorney fees. Councilman Dale Brussee asked if Glenford objects to the proposal, then it is dead in the water. Mayor Renner responded that is true, but the terms of the proposal could be changed. Councilman Dale Brussee asked for clarification on the Mayor's statement. Mayor Renner re-stated that if Glenford is firm in their opposition to the proposal; it would be up to Burr Oak to change their minds and come up with different terms to the proposal. Discussion was held on the terms of the Burr Oak proposal. Councilman Dale Brussee asked what the \$500 would be used for. Discussion was held regarding the use of the \$500, and it was stated that it could be used for future legal action. Village Administrator Beth Patrick stated they (Glenford and Somerset mayors) would like to see a study to see where there is a need for water in Perry County and Thornville would lose approximately

\$30,000 annually from the sale of water to Glenford. Councilman Dale Brussee asked if the solicitor's services would be more than Thornville already receives. Mayor Gavin Renner responded no that it is a show of support. Mayor Gavin Renner stated the \$500 would be allocated for this. It is a concern of Councilman Dale Brussee that sewer and water money may have been combined by the county.

With no further discussion, a **motion** was made by Councilman Dale Brussee to pay \$500 in joint attorney fees and seconded by Councilwoman Mary Renner. A roll call vote was taken with all members voting yea. **Motion passed 6-0**.

- ❖ Write a joint statement to the Perry County Commissioners opposing the proposal giving reasons and remedies. Mayor Johnson and Mayor Renner to write drafts. Mayor Renner's draft is available at tonight's meeting. It was asked if Solicitor Zets will review the draft, and Mayor Renner respond yes, and all of the mayors will be reviewing the draft. Councilman Dale Brussee also requested that if Solicitor Zets has concerns that he would voice them at the Public Hearing. Mayor Gavin Renner stated that the meeting minutes from Public Hearing all of the comments were boiled down to 1 line and there were no details. The Village is planning on taping this Public Hearing.
- ❖ Coordinate questions at the Public Hearing on September 30. The plan is to publicize that a quorum of council may be present at the meeting. Please think of questions you would like to ask or ask Beth for some.
- ❖ Mayor Johnson suggested pursuing county-wide water study through federal grants to investigate the county water supply as a whole. The study would be conducted free of charge to communities and the county.

Monthly Water Report to Perry County Commissioners for August 2015:

With no discussion held, a **motion** was made by Council President Heidi Robinson to receive the Monthly Water Report to the Perry County Commissioners for August 2015 and was seconded by Councilwoman Lynne Snider. A roll call vote was taken with all members voting yea. **Motion passed 6-0.**

Monthly Water Report to Council for August 2015:

With no discussion held, a **motion** was made by Councilwoman Mary Renner to receive the Monthly Water Report to Council for August 2015 and seconded by Councilman Dale Brussee. A roll call vote was taken with all members voting yea. **Motion passed 6-0**.

Mayor's Court Report for August 2015:

With no discussion held, a **motion** was made by Councilman Dale Brussee to receive the Mayor's Court Report for August 2015 and was seconded by Councilwoman Mary Renner. A roll call vote was taken with all members voting yea. **Motion passed 6-0.**

Administrator's Report:

Village Administrator Beth Patrick presented the Administrator's Report to Council.

- Asphalt striping of stop bars, parking spaces and crosswalks will be done in the downtown area will done by Triple H at no cost and will be completed this fall or early next spring.
- ❖ Asphalt repairs done at the corner of Arlington Av. and Longview Dr., small area behind the Post Office and the alley behind the Shelly Co. Lab and the Methodist Church, and a small area on Grandview Dr.
- ❖ Plans for doing crack and seal of the streets this week. Material bought from DJL Materials. The Village buys their material and uses their machines. A question was raised by Councilman Ryan Yzenski if they do the patching. Village Administrator Beth Patrick responded that the Village does this.
- ❖ Walter Drane currently has a contract to codify Village ordinances. The Clerk of Council makes copies from September 2014 to September 2015 for codification and they will be sent to Walter Drane. Village Administrator Beth Patrick reminded Council their contract is up for renewal in 2016.

- ❖ Leaf collection will begin October 20 and ends November 21 and she will be posting fliers and on Facebook these dates
- ❖ The Village has received letter from the Perry County Board of Election that the proposed 1-mill and 2.4-mill renewal tax levies have met the statutory requirements and will be placed on the November 3, 2015 ballot and the board also sent the language that will appear on the ballot.
- ❖ Village Administrator Beth Patrick advised Councilman Ryan Yzenski and Councilwoman Olivia Newbold that State law requires that elected officials or their designees complete the Sunshine Law training once during their term. Council in the past has designated the Clerk of Council to attend this training. Village Administrator Beth Patrick added that this training now available as a 3-hour on-line sessions or they can designate the Clerk of Council to take this training. Councilman Ryan Yzenski and Councilwoman Olivia Newbold elected to take the 3-hour on-line training. Village Administrator Beth Patrick will forward them the website.

Presentation and Payment of Bills:

Village Administrator Beth Patrick presented the bills to Council. Discussion was held regarding the Speedway bill. Fiscal Officer Melissa Tremblay stated that gas purchases shows up under different company names on the statement but the gas is bought a Circle-K.

With no further discussion held, Council President Heidi Robinson made a motion to pay the bills and was seconded by Councilman Ryan Yzenski. A roll call vote was taken with all members voting yea. Motion passed 6-0.

Bank Reconciliation:

With no discussion held, a **motion** was made by Councilwoman Lynne Snider to receive the Bank Reconciliation for August 31, 2015 and was seconded by Councilwoman Mary Renner. A roll vote was taken with all members voting yea. **Motion passed 6-0.**

Fiscal Officer's Report:

Fiscal Officer Melissa Tremblay stated that the 2016 Appropriations are completed and will be ready for the committee next month, and then ready to go the next Council meeting.

Zoning Report - Council Representative Dale Brussee

Council Representative Dale Brussee reported there was no September Zoning Meeting due to a lack of a quorum.

Committee Reports

Public Facilities and Safety - Chairperson Dale Brussee

- · Update on the Hagan easement
- Discussed new AT&T Proposal and the committee did not recommend it
- Agreement for Village-Owned Real Property
- 2-hour downtown parking signs

Parks and Recreation - Chairperson Lynne Snider

- Pool made money
- Village Administrator Beth Patrick gave a lesson on how to read reports
- Austin Dittoe doing the painting that the Health Department recommended

Personnel - Chairperson Heidi Robinson

- Finished the Personnel Manual and gave copies to the rest of the committee to review before sending it to the solicitor
- Received the 2016 pay schedule that needs to be reviewed before the next committee meeting

• Given notice of Zoning Secretary's resignation and talked about advertising for that position and Chairperson Heidi Robinson will be involved in the interview process

Finance - Chairperson Mary Renner

- No changes to the 2015 Appropriations
- Welcomed Councilwoman Olivia Newbold to the committee

Unfinished Business:

Ordinance 15-06 AN ORDINANCE TO AMEND ORDINANCE 11-15 (WEEDS AND GRASS MAINTENANCE) AND DECLARING AN EMERGENCY. 2nd Reading.

Ordinance 15-07 AN ORDINANCE CREATING AND ADOPTING REGULATIONS GOVERNING THE TRIMMING OF TREES AND SHRUBBERY AND DECLARING AN EMERGENCY. 2nd Reading.

New Business:

• None.

Executive Session

Councilwoman Mary Renner made a **motion** to go into **Executive Session** pursuant to ORC 121.22 (G) (2) for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest and asked that the Village Administrator Beth Patrick accompany Council into said meeting and seconded by Council President Heidi Robinson. A roll call vote was taken with all members voting yea. **Motion passed 6-0.**

Council went into Executive Session at 8:17 p.m.

With no discussion held, a motion was made by Councilwoman Mary Renner to exit **Executive Session** and seconded by Councilman Ryan Yzenski. A roll call vote was taken with all members voting yea. **Motion passed 6-0.**

Council came out of Executive Session at 8:30 p.m.

Council Comments:

Councilwoman Olivia Newbold had no comment.

Councilman Dale Brussee asked about the property across the street, and if the Mayor had spoken with the solicitor regarding the stop work order on that property. Mayor Renner responded that he had not spoken with the solicitor. Mayor Renner added that he will contact the solicitor.

Council President Heidi Robinson had no comment.

Councilman Ryan Yzenski had no comment.

Councilwoman Mary Renner had no comment.

Councilwoman Lynne Snider had no comment.

Citizens Comments:

Mrs. Lisa Ridenour-Marton gave the thumbs-up on social media, and encouraged the Village to utilize it as much as possible because that is the one thing that people in town look at.

Councilman Ryan Yzesenski commented that the Village should set up a Twitter account. Councilwoman Olivia Newbold agreed and added this is a way to reach young people. Mayor Renner responded that this is something to look into.

Meeting Announcements:

Zoning Meeting on October 5 Next Committee Meeting on October 19

Next Council Meeting on October 26

Adjournment:

With no further discussion, a **motion** was made by Council President Heidi Robinson to adjourn and was seconded by Councilwoman Mary Renner. A roll call vote was taken with all members voting yea. **Motion passed 6-0.**

Meeting adjourned at 8:34 p.m.

Gavin Renner, Mayor

Sharon Brussee, Clerk of Council