

LOUDONVILLE VILLAGE COUNCIL

August 6, 2018

The Loudonville Village Council met for a regular meeting on Monday, August 6, 2018 at 6 p.m. in the Council Chambers in the Village Municipal Building. Answering roll call were Mr. Bill Welsh, Mrs. Traci Cooper, Mr. Tom Young, Mr. Michael Robinson, Mr. Jason Van Sickle and Mr. Tom Gallagher. Mayor Steve Stricklen presided. Also in attendance were Village Administrator Curt Young, Fiscal Officer Elaine Van Horn, Police Chief Kevin Taylor, Times Reporter Jim Brewer, Loudonville Village residents Matt Young, Dee Hinkle, Sharon Rebmann and Harold Long, Ohio Regional Development Corporation representatives Julie Kiser and Dale Hartle, Cabot Oil & Gas representatives George Stark and John Smelko, and area residents Elaine Tanner and Dan Piskur.

THE PLEDGE OF ALLEGIANCE: Mayor Stricklen led the Pledge of Allegiance. Following the pledge, Mayor Stricklen welcomed everyone to the newly renovated Village Council Chambers.

CONSENT ITEMS:

Council Minutes – July 16, 2018: The minutes of this regular meeting were presented for approval. Councilman Gallagher moved to accept the minutes as presented. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mr. Gallagher, yes; Mr. Van Sickle, yes; Mr. Welsh, yes;
Mrs. Cooper, yes; Mr. Young, yes; Mr. Robinson, yes. Motion carried.

Council Minutes – July 16, 2018 Special Meeting: The minutes of this special meeting were presented for approval. Councilman Welsh moved to accept the minutes as presented. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mr. Gallagher, yes; Mrs. Cooper, yes;
Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

Monthly Financial Report – July 2018: Councilwoman Cooper moved to approve the July Financial Report. Second by Councilman Young. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Young, yes; Mr. Welsh, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

Mayor's Court Report – July 2018: Councilwoman Cooper moved to accept the July Mayor's Court Report. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Robinson, yes; Mr. Welsh, yes;
Mr. Young, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

GUESTS:

Ohio Regional Development Corporation: ORDC representatives Julie Kiser and Dale Hartle gave a brief fair housing presentation, noting it is a requirement to be eligible for federal monies. Mr. Hartle reviewed the eight classes protected by the Fair Housing Amendments Act, including race, color, national origin, religion, sex, disability, familial status, and military status. Mr. Hartle also noted that ORDC oversees the CHIP program which provides grant dollars to benefit low-income homeowners who have houses in need of repair. He further remarked that his office can assist the Village in obtaining allocation money from the County.

Slow-moving vehicle licensing: Mr. Harold Long stated that he was having a problem getting the required regular license plate, noting that his ATV was currently licensed with the smaller ATV plate. Chief Taylor stated that he was recently made aware of this issue, noting that these typically have utility beds and side-by-side seating and are titled as APV's with the smaller off-road plates. He further commented that as he understood it, the title would have to be changed. Solicitor Gilman asked Mr. Long for his contact information and advised that he would look into it further.

DEPARTMENTAL REPORTS:

Pool Closing Date: Administrator Young reported that the pool would be closing on Sunday, August 19.

LEGISLATION:

RESOLUTION 41-2018

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO APPLY FOR A GRANT THROUGH THE SAMARITAN HOSPITAL FOUNDATION FOR FUNDS FOR IMPROVEMENTS TO THE LOUDONVILLE SWIMMING POOL.

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Resolution No. 41-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to

LOUDONVILLE VILLAGE COUNCIL

August 6, 2018

be read on three different days, be suspended with respect to Resolution No. 41-2018. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ADOPTION VOTE

Councilwoman Cooper moved that Resolution No. 41-2018 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ORDINANCE 42-2018

AN EMERGENCY ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

Solicitor Gilman reminded Council that this is an ordinance that approves the updates to the Codified Ordinances, which is done twice per year.

EMERGENCY MEASURE VOTE

Councilman Welsh moved to suspend the rules and Councilwoman Cooper seconded that Ordinance No. 42-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to be read on three different days, be suspended with respect to Ordinance No. 42-2018. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mrs. Cooper, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ADOPTION VOTE

Councilman Welsh moved that Ordinance No. 42-2018 be passed as read. Second by Councilwoman Cooper. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mrs. Cooper, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ORDINANCE 43-2018

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF A NEW MAINTENANCE BUILDING FOR THE VILLAGE OF LOUDONVILLE AND DECLARING AN EMERGENCY.

This was a first reading for Ordinance 43-2018. Solicitor Gilman noted that he would prefer that Council pass this ordinance at the same time the financing legislation is approved, noting that the bank and bond counsel were completing the paperwork. Solicitor Gilman further commented that he was reviewing penalty clause options in the event the project extends past the contractor's noted completion date of February 1, 2019. Solicitor Gilman noted he would discuss it with the engineer and Administrator Young and welcomed input from Council.

RESOLUTION 44-2018

A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN A FUND.

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Resolution No. 44-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to be read on three different days, be suspended with respect to Resolution No. 44-2018. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ADOPTION VOTE

Councilwoman Cooper moved that Resolution No. 44-2018 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

LOUDONVILLE VILLAGE COUNCIL

August 6, 2018

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ORDINANCE 45-2018

**AN ORDINANCE TO MAKE ADDITIONAL APPROPRIATIONS FOR THE CURRENT YEAR AND
DECLARING AN EMERGENCY.**

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Ordinance No. 45-2018 be declared an emergency measure and that the rules of the law, which require an ordinance to be read on three different days, be suspended with respect to Ordinance No. 45-2018. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

ADOPTION VOTE

Councilwoman Cooper moved that Ordinance No. 45-2018 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Welsh, yes; Mr. Young, yes;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

OLD BUSINESS:

Pool/Park Complex Landscaping: Councilwoman Cooper extended words of appreciation to the Loudonville Swim Team Boosters for their efforts in improving the landscaping beds in the parking lots with plants. She also noted that the Swim Team Boosters were very appreciative that the Village had made improvements to the actual parking lots.

Bulk Water Sales: Councilman Van Sickle reported that the Utilities Committee had met with Utilities Superintendent Garret DeWitt to discuss bulk water sales. He noted that Superintendent DeWitt explained that the plant can produce approximately 850,000 gallons per day and that it is operating at about half of that amount. Regarding the bulk water sales, he noted that the maximum bulk water sold per day has been about 50,000 gallons. He commented that the Utilities Committee discussed recommending to Council that a bulk water maximum of 250,000 gallons per day be established, and noted that he not anticipate ever reaching that amount. Councilman Van Sickle moved to establish a maximum gallon per day sold amount 250,000 gallons at the bulk water station. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Mr. Van Sickle, yes; Mr. Welsh, yes; Mrs. Cooper, yes;
Mr. Young, yes; Mr. Robinson, yes; Mr. Gallagher, yes. Motion carried.

Water Quality Baseline: Councilman Van Sickle reported that the Utilities Committee also discussed with Utilities Superintendent DeWitt baseline water tests after hearing concerns from area residents regarding the potential impact of fracking on the water supply in the Village. He noted that the Superintendent stated that the Village has a good baseline of water quality test results in the event there are any problems in the future related to the recent exploration of gas and oil out in the county.

NLC Service Line Warranty Program: Councilman Van Sickle reported that the Utilities Committee was recommending to Council that they allow the National League of Cities to offer their Service Line Warranty Program to Village residents. He noted that the program is a voluntary program for residents who may be interested in their services. Councilman Van Sickle moved to approve the NLC Service Line Warranty Program for interested residents with no royalty revenue share for the Village. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Mr. Van Sickle, yes; Mr. Gallagher, yes; Mr. Welsh, yes;
Mrs. Cooper, yes; Mr. Young, yes; Mr. Robinson, yes. Motion carried.

NEW BUSINESS:

Excused absence request: Councilwoman Cooper asked fellow councilpersons to authorize an excused absence for her from the August 20 council meeting for a professional obligation, noting that school open house is that evening. Councilman Young moved to approve the excused absence. Second by Councilman Gallagher. A roll call vote on said motion resulted as follows:

Mr. Young, yes; Mr. Welsh, yes; Mrs. Cooper, abstain;
Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

LOUDONVILLE VILLAGE COUNCIL

August 6, 2018

Permit Application for evaluation of CR 529: Council considered a request from Cabot Oil & Gas Corporation to perform an evaluation of the section of County Road 529 that is inside the Village Corporation limits. Mr. John Smelko of Cabot explained that a geotechnical investigation would be completed to obtain data on the roadway surface and subsurface, noting the results would be shared with the Village. He stated the results will indicate if the road would need to be improved to handle the truck traffic to the drilling site in that area. He further noted that in the event the roadway isn't sufficient, they would then ask for permission from the Village to upgrade the road at Cabot's expense, and would present a detailed design for approval. Upon question from Councilman Young regarding the County's relationship with the Village for that section of roadway, Mr. Smelko answered that Cabot had already received approval from the County on the portion outside the Village, but were advised to contact the Village Council for approval for the portion within the Village. Guest Dee Hinkle questioned if the survey will include a traffic study, stating that she has concerns because she feels it is a highly traveled road with tourists. Mr. Smelko answered that the purpose of the study is to look at the road surface and subsurface. Upon question by Councilwoman Cooper regarding whether the road will be closed for a length of time, Mr. Smelko stated that the geotechnical investigation would be minimally impactful to the community, noting that they keep a portion open for residential traffic. Ms. Hinkle stated that she had found a website that reports the results of a study in New York where extensive research was done on the impact that the oil & gas exploration industry has on the roadways, further asking Council to visit www.academia.edu to view the report titled "*Hammer Down: A Municipal Guide to Protecting Local Roads in New York State*". Mr. Smelko commented that the purpose of the study is to examine the roadway before placing any stress upon the road. Councilman Welsh commented that he felt it would be advantageous to examine the road structure at no expense to the Village and moved to approve the request from Cabot Oil & Gas to complete the study. Second by Councilwoman Cooper. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mrs. Cooper, yes; Mr. Young, no;

Mr. Robinson, yes; Mr. Van Sickle, yes; Mr. Gallagher, yes. Motion carried.

Sign Permit - MACF: Councilwoman Cooper moved to approve a request from the Mohican Area Community Fund for placement of their campaign progress sign in the NE quadrant of Central Park and 10-20 small yard signs in various locations on tree lawns within the park from after the Street Fair through November 21. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Gallagher, yes; Mr. Welsh, yes;

Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

Chamber of Commerce Events: Councilman Gallagher moved and Councilman Van Sickle seconded that the following Chamber of Commerce events be approved:

1. Sidewalk Sales – Downtown – August 4
2. Arts & Crafts Festival – Central Park – September 1
3. Heat in the Street Chili Cook-Off – October 19
4. Halloween Parade/Trick-or-Treat – October 27
5. Christmas Parade – December 1

A roll call upon said motion resulted as follows:

Mr. Gallagher, yes; Mr. Van Sickle, yes; Mr. Welsh, yes;

Mrs. Cooper, yes; Mr. Young, yes; Mr. Robinson, yes. Motion carried.

Banner Permit – Log Cabin Days: Councilman Welsh moved to approve a banner permit request from Levi Hochstetler of Hochstetler Milling to place their banner for their event to be held September 14 & 15. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mr. Gallagher, yes; Mrs. Cooper, yes;

Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

ZBA Resignation: Mayor Stricklen announced that long-time Zoning Board of Appeals member Jolene Palmer had resigned from the Board. He thanked her for her dedication over the years.

ZBA Appointment: Mayor Stricklen asked Council for their affirmation of his appointment of Matt Young to the Zoning Board of Appeals. Councilwoman Cooper moved to accept his appointment. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Gallagher, yes; Mr. Welsh, yes;

Mr. Young, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

LOUDONVILLE VILLAGE COUNCIL

August 6, 2018

CLAIMS ORDINANCE 2018-15:

Claims Ordinance 2018-15 was presented for review. Councilman Welsh moved to approve Claims Ordinance 2018-15. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mr. Van Sickle, yes; Mrs. Cooper, yes;
Mr. Young, yes; Mr. Robinson, yes; Mr. Gallagher, yes. Motion carried.

ADJOURN: With no further business to be brought before Council, Councilman Gallagher moved the meeting be adjourned at 6:45 PM. Second by Councilman Young. A roll call upon said motion resulted as follows:

Mr. Gallagher, yes; Mr. Young, yes; Mr. Welsh, yes;
Mrs. Cooper, yes; Mr. Robinson, yes; Mr. Van Sickle, yes. Motion carried.

Fiscal Officer

Mayor