

LOUDONVILLE VILLAGE COUNCIL

February 17, 2020

Loudonville Village Council met for a regular meeting on Monday, February 17, 2020 at 6 p.m. at the Loudonville Village Hall council chambers. Mayor Stricklen called the meeting to order. Answering roll call were Mr. Bill Welsh, Mr. Tom Young, Mr. Jason Van Sickle, Mr. Tom Gallagher, Mrs. Cathy Lance, and Mr. Matt Young. Also in attendance at the meeting were Village Administrator Curt Young, Fiscal Officer Elaine Van Horn, Village Solicitor Thom Gilman, Police Captain Brian McCauley, Fire Department Captain Dan Robinson, residents Brandon Biddinger, Cheryl Young and Stacy Stricklen, Loudonville Times Reporter Jim Brewer, and swim team representatives Emily Spreng, Laura Spreng, Lisa Sage, Luke Sage, and Amy Lentz.

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

CONSENT ITEMS:

Council Minutes – February 3, 2020 Regular Meeting: Councilman Gallagher moved the minutes be approved as presented. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:
Tom Gallagher, yes; Cathy Lance, yes; Bill Welsh, yes;
Tom Young, yes; Jason Van Sickle, yes; Matt Young, yes. Motion carried.

Monthly Financial Report – January 2020: Councilman Van Sickle moved to approve the January Monthly Financial Report. Second by Councilman Young. A roll call upon said motion resulted as follows:
Jason Van Sickle, yes; Tom Young, yes; Bill Welsh, yes;
Tom Gallagher, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

Monthly Mayor’s Court Report – January 2020: Councilman Van Sickle moved to accept the January Mayor’s Court Report. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:
Jason Van Sickle, yes; Tom Gallagher, yes; Bill Welsh, yes;
Tom Young, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

GUESTS: None.

DEPARTMENTAL REPORTS: None.

LEGISLATION:

**ORDINANCE 3-2020
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 explained that the Village contracts with Walter Drane to update and maintain the online codified ordinances for the Village of Loudonville, which includes both changes to local ordinances and state statutes, including traffic codes.

VOTE TO SUSPEND THE RULES

Councilman Welsh moved to suspend the rules of the law, which require an ordinance to be read on three different days, for Ordinance 3-2020. Councilman Gallagher seconded the motion. A roll call upon said motion resulted as follows:
Bill Welsh, yes; Tom Gallagher, yes; Tom Young, yes;
Jason Van Sickle, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

ADOPTION VOTE

Councilman Welsh moved that Ordinance No. 3-2020 be passed as read. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:
Bill Welsh, yes; Tom Gallagher, yes; Tom Young, yes;
Jason Van Sickle, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

LOUDONVILLE VILLAGE COUNCIL

February 17, 2020

OLD BUSINESS:

Swim Team Pool Use Contract: Councilman Tom Young reported that the Parks & Buildings Committee met on February 5 at the pool with swim team representatives to discuss the pool use contract. He stated that the swim team had presented a letter outlining several concerns with the pool use agreement. Councilman Tom Young distributed a copy of the swim team letter on which Councilman Tom Young had made notations to address some of the swim team concerns, including the following:

- Councilman Tom Young stated that the Parks & Buildings Chairman will be the contact person for the Swim Team, noting that for 2020 Councilman Tom Young is the Chairman.
- Councilman Tom Young stated that as long as the pool gates are open, there is no set number of occupants.
- Councilman Tom Young stated that a checklist will be developed for use by the pool manager and the swim team.
- Solicitor Gilman noted he made a change to the language in the indemnification section of the agreement.

Solicitor Gilman questioned Council if it was their desire to have all contact be through the Committee Chair. He further questioned if the Police or Fire Chief has a concern, should they go through the Committee Chair, the Village personnel at the pool, or the swim team representative. He also asked if the pool personnel could give instruction or only the Committee Chair. Councilman Tom Young stated he should be contacted if questions or concerns come up that are not handled by the pool staff. Councilman Tom Young further stated he would bring all questions or concerns to Council for consideration.

Swim Team Schedule and Other Swim Team Items: Councilman Tom Young distributed a sheet that included the proposed 2020 swim team meet schedule, practice schedule, and a list of other items requested by the swim team including the following:

- Swim team would like the west gate unlocked during practices. Councilman Tom Young stated that would not be a problem.
- Swim team would like to host a pancake breakfast fundraiser during practice and would like to plug in household griddles. Councilman Tom Young stated that he would discuss this with local electrician Scot Dessenberg and Administrator Curt Young regarding possible suitable outlet locations.
- Swim team would like to operate a snow cone machine during all meets. Councilman Tom Young stated that suitable outlet locations would have to be determined and would be discussed further.
- Swim team questioned Village's food truck regulations. Councilman Tom Young stated that Council would be discussing draft regulations later in the meeting.
- Swim team questioned who would be providing general pool supplies. Councilman Tom Young stated that the Village will supply items but noted swim team can donate.
- Swim team noted they would supply attire and safety supplies for their lifeguards.
- Swim team questioned if Village would allow a grace period for new swimmers who cannot make the team. Councilman Tom Young stated the Village would allow a grace period.
- Swim team questioned if they can hang their speakers on existing brackets, noting they would hook up and disconnect wiring at each meet. Councilman Tom Young stated they would be permitted to hook up their speakers. Administrator Young noted that the sound equipment would not be setup or stored inside the facility.
- Swim team questioned outlet availability. Councilman Tom Young stated he was going to review the outlet concerns and consider additional outlets so that extension cords are not used.

Mr. Sage stated that he would like Council to provide a deadline for which Council can enact a fee for admission into the meets, asking if they could be notified by the second Council meeting in February each year. Councilman Tom Young stated that the Village Council would be able to do that. Solicitor Gilman reiterated the proposed list of changes to the current pool use agreement to include:

- The Parks & Buildings Chairman will be the contact person for the swim team representative who signs the contract.
- Village employees can give instruction to pool user.
- Changes to Section 4 have been made.
- The Village will notify the swim team before the end of February if an admission fee will be charged to enter swim team events.

Solicitor Gilman stated that the revised pool use agreement will be ready for Council consideration at the March 2, 2020 Council meeting.

Concert in the Park Series: Councilman Matt Young reported that he spoke with the Chamber of Commerce about his proposal for a Concert in the Park series. He stated that the Chamber was not interested in taking on the project as they have a full schedule of events. He noted he was going to contact Ashley Thurber of Loko Bean to see if she was interested in taking on his proposed project.

LOUDONVILLE VILLAGE COUNCIL

February 17, 2020

Water and Sewer Line Easement – Byers Property: Council discussed a proposed easement to be granted to the Village of Loudonville by property owner Marilyn Byers where the Village has existing water and sewer lines that traverse the property. Solicitor Gilman noted that the easement was discussed many years ago by Council and the Byers family as documented in the minutes. He stated that the sewer easement had been recorded, but the water line easement was not recorded with the County. He further noted that a concern still exists that if the property is developed in the future, a building could be built over the existing lines. Councilman Gallagher questioned what steps could be taken now to avoid that possibility in the future. Administrator Young noted that conduit could be used at an estimated cost of approximately \$60,000 to \$70,000. He noted that the water line is ductile iron, and stated that ductile iron tends to be resilient. It was noted that the sewer lines are plastic, noting it is not an ideal situation, but workable. Councilman Tom Young moved to approve the easement. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Tom Young, yes; Bill Welsh, yes; Jason Van Sickle, yes;

Tom Gallagher, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

Draft Food Truck Regulations: Council reviewed a draft of regulations for food trucks prepared by Solicitor Gilman. Solicitor Gilman noted that he prepared the draft based on input from the Planning and Zoning Committee, noting he left several blanks for Council consideration such as cost of the permit. Committee Chairman Gallagher asked Council to review the draft before the next Council meeting on March 2 and come prepared to discuss a final draft. He suggested that legislation be presented on March 16 and that it be considered on three readings. Solicitor Gilman also asked Council to consider developing a list of permissible locations for food trucks, which shall be published in accordance with section 860.04(g) of the proposed regulations.

Draft Social Media Policy: Council reviewed a draft social media policy prepared by Solicitor Gilman. Solicitor Gilman explained that the policy establishes guidelines that were designed as a mayoral executive function. He further reviewed several concerns that can exist with creating a social media account that deal with creating, controlling and maintaining public records. He explained that if a certain Village issue is being discussed on the social media site, it becomes a public record and must be maintained. He explained that for that reason he recommends that the Village social media accounts not allow for comments. He stated that a notice could be placed on the social media site that comments are always welcome to be submitted to the Village office, to council members or at council meetings. Councilman Gallagher concurred with Solicitor Gilman, and stated there are many ways to effectively distribute information other than a social media site. Mayor Stricklen stated that he felt in the best interest of Village residents to let Council answer or discuss concerns at a public Council meeting rather than on a social media site. Councilman Matt Young stated he felt it would be easy to comply with the social media policy and thanked Solicitor Gilman for the drafting the policy. Council agreed to consider the legislation to adopt a social media policy at the March 2 meeting.

NEW BUSINESS:

Youth Building Upgrades – Rotary Club: Councilman Matt Young stated he spoke with Rotary member John Carroll and further inferred the Rotary may be willing to take on a Youth Building renovation project. He suggested Council contact the Rotary to determine if they would be willing to fund the upgrades. Councilman Tom Young said he would get estimates for an HVAC system and other upgrades.

Riverside Park Pavilion Roof Estimates: Council considered three quotes for the replacement of the roof on the Riverside Park pavilion. Administrator Young noted he received quotes from Drake's Valley Construction (\$10,210), EJ Construction (\$8,523), and H&H Custom Homes (\$10,675). Councilman Tom Young questioned if all the estimates included purlins. Solicitor Gilman cautioned Councilman Tom Young on questioning the scope of work of certain contractors. Councilman Gallagher questioned Administrator Young if he had an opinion on the three estimates or contractors. Administrator Young noted he had no concerns with any of the estimates or contractors. Councilwoman Lance questioned a quote, with Solicitor Gilman again cautioning her from commenting. Councilman Gallagher moved to accept the quote from EJ Construction for \$8,523. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Tom Gallagher, yes; Jason Van Sickle, yes; Bill Welsh, yes;

Tom Young, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

Administrator Young noted that with no council objection, the color choice would be evergreen.

LOUDONVILLE VILLAGE COUNCIL

February 17, 2020

Rumpke Spring & Fall Clean-up: Councilman Welsh moved to approve the spring clean-up dates for April 15 & 16 and the fall clean-up dates for October 14 & 15. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Bill Welsh, yes; Jason Van Sickle, yes; Tom Young, yes;
Tom Gallagher, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

Encroachment Request: Solicitor Gilman reviewed a License for Continuation of Encroachment for the property owned by 2 Rivers Holdings LLC. He explained that the garage that was built on Lot 321 over 40 years ago protrudes into the right-of-way about 10-15 feet to the south. He noted that this comes up periodically when the property changes hands, as it did recently. Councilman Gallagher moved to approve the granting of the license for continuation of the encroachment. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

Tom Gallagher, yes; Cathy Lance, yes; Bill Welsh, yes;
Tom Young, yes; Jason Van Sickle, yes; Matt Young, yes. Motion carried.

Ashland County Community Foundation Donation: Mayor Stricklen reported that he was invited to a meeting at the Ashland County Community Foundation office on Saturday, where he was presented with a grant award for the Village of \$25,000. He noted that the Foundation awarded grants to all the Villages in the County to be used for any program or project that benefits the Village and its residents. He explained that the Village will be required to complete a grant application identifying the use of the grant. Mayor Stricklen asked the council to submit any ideas to the Mayor for allocation of the grant funds before April. Solicitor Gilman suggested the Village look into applying with the Hugo & Mabel Young Foundation as well to provide matching funds. Mayor Stricklen expressed appreciation to the ACCF for their \$25,000 Silver Anniversary Municipality Grant.

Mohican Area Growth Foundation Support: Mayor Stricklen reviewed a letter from the Mohican Area Growth Foundation asking for 2020 support of their initiatives. It was noted that the Village has given \$10,000 annual for the past several years. Councilman Gallagher moved to have Solicitor Gilman draft legislation authorizing a \$10,000 contribution to the MAGF for 2020. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Tom Gallagher, yes; Jason Van Sickle, yes; Bill Welsh, yes;
Tom Young, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

Councilman Tom Young suggested MAGF send a representative to a Village council meeting on a quarterly basis. Solicitor Gilman stated that in the past the support legislation includes stipulations that have included that they send a report to the Village on a quarterly basis. Mayor Stricklen stated he would explain to MAGF what is expected of them based on the resolution passed by Council.

CLAIMS ORDINANCE 2020-04:

Claims Ordinance 2020-04 was presented for approval. Councilman Young moved to approve Claims Ordinance 2020-04. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

Tom Young, yes; Tom Gallagher, yes; Bill Welsh, yes;
Jason Van Sickle, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

ADJOURN: With no further business to be brought before Council, Councilman Welsh moved the meeting be adjourned at 6:42 PM. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Bill Welsh, yes; Jason Van Sickle, yes; Tom Young, yes;
Tom Gallagher, yes; Cathy Lance, yes; Matt Young, yes. Motion carried.

Fiscal Officer

Mayor