

LOUDONVILLE VILLAGE COUNCIL

April 16, 2018

The Loudonville Village Council met for a regular meeting on Monday, April 16, 2018 at 6 p.m. at the Loudonville Fire Station. Answering roll call were Mr. Bill Welsh, Mrs. Traci Cooper, Mr. Tom Young, Mr. Michael Robinson, Mr. 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, Fire Chief Mike Carey, Pool Manager Cherryl Young, Legion representatives Jim Danner and Don Riffel, Fire Department member Lydia Balliett, Village resident Carol Bordner, Eric Schmid of KPG/Verizon Wireless and Times Reporter Jim Brewer.

**THE PLEDGE OF ALLEGIANCE:** Mayor Stricklen led the Pledge of Allegiance.

**CONSENT ITEMS:**

**Council Minutes – April 2, 2018:** The minutes of this regular meeting were presented for approval. Councilwoman Cooper moved to accept the minutes as presented. 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.

**Monthly Financial Report – March 2018:** Councilwoman Cooper moved to approve the March Financial Report. 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.

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

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

**GUESTS:**

**American Legion Post 257:** Legion members Jim Danner and Don Riffel presented the Village with a check for \$15,869.08 for the Maintenance Building Project Fund. Mayor Stricklen announced that the final bid specs should be completed within two weeks. He noted that the project fund currently has approximately \$121,600, with about \$13,000 encumbered for engineering and bid specs. The Mayor expressed appreciation to the Legion for their continued commitment to the maintenance building project.

**Verizon Small Cell:** Mr. Eric Schmid, KGP Site Acquisition Specialist on behalf of Verizon Wireless, was present to answer questions from Council regarding his previous request for approval to mount a small cell on a pole near the Library. Mr. Schmid explained that this is a relatively new technology that provides a lower cell phone power in a concentrated and specific area to provide improved wireless data and voice service. He noted that Verizon has agreements with most all public utility companies for this type of usage on their poles, stating all costs incurred are paid by Verizon and the utility company that owns the pole, with no cost to the Village. He noted that the small cell canister antenna is mounted at the top, high enough to not impede line of sight for vehicle and pedestrian traffic. He noted there are several designs depending on the existing structure, location and community requirements, if any. He also noted that the pole is structurally analyzed and is replaced if deemed inadequate at no cost to the Village. Councilwoman Cooper stated she felt the small cell device was unobtrusive and further moved to approve the request to allow the installation of the small cell on a pole near the Loudonville Public Library. 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.

**Neighborhood Concerns:** Resident Carol Bordner of 217 W. Washington Street addressed Council with her concerns regarding certain unnamed residents in her neighborhood. Ms. Bordner expressed frustration that she has made contact with the Police Department five times regarding numerous serious issues that she feels have not been resolved. Ms. Bordner stated several problems and concerns including trash, outdoor fires, small riding tractors being used to race around the yards, operation of remote-control cars on the streets among traffic, trespassing, dogs running at large, profanity, as well as fears of retaliation. Village Solicitor Gilman stated that he recalls in the last twelve months dealing with both property and animal violations with the neighbors of concern, and plans to continue prosecuting them for violations. He encouraged Ms. Bordner and neighboring residents to continue calling the Police Department every time they have a complaint regarding the neighbors. Councilman Gallagher asked if it would be helpful if neighbors took photos for the Police Department, with Chief Taylor responding that the photos would be placed with the police report. Solicitor Gilman responded that it is best to just call the Police Department so that an officer can respond to the scene and gather their own evidence.

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**DEPARTMENTAL REPORTS:**

**Municipal Building Modifications:** Administrator Young presented two quotes to replace a third-story exit door and infill window openings with brick, one from Adena for \$11,775 and one from Shrock for \$16,548. Councilman Robinson noted that the Parks & Buildings Committee reviewed the quotes and were recommending the quote from Adena. Councilman Robinson moved to approve the proposal from Adena in the amount of \$11,775. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

**Ambulance Remount:** Solicitor Gilman stated that he met with Chief Carey to review the proposal from Burgess Ambulance for the remount of the McCoy Miller module onto the chassis previously purchased. He noted that the quote of \$48,398 for the remount was made via the State Cooperative Purchasing Program. Councilman Welsh moved to approve the expenditure of \$48,398 for the remount. 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; Mr. Gallagher, yes. Motion carried.

**Ambulance Cot Purchase:** Solicitor Gilman stated that the purchase price of the cot including installation from Burgess Ambulance on the State Cooperative Purchasing Program was \$18,000. Councilman Welsh moved to approve the expenditure of \$18,000 for the cot and installation. 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.

**LEGISLATION:**

**RESOLUTION 23-2018**

**A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN A FUND**

**EMERGENCY MEASURE VOTE**

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Resolution No. 23-2018 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. 23-2018. 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. 23-2018 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 24-2018**

**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. 24-2018 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. 24-2018. 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. 24-2018 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.

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**ORDINANCE 25-2018**

**AN ORDINANCE AUTHORIZING THE FISCAL OFFICER TO PAY THE SUM OF TEN THOUSAND DOLLARS TO THE MOHICAN AREA GROWTH FOUNDATION, INC., FOR FISCAL YEAR 2018, TO PROMOTE THE ECONOMIC GROWTH OF THE VILLAGE OF LOUDONVILLE, OHIO, AND TO IMPROVE ECONOMIC OPPORTUNITIES FOR ITS CITIZENS.**

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Robinson seconded that Ordinance No. 25-2018 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. 25-2018. 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.

ADOPTION VOTE

Councilwoman Cooper moved that Ordinance No. 25-2018 be passed as read. 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.

**RESOLUTION 26-2018**

**RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF LEVYING A RENEWAL TAX IN EXCESS OF THE TEN MILL LIMITATION (O. Const. Art. XII § 2; R.C. 5705.03, .19, .25)**

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Ordinance No. 26-2018 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. 26-2018. 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. 26-2018 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.

**RESOLUTION 27-2018**

**RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF LEVYING A RENEWAL TAX IN EXCESS OF THE TEN MILL LIMITATION (O. Const. Art. XII § 2; R.C. 5705.03, .19, .25)**

Upon question by Councilman Gallagher regarding the language in the fire levy renewal, Solicitor Gilman explained that the regulations are very specific for a renewal levy, noting that the language cannot change unless a replacement or new levy is created. Councilman Gallagher noted that this levy has generated about \$98,000 annually, which he feels may not be sufficient for equipment replacement in the future, further suggesting that the Village consider a replacement levy. Fire Chief Carey responded that he was comfortable with the levy as a renewal, noting that he has expended significant funds recently on equipment maintenance and doesn't see a present need for new apparatus. He stated that he would suggest that if in the future Council identifies the need for a piece of new apparatus, that they consider a capital improvement levy. Solicitor Gilman suggested that before Council considers replacing the existing levy that they first look ahead to determine future needs and then establish the amount that would be required for the acquisition of the new equipment. Chief Carey noted and Solicitor Gilman confirmed that under changes to the State of Ohio's subsidization of local property taxes, a replacement levy would cause the taxpayer to lose the current 12.5% rollback credit.

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### EMERGENCY MEASURE VOTE

Councilman Van Sickle moved to suspend the rules and Councilman Gallagher seconded that Ordinance No. 27-2018 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. 27-2018. 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.

### ADOPTION VOTE

Councilwoman Van Sickle moved that Ordinance No. 27-2018 be passed as read. 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.

### OLD BUSINESS:

**Swimming Pool Rates:** Councilwoman Cooper reported that the Parks & Buildings Committee had met to review the rates for the upcoming season. She noted the committee is recommending that the membership and daily entry rates remain the same as last year. She stated that the committee is recommending that the swimming lesson rates be adjusted to \$48 for four individual lessons and \$40 for four small group lessons, with no differential in rates between members and non-members. The Council agreed to accept the recommendations of the Committee.

**Railroad Track Crossings:** Solicitor Gilman asked the Village Administrator, Maintenance Superintendent and Council to scrutinize the recent repairs made to the Spring and Market Street crossings to ascertain if they are acceptable.

### NEW BUSINESS:

**L-P Ministerial Association Park Usage Request:** Mayor Stricklen advised Council that Reverend Howard Burnett has extended an invitation to the Mayor and Council to attend the National Day of Prayer event on May 3 in Central Park. The Mayor encouraged any and all council members to attend, and further noted that he would not be able to attend. Councilman Van Sickle moved to approve the request from the L-P Ministerial Association to use the stage quadrant of Central Park on May 3 for the National Day of Prayer event. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

**Ashland Umpires Assn. Park Usage Request:** Councilwoman Cooper moved to approve the request to use the Riverside or Wally Road ballfields the weekends of April 13-14 or April 20-21 in the event the Ashland ballfields are unplayable for the Wendy's tournament. Councilman Van Sickle moved to approve the request, noting that the Association had cleared the request with the Loudonville Youth Association without conflict. Second by Councilwoman Cooper. A roll call vote upon said motion resulted as follows:

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

**Chamber of Commerce Park Usage Request:** Council considered a request from the Chamber to host a Civil War Reenactment in the cabin quadrant of Central Park on September 1. The request also included permission for a campfire. Fire Chief Carey noted that a limited permit could be issued for the campfire. Councilwoman Cooper moved to approve the request for the Civil War Reenactment. 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

**Street Closure Request:** Mayor Stricklen presented a request from the American Legion Post 257 Legion Riders Club to close sections of Water, Bustle and Brentwood near the Legion for their annual Motorcycle Show on Saturday, June 23 from 8 AM to 5 PM. Councilwoman Cooper questioned if there might be a problem closing the section of Water in front of the post office in the morning while they are open, with the Village Solicitor stating that post office patrons can use the public parking lot behind the post office. The Mayor also noted that the requested street closure configuration on South Water Street is the same as it is during the Street Fair. Councilman Gallagher moved to approve the request. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

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**CLAIMS ORDINANCE 2018-08:**

Claims Ordinance 2018-08 was presented for review. Councilwoman Cooper moved to approve Claims Ordinance 2018-08. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mrs. Cooper, yes; Mr. Van Sickle, yes; Mr. Welsh, 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 6:50 PM. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

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Fiscal Officer

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Mayor