

LOUDONVILLE VILLAGE COUNCIL

July 1, 2019

The Loudonville Village Council met for a regular meeting on Monday, July 1, 2019 at 6 p.m. at the Loudonville Village Hall council chambers. Mayor Stricklen called the meeting to order and answering roll call were Mr. Bill Welsh, Mr. Tom Young, Mr. Michael Robinson, Mr. Jason Van Sickle, Mr. Tom Gallagher, and Mrs. Cathy Lance. Also in attendance at the meeting were Village Administrator Curt Young, Fiscal Officer Elaine Van Horn, Village Solicitor Thom Gilman, Police Chief Kevin Taylor, Fire Department members Dan Robinson and Brad Dilgard, Sarah Mathews from Rumpke, Valerie Spreng from the Loudonville Chamber of Commerce, Georgia Kauffman from MAGF, Kathy Goon from Ashland Area Economic Development, Loudonville Times Reporter Jim Brewer and Village resident Brandon Biddinger.

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

CONSENT ITEMS:

Council Minutes – June 17, 2019 Regular Meeting: Councilman Gallagher moved the minutes be approved as presented. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

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

GUESTS:

Rumpke Price Increase: Ms. Sarah Mathews, Municipal Sales Representative for Rumpke Waste & Recycling, discussed the State of Ohio new gas tax that went into effect July 1, 2019. She reminded Council that the Village's current 5-year contract with Rumpke includes a clause that allows for the pass-through of government fees that are not in Rumpke's control. She noted that after many factors were considered, they are proposing an increase of .09 cents per month per stop for residential customers and .03 cents per yard for commercial customers. Ms. Mathews invited questions or comments from Council. Mayor Stricklen expressed appreciation to Ms. Mathews for what he considers a good value for their service. Ms. Mathews noted they would like to start the increase on the October 1 quarterly billing in an effort to keep it as seamless as possible. With no objections voiced by Council, Solicitor Gilman stated he would prepare an ordinance amending the contract to implement the price adjustment.

Food Trucks: Kathy Goon, Executive Director of the Mohican Area Growth Foundation and Ashland Area Economic Development asked Council to consider permitting food trucks to operate around the Village, noting that there is a shortage of restaurants in the Village. She stated that while the goal is to bring more "brick and mortar" restaurants to town, food trucks could provide a short-term solution. Georgia Kauffman of the Mohican Area Growth Foundation remarked that having food trucks in the vicinity of downtown could help to attract visitors into the businesses. Solicitor Gilman noted that no permit would be required from the Village, noting there are certain restrictions in place that govern the length of time a vehicle can remain in one place. He further noted that the health department, not the Village, governs the food licensing of food trucks. Solicitor Gilman stated that the Village could govern where food trucks are set-up, noting that some communities have restrictions that address distance from intersections, visibility concerns, or prohibiting use of downtown metered parking spaces. Ms. Goon noted that the City of Ashland has avoided permitting them to park in downtown parking spaces, but rather they are set-up in parking lots. She further remarked that some businesses might not mind having them parked in front of their stores as they could generate additional foot traffic into the stores. Ms. Goon further explained that these food trucks are self-contained trucks with generators and water tanks. She reported that she would like to schedule a food truck in Loudonville on July 30 with Council approval, and would be announcing who it was as soon as possible. She noted that her office would be promoting the food truck as it moves around the County, and asked Council for approval to allow them to come to Loudonville on July 30. Solicitor Gilman suggested Council adopt regulations and agreed to draft legislation for Council consideration. Solicitor Gilman noted Council could grant approval for the food truck on July 30 and suggested they approve it be parked at the new Village parking lot on North Water Street. Ms. Goon commented that she does not anticipate several food trucks around town all at once but rather on a periodic basis to keep people interested in the downtown until additional restaurants are opened. Mayor Stricklen thanked Ms. Goon for her commitment and success in bringing new businesses into the community. Councilman Robinson moved to allow a food truck to be parked in the Village parking lot at the corner of N. Water and N. Park Place on July 30. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

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

Mr. Young, yes; Mr. Gallagher, yes; Mrs. Lance, yes. Motion carried.

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DEPARTMENTAL REPORTS:

Butler Street Project: Administrator Young presented the one and only Change Order #1 for the Butler Street Project which was required to establish a base where none existed, at a cost of \$24,097. Councilman Gallagher moved to approve Change Order #1. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

LEGISLATION:

ORDINANCE 24-2019

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

EMERGENCY MEASURE VOTE

Councilman Van Sickle moved to suspend the rules and Councilman Welsh seconded that Ordinance No. 24-2019 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. 24-2019. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilman Van Sickle moved that Ordinance No. 24-2019 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

ORDINANCE 25-2019

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT FOR THE PROVISION OF MATERIALS AND SERVICES FOR THE 2019 SWIMMING POOL IMPROVEMENTS PROJECT IN THE VILLAGE OF LOUDONVILLE.

EMERGENCY MEASURE VOTE

Councilman Van Sickle moved to suspend the rules and Councilman Gallagher seconded that Ordinance No. 25-2019 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. 25-2019. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilman Van Sickle moved that Ordinance No. 25-2019 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;
Mr. Young, yes; Mr. Robinson, yes; Mrs. Lance, yes. Motion carried.

OLD BUSINESS:

Utility Vehicle (UTV) vs. Under-speed Vehicle (USV) Plates: Council again discussed the registration process for UTV's and USV's to operate in the Village. Solicitor Gilman reviewed the Village's Codified Ordinance regarding the same, noting that the Village code is in line with state statute. Chief Taylor explained that farmers that have ATV or UTV's cannot be registered with USV plates at the BMV. Chief Taylor suggested that the Village consider issuing a sticker for the plates that would indicate that the vehicle passed the safety inspection by the Police Department as required by statute. Solicitor Gilman reviewed the state statute explaining that it allows for the Village to limit their use on streets of 35 mph or slower, that the vehicle must be inspected by local law enforcement, that a permit be issued for those that pass the inspection, that they are registered with the State of Ohio, and are titled per ORC 4505. He summarized that if the vehicles pass the Village inspection and are licensed or titled with the BMV, there are no additional requirements that have to be met per the statute. Solicitor Gilman further suggested that a sticker would be helpful in order for law enforcement to identify what vehicles have gone through the

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proper process to operate on Village streets. Discussion ensued regarding how often a sticker would be issued by the Village. Solicitor Gilman suggested that a safety inspection would not be needed every year, noting that safety equipment violations would be treated just as any vehicle. Councilman Gallagher moved to request that Solicitor Gilman draft legislation to adopt a registration process utilizing stickers for use by the Loudonville Police Department to identify UTV/USV/ATV vehicles that have been passed the required inspection. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

NEW BUSINESS:

Theatre production recognition: Mayor Stricklen congratulated Theatre Director Sally Hollenbach and show Director Traci Cooper, for their hard work in the outstanding, successful production of The King and I at the Loudonville Theatre. The Mayor expressed admiration and respect for their efforts in putting together an excellent show along with the huge cast.

Swimming Pool Improvements Project: Councilman Robinson reported that the Parks & Buildings Committee met to discuss the purchase of the pool deck equipment that is required before the start of the project in August at a cost of \$36,845.85. Councilman Robinson moved to approve the purchase from OP Aquatics. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

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

Vehicle Purchase for Water/Wastewater Departments: Councilman Van Sickle reported that the Utilities Committee met to discuss the purchase of a 2019 F150 from Cal Hans Ford. He noted that the vehicle was included in the 2019 appropriation budget. Councilman Van Sickle moved to approve the purchase of a new 2019 F150 at a cost not to exceed \$26,157. Second by Councilman Gallagher. A roll call upon said motion resulted as follows:

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

Finished Water Meter Purchase: Councilman Van Sickle reported that the Utilities Committee met to discuss the purchase of a new meter at the water plant to measure treated water with a cost of \$9,005.13 from Core & Main. He noted that this master meter for finished water is recommended by the EPA and is in keeping with the Village's Asset Management Plan. He noted that the employees at the water plant would install the meter. Councilman Van Sickle moved to approve the purchase of a new master meter for finished water at a cost not to exceed \$9,005.13. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

Banner Permit - MACF: Councilman Van Sickle moved to approve a banner request from the Mohican Area Community Fund. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

DONOR RECOGNITION:

Loudonville Swim Team: Mayor Stricklen read a Certificate of Recognition signed by the Mayor and Council to be presented to the Loudonville Swim Team recognizing their donation of \$5,000 to the Loudonville Swimming Pool Improvements Project.

COMMENDATION:

River Rescue: Mayor Stricklen reported that he had received emails from several visitors to the area that had witnessed the recent dramatic rescue on the Black Fork of the Mohican citing the outstanding actions and high level of performance put forth by the emergency responders. Mayor Stricklen noted that several Loudonville Firefighters had completed swift water rescue training about a year ago, and were able to use that training at this incident. Firefighter/Paramedic Dan Robinson elaborated on the training a few had attended in Indiana in June 2018. He noted that the weeklong intense swift water rescue training is considered one of the premier courses in the nation. The Mayor commended all the safety forces for their professionalism during the incident. The Mayor also recognized two 13-year-old youth for the critical role they played in the rescue, citing their quick actions in running for help when they found the victim in the trouble in the river. Certificates of Recognition sanctioned by Mayor Stricklen were read and will be presented to the youth, Aiden Schenk and Drew Connelly of Berea, Ohio. Firefighter Brad Dilgard reported

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that there has been two more water rescues since that incident, however both victims were able to extricate themselves from the water before rescue personnel arrived. He reported there has been communication with officials regarding holding back some water at the dam in an effort to allow canoes on the river by the 4th of July.

CLAIMS ORDINANCE 2019-13:

Claims Ordinance 2019-13 was presented for approval. Councilwoman Lance moved to approve Claims Ordinance 2019-13. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

Mrs. Lance, 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 Young moved the meeting be adjourned at 6:59 PM. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

Fiscal Officer

Mayor