

**Minutes**  
**Village of Thornville**  
**Regular Council Meeting**  
**Village Office, 3 South Main Street**  
**October 27, 2014**

---

**Council Members Present:**

Brandt Hawkins, Council President  
Lynne Snider arrived @ 7:01 p.m.  
Heidi Robinson  
Dale Brussee arrived @ 7:05 p.m.  
Mary Renner

**Other Village Officials**

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

**Guests:**

John Hagan	Beth Dannaher	Dick Krumlauf	Jim Royer
Ron Koehler	David Clum	Nancy Clum	Karla Palmer
Criss Clumm	Carrie Lott, Dagger, Johnston		

**Call to Order/Pledge of Allegiance:**

The Village of Thornville regular Council meeting was called to order by Mayor Gavin Renner on October 27, 2014 at 7:00 p.m. by saying the Pledge of Allegiance.

**Roll Call:**

Roll call was taken. Councilwoman Lynne Snider and Councilman Dale Brussee were not present at the time roll call was taken because of work obligations.

A **motion** was made by Councilwoman Heidi Robinson to excuse Councilwoman Lynne Snider and Councilman Dale Brussee and was seconded by Council President Brandt Hawkins. A roll call vote was taken with all members voting yea. **Motion passed 3-0.**

**Review and Approval of Agenda for October 27, 2014:**

With no discussion held, a **motion** made by Councilwoman Heidi Robinson to approve the Council Agenda for October 27, 2014 and was seconded by Councilwoman Mary Renner. A roll call vote was taken with all members voting yea. **Motion passed 3-0.**

**Review and Approval of Minutes for October 14, 2014:**

With no discussion held, a **motion** was made by Council President Brandt Hawkins to approve the Council Minutes for October 14, 2014 and seconded by Councilwoman Mary Renner. A roll call vote was taken. Councilwoman Mary Renner and Councilwoman Heidi Robinson abstained due to absence. Council President Brandt Hawkins and Councilwoman Lynne Snider voting yea, **Motion passed 2 yeas and 2 abstained.**

**Public Hearing**

**Ordinance 14-11** AN ORDINANCE ASSENTING TO CLUM KEYSTONE INHERITANCE TRUST'S SEPTEMBER 5, 2014 DETACHMENT PETITION.

Mayor Gavin Renner addressed the public with the rules of the **Public Hearing**.

Mayor Gavin Renner opened the **Public Hearing for Ordinance 14-11** at 7:05 p.m.

**Ms. Carrie Lott** with the Dagger Johnston Law Firm spoke on behalf of the Clum family specifically Criss Clum, as the trustee of the Clum Keystone Inheritance Trust. Mr. Criss Clum is trustee owns parcel located within the Village. She stated that the Perry County Parcel Number 39-00047751-01, and it consists of 25.236 acres located at the corner of Zion Road and Bruno Road. Ms. Lott stated that the Clums are asking that this parcel be detached from the Village of Thornville, and added to the adjacent Thorn Township. Ms. Lott further stated that the primary reason for asking for the detachment relates to the Clums intended use of the property. She emphasized that the Clums are farmers, and they are not developers and are not interested in selling the property for development or developing the property for themselves; instead they wish to continue farming. She further stated the current Zoning Code classification for the property does not list farming as a permitted use, and so if the property is detached and added to Thorn Township, then they should be able to continue to farm without Zoning violations. Ms. Lott stated that at

**Minutes**  
**Village of Thornville**  
**Regular Council Meeting**  
**Village Office, 3 South Main Street**  
**October 27, 2014**

least one Village ordinance places an impractical burden on the Clums, specifically Ordinance 09-10, which requires the Village property owner to maintain the property up to the edge of an abutting street. Ms. Lott continued that at first blush that ordinance, which requires the landowner to maintain the weeds and grass to a height not to exceed 6 inches, and at first blush this seems reasonable for a Village property-owner because she felt that this ordinance was intended for somebody who owns a city lot, and they only have to maintain the portion between the sidewalk to the road. Ms. Lott stated this is not the case with the Clum's property because along Zion Road there is a steep drop-off, which would require certain equipment to mow that grass, and it is a burden for the Clums. Ms. Lott stated additionally, if the property is detached, then the township should take over the mowing that part of the grass. Ms. Lott further stated that from the Village's standpoint they believe the Village should benefit from the detachment as well. Ms. Lott believes the portion of the real estate taxes for this parcel is less than \$58 per year. Ms. Lott added that she is certain that the obligations that are on the Village as a result of this property being in the Village cost more than \$58 a year because the Village has road maintenance obligations, enforcement of Zoning Resolutions and Village Ordinances, etc. Ms. Lott stated that from a financial standpoint it cost the Village more to have the land in the Village than if it was out. Ms. Lott addressed the final issue is that farmland has no need of the Village sewer services and there is an issue of 2 sewer lines coming across Daniel Grosse's property into the Clum's property, and those sewer lines need to be disconnected or plugged. It was Ms. Lott's understanding is that Staggers Excavating, Inc. gave a quote of \$2,400 to plug those lines. Ms. Lott gave the overview of the work that was to be done by going through the 2 manholes that are on Mr. Grosse's property, and fill it with concrete. Ms. Lott's stated this would help protect the Village's sewer system from unwanted infiltration, and that would be a good thing for the Village. Ms. Lott stated that the Staggers Excavating price quote of \$2,400 to do the work, they do believe it is the Village's obligation to pay for the work; however, Mr. Clum is willing to contribute \$2,000 towards that cost. Ms. Lott stated that she is not sure what Council's thoughts are regarding this, but what she thought could be done was that Mr. Clum could deposit \$2,000 with an escrow company for example, Hocking Valley Title Company, which is an affiliate of their law office. Ms. Lott stated that the money would be deposited pursuant to an escrow agreement, and the triggering event to get this money paid out of escrow would be the detachment of the property and the passage of any referendum period. Ms. Lott stated so they would know that the detachment is finalized, and as soon as that happens then the title company would issue a check of \$2,000 to whomever. Ms. Lott added the check could be made out to the Village or the excavating company. Ms. Lott voiced her concern about the issue of the price quote timeframe is for 30 days, and she felt that an extension should be asked from the excavating company acknowledging that his quote will stay consistent until the property has detached, and until he is ready to do the job. Ms. Lott stated that in closing she would like for Council recognize and remember that this was property not originally part of the Village, and that it was brought into the Village when there were grand plans of development, and unfortunately, that did not come to fruition. She added that it is now owned by a farmer, who wants to farm the property. Ms. Lott respectfully requested that Council approve the detachment, and from there it would go to the County Commissioners for further action.

**Mr. David Clum** stated that Ms. Lott did a very good job for the request for detachment, and the only thing he might add is that ditches along the County Road 30 on their side, they have Staggers cleaning the ditch out so that it works the way it should, but on the other side of the road every time there is a hard rain, mud washes out in the middle of the road. Mr. Clum added this would be another reason for detachment because it would be the county's responsibility.

**Ms. Karla Palmer** stated that she is a neighbor of the Clums, and she is in support of the Clums property detaching from the Village. She added that her farm is a farmable land, and she would like to see that legacy continue, and she stated this is good for the Village,

**Minutes**  
**Village of Thornville**  
**Regular Council Meeting**  
**Village Office, 3 South Main Street**  
**October 27, 2014**

---

county and township, as well, to divide up that section of road, the maintenance and the care that is needed along the road.

**Mr. Dick Krumlauf** asked about after the detachment, if that occurs, how long the Village would have to shut sewer lines down because the estimate is for 30 days, and for Mr. Clum's and the Village's sake how long would that be. Village Administrator Beth Patrick responded that she had already spoken with Mr. Dave Clum regarding this matter, and she added that it would depend upon Stagger's Excavating schedule.

**Mr. Jim Royer** stated that he is in favor of the Clum detachment because it was farmland, and the development was never implemented properly. Mr. Royer added there were supposed to be 3 phases, and only there was only one phase completed, and there was nothing done on Phases 2 and 3. Mr. Royer voiced his concerns regarding the tiles in the field where the cul-de-sac was put in, and it is now putting water on Mr. Clum's property. He added that someone needs to fix that, regardless of the outcome (of the detachment) because it is creating a problem in that area. Mr. Royer stated that it used to drain properly, but the field tiles have been cut, and it is just terrible there. Mr. Royer closed with saying he is in favor of the detachment.

**Mr. Dave Clum** responded to Mr. Royer's comments regarding the field tile. Mr. Clum stated when the sewers and streets numerous tiles were cut some of it came from the Clum's existing 80 acres before they bought the other acres so it stays wetter than it should. He added the tile system went on through the development over by Phase 1 where it ends. Mr. Clum stated that as long they get detached, then he will drain it back around the hillside on his part of the property, and if they can't detach, then that is something that they might have to entertain on how they can get it done. Mr. Clum stated that in the construction plans any tile is cut that it has to be restored to the original condition or put it into the storm sewers, and the storm sewers were never put in. Mr. Clum then stated that if the property is detached, then he will take care of it, but if the the detachment doesn't take place, and then he will have to pursue other options.

**Mr. Ron Koehler** stated that he is in favor of the detachment, and that he lives ¼ mile from Mr. Clum.

Mayor Gavin Renner closed the Public Hearing at 7:12 p.m.

**Police Report for September 2014:**

Chief Darrell Ball presented the Police Report for September 2014.

Cases Handled:

- 1 Complaint
- 1 Assistance Call
- 1 Lockout
- 4 Traffic Cases

Auxiliary Hours Worked:

Total: 60

Trainings attended:

None to Report.

Items of Importance:

Sept. 5, 2014 juvenile was charged with criminal trespassing on the Thornville Elementary School roof. Juvenile plead guilty to criminal trespassing and was sentenced.

**Mayor's Report**

Mayor Gavin Renner gave a verbal Mayor's Report.

**Minutes**  
**Village of Thornville**  
**Regular Council Meeting**  
**Village Office, 3 South Main Street**  
**October 27, 2014**

---

- It is time to renew the Village Administrator's employment agreement with the Village, and that will be in the form a resolution and this will be done by the next meeting. Mayor Renner stated there are a couple of changes to the agreement. The first item is Life Insurance benefits in the amount of \$25,000 and in Section 6 to strike out cell phone because the Village Administrator has her own cell phone so the Village does not need to provide her one.

**Administrator's Report**

Village Administrator Beth Patrick presented the Administrator's report.

- Last week playground equipment was installed by J. Jennie and Matt Stevens.
- Will be submitting final report to Mary Fitch from ODNR regarding the installation of the playground equipment.
- J. Jennie started leaf collection today and will continue to do leaf collection until November 21, weather permitting.
- Discussed at the last Council meeting regarding splitting the cost with the township regarding the sale of the property of the old firehouse located at 25 E. Columbus Street. Village Administrator Beth Patrick asked for a motion from Council to split the cost with the township. Discussion was held regarding what would be included in the cost. It was asked by Councilwoman Heidi Robinson if there was a ballpark figure, and Village Administrator Beth Patrick responded that she did not have one. It was asked by Councilwoman Lynne Snider if the trustees were in favor in sharing the cost, and Village Administrator Beth Patrick responded that they were. Councilwoman Lynne Snider stated this was the only fair way of doing it. A **motion** was made by Councilwoman Lynne Snider to share the cost with the township whatever it takes to get the property sold and was seconded by Councilwoman Heidi Robinson. A roll call vote was taken with all members voting yea. **Motion passed 5-0.**
- Shelly Lift Station Update – Brian Winkler prepared an addendum to extend the bid process until November 5, 2014 @ 11:00 a.m. at the Village Office. This is due to the Building Exchange website did not post bid in a timely manner, and it was extended by another week. She added there has been some interest.
- Doug Lynn from the American Legion stopped by to discuss installing a flag box in front of the Village Office. The flag box will be used to discard old and frayed American flags so that they can be properly disposed. She asked if anyone had any problem with this, and there was no discussion. She added that the American Legion would pay for the box, and there were be a sign to let people to know what it is for.
- Thanked Fiscal Office Melissa Tremblay for her hard work on the 2015 Appropriations, and her work is appreciated.
- Water tower light is out, and Gibson Electric has been called to replace the light.

**Presentation and Payment of Bills**

Village Administrator Beth Patrick presented the bills for payment. Discussion was held regarding concession bills that were received.

A **motion** was made by Councilwoman Lynne Snider to pay the bills, and was seconded by Council President Brandt Hawkins. A roll call vote was taken with all members voting yea. **Motion passed 5-0.**

**Fiscal Officer's Report**

Fiscal Officer Melissa Tremblay stated that she and Village Administrator Beth Patrick did the 2015 Appropriations last week. She added that if anyone has any issues or missed anything, please let them know.

**Committee Reports for October 2014:**

**Minutes**  
**Village of Thornville**  
**Regular Council Meeting**  
**Village Office, 3 South Main Street**  
**October 27, 2014**

---

- **Parks and Recreation – Chairperson Lynne Snider**  
No meeting held due to lack of quorum.
- **Public Facilities & Safety - Chairperson Dale Brussee**  
No meeting held due to lack of quorum.
- **Finance – Chairperson Mary Renner**  
No meeting held due to lack of quorum.
- **Personnel – Chairperson Mary Renner**  
No meeting held due to lack of quorum.

**Unfinished Business:**

**Ordinance 14-11** AN ORDINANCE ASSENTING TO CLUM KEYSTONE INHERITANCE TRUST'S SEPTEMBER 5, 2014 DETACHMENT PETITION, **2<sup>nd</sup> Reading.**

**New Business:**

- **Ordinance 14-12** AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO EXECUTE A PERSONAL SERVICE CONTRACT FOR LEGAL SERVICES WITH ISAAC WILES BURKHOLDER & TEETOR, LLC. **1<sup>st</sup> Reading**

Discussion was held. Councilwoman Heidi Robinson asked if the Village was entertaining bids before signing a contract. Village Administrator Beth Patrick responded this is a Personnel issue. Councilwoman Heidi Robinson stated this is something that should be looked into. It was stated this would be put on the Personnel Committee Agenda to discuss. Village Administrator Beth Patrick reminded Councilwoman Heidi Robinson there is a 30-day clause, whether the Village is unhappy or the law firm is unhappy that is stated in the contract.

- **Ordinance 14-13** AN ORDINANCE ESTABLISHING THE COMPENSATION AND PAY SCHEDULES FOR CERTAIN POSITIONS WITHIN THE VILLAGE OF THORNVILLE AND REPEALING ALL PRIOR SALARY ORDINANCES. **1<sup>st</sup> Reading**

Discussion was held. Councilwoman Heidi Robinson pointed at that in Section 20, the amount is not numerically written out, and it is everywhere else. Village Administrator Beth Patrick will get this corrected.

- **Ordinance 14-14** 2015 Annual Appropriation Ordinance Village of Thornville. **1<sup>st</sup> Reading**

Discussion was held regarding when the ordinance had to be delivered to the Auditor's Office. Village Administrator Beth Patrick responded it needs to be delivered by the end of December and there is plenty of time.

**Council Comments:**

**Councilwoman Lynne Snider** had no comment.

**Councilwoman Heidi Robinson** had no comment.

**Council President Brandt Hawkins** had no comment.

**Councilman Dale Brussee** stated he may have a comment later, but not now.

**Councilwoman Mary Renner** wanted to thank Village Administrator Beth Patrick and Fiscal Officer Melissa Tremblay for the 2015 Appropriations Ordinance.

**Citizen Comments:**

**Mr. Dick Krumlauf** stated that he is in favor of the detachment. He asked what the percentage of pay increases. Village Administrator Beth Patrick responded that it was 3% for full-time and part-time hourly employees and that she did not take a pay increase. Village Administrator Beth Patrick also stated this did not include the Zoning Inspector

**Minutes**  
**Village of Thornville**  
**Regular Council Meeting**  
**Village Office, 3 South Main Street**  
**October 27, 2014**

---

or Mayor's Court Clerk. Village Administrator Beth Patrick added this included the raise in the Minimum Wage.

**Mr. Jim Royer** had two concerns about the building up the street the Village is in a dispute. He stated that he came into look at the paperwork the Village Administrator had. He stated to put it bluntly it is a mess. He stated that his understanding is that the Village owns the lot, and they (township) own half of the building. Village Administrator Beth Patrick corrected Mr. Royer. She stated that the township owns half the lot that the building is on. Village Administrator Beth Patrick clarified that this did not include the parking area. Mr. Royer then restated that the lot where the old fire station stands, the township owns half of it. Mr. Royer stated that alleviates one of his concerns. Mr. Royer then stated the Council passed an unlimited amount of money (for the sale of the fire house), and a limit was never set. Village Administrator Beth Patrick stated that each time she will come before Council when there is a bill because she feels more comfortable with it. Mr. Royer stated he understood, but with all of the mistakes on the paperwork that he saw that he was concerned. Mr. Royer voiced his concerns that it (old fire house) was sold without Village input and someone illegally signed documents, and not knowing the Village that did something put us in jeopardy. Village Administrator Beth Patrick responded that wasn't the Village, and she added we are going to make sure we do things right. Village Administrator Beth Patrick stated that she believes Trustee Bob Coleman wants to make sure things are done right as well as she and the Council. Mr. Royer asked what happened to the \$40,000 that the old fire house originally sold for. Village Administrator Beth Patrick responded that it went to Mr. Phipps. Mr. Royer then asked if the title company didn't have to pay anything because it wasn't a clear title. It was responded that they paid some. Mr. Royer asked why the Village is incurring any cost other than the cost of selling now. Village Administrator Beth Patrick responded that is all that is being done now because the Village owns half of the property. It was asked by Mr. Royer about the legal fees before. Village Administrator Beth Patrick responded that the Village was brought into the lawsuit, and the Village had to defend itself. Mr. Royer then stated that the old firehouse was illegally sold without the Village's input, and the Village incurred legal costs because of that illegal sale. Mr. Royer ended with his opinion that the Village should recoup the money from them for causing the problem in the first place.

**Chief Darrell Ball** stated the Lion Club had an excellent Country Fair, and he wanted to thank Council for approving the Lions Club Events Application.

Mr. Jim Royer commented on the alley by the Methodist Church. Discussion was held regarding the alley and the inconvenience of the residents using the alley. Councilwoman Heidi Robinson it wasn't as bad for her because there were not cones blocking the entrance of the alley. Mr. Royer added that other than that the traffic was pretty good.

**Meeting Announcements:**

Next Planning and Zoning Meeting will be held the first Monday in November 3.

Next Council Meeting will be held November 10, 2014.

**Adjournment:**

A **motion** was made by Councilwoman Mary Renner to adjourn the meeting and was seconded by Councilwoman Heidi Robinson. A roll call vote was taken with all members voting yea. **Motion passed 5-0.**

Meeting adjourned at 7:32 p.m.

  
\_\_\_\_\_  
**Gavin Renner, Mayor**

  
\_\_\_\_\_  
**Sharon Brussee, Clerk of Council**