

LOUDONVILLE VILLAGE COUNCIL

July 17, 2017

The Loudonville Village Council met for a regular meeting on Monday, July 17, 2017 at 6 p.m. at the Loudonville Fire Station. Answering roll call were Mr. Bill Welsh, Mrs. Traci Cooper, Mr. Roy Wilson, Mr. Tom Young, and Mr. Michael Robinson. Mr. Jason Van Sickle was absent from the meeting. Mayor Steve Stricklen presided. Also in attendance were Village Administrator Curt Young, Fiscal Officer Elaine Van Horn, Village Solicitor Thom Gilman, Maintenance Superintendent John Burkhart, Fiscal Office personnel Jane Hollinger and Jenny Wade, Pool Manager Cheryl Young, Lifeguard Tanna Stricklen, Fire Chief Mike Carey, Fireman Jed Cronebach, Loudonville resident Morgan Young, Ashland County Commissioners Jim Justice, Mike Welch and Denny Bittle, swim team representatives Luke & Lisa Sage, and Anne Hoover, American Legion representative Don Riffel, Times Reporter Jim Brewer, and other guests including Bruce & Linda Bragg and Rebecca Augustine.

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

CONSENT ITEMS:

Council Minutes – July 3 2017: The minutes of this regular meeting were presented for approval.

Councilwoman Cooper moved to accept the minutes as presented. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

Monthly Financial Report – June 2017: Councilwoman Cooper moved to approve the June Financial Report.

Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

Mayor's Court Report – June 2017: Councilwoman Cooper moved to accept the June Mayor's Court Report.

Second by Councilman Wilson. A roll call upon said motion resulted as follows:

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

GUESTS:

Ashland County Commissioners: Mayor Stricklen welcomed Ashland County Commissioners Welsh, Bittle and Justice to the meeting and noted that there would be a question and answer session later in the meeting.

American Legion Donation: American Legion representative Don Riffel presented Council with a check in the amount of \$13,487.49 for the proposed new maintenance facility. Mayor Stricklen expressed appreciation to the Legion for the continued support, noting that over the past twelve months the Legion has donated approximately \$60,000 to the Village. The Mayor further reported that the Council would be considering a quote to remove the roof from the old county building after tests showed a small amount of asbestos in the roofing material. He noted that he was hopeful that the roof could be removed and the building demolished within the next three weeks. The Mayor went on to ask the Streets Committee to schedule a meeting to review proposed plans that he and Administrator Young had obtained for a proposed new building at the site. He also asked the Finance Committee to schedule a meeting to discuss financing options.

Loudonville Swim Team Boosters: Luke and Lisa Sage were present to discuss some concerns and questions they had regarding the swim team and the Loudonville Pool. Mrs. Sage, President of the Loudonville Swim Team Boosters, thanked the Village Council for allowing the Swim Team to use the pool facility, noting that the Village pool is much better than most pools they have been to for swim meets. She also thanked the Maintenance Department and the Pool Manager for their upkeep of the pool facility throughout the season. She further remarked that she feels there are some issues that she asked Council to help resolve. Mr. Sage advised Council that the swim team and the Loudonville Pool have hosted the championship swim meet for the past several years, drawing approximately 380 swimmers and over 1000 adults to the pool for the one-day event, noting that while the meet used to be rotated among other pools in the conference, the league voted to hosts all championship meets at the Loudonville Pool. Mr. Sage stated that while there some damage in past years during the championship meet, this year the only issues were excess trash and a truck that became stuck in the soccer field, which had been roped off due to the wet ground. Administrator Young commented that the restricted parking was necessary due to the soggy conditions. Administrator Young further remarked that the significant amount of vehicles that need parking during that one event each year in his opinion does not warrant elimination of green space to create additional parking lots. Mr. Sage noted that the swim team will be repairing the soccer field that was damaged and will also be picking up the additional trash. Mr. Sage asked Council to consider the following concerns which he deemed unresolved to date: the amount of the pool membership fee charged to swim team members; inconsistent pool season opening and closing dates; inconsistent hours of operation; insufficient storage space for swim team equipment in the pool facility; the swim team's desire to sell their own concessions at meets; poor condition of the concrete around the starting block brackets; shortage of trash receptacles for the championship meet, and lack of communication with pool management. He stated that he felt Council treated the swim team less favorably than the Youth Association

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and the Soccer Association, questioning how much the swim team is expected to provide for their program. Maintenance Superintendent John Burkhart stated that the Youth Association maintains the ballfields' lights, fencing and the fields, and further noted that the Soccer Association built the soccer fields and grooms them as well as provides porta-pots during soccer events. Mr. Sage stated that the swim team purchased speakers for their swim meets valued at \$4,000 and allows the pool to use them during the season, noting the swim team would be removing them after the season to store them indoors. Mr. Sage reported that the swim team was hoping to install a new trophy case this year as well as to donate funds to replace the awnings. He also noted the starting blocks need replaced and they were hoping to hold a fundraiser to purchase them. Councilwoman Cooper commented that keeping the pool open after the guards go back to school has proven to be difficult in the past. She also stated that as a former swim team parent, she felt that that the swim team was something you invest in for your children and parents should expect to pay to use the pool. Mayor Stricklen advised Mr. Sage that his concerns would be best discussed at a meeting of the Parks and Buildings Committee, noting that the committee would be willing to establish better communication and perhaps develop rules and regulations so that expectations of all parties involved are understood.

Phillip Stauffer Property: Mr. Phillip Stauffer was present to discuss concerns he has with the property line between his property and the cemetery. Mr. Stauffer stated he had previously discussed the matter with Councilman Van Sickle, who was absent from the meeting. Administrator Young commented that he was aware of a survey completed when the cemetery land was deeded to the Village and that he would meet with Mr. Stauffer to review the survey.

LEGISLATION:

ORDINANCE 24-2017

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. 24-2017 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. 24-2017. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilwoman Cooper moved that Ordinance No. 24-2017 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

ORDINANCE 25-2017

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 reported that this ordinance updates the Codified Ordinances of the Village, noting that the only sections that had updates were in the Traffic and General Offense Codes that were revised by the State of Ohio.

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Young seconded that Ordinance No. 25-2017 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. 25-2017. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilwoman Cooper moved that Ordinance No. 25-2017 be passed as read. Second by Councilman Young. A roll call upon said motion resulted as follows:

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

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RESOLUTION 26-2017

A RESOLUTION SUPPORTING THE CONTINUATION OF THE ONE-QUARTER OF ONE PERCENT (1/4%) SALES AND USE TAX PROVIDING REVENUE FOR THE CONSTRUCTION, EQUIPPING AND REPAIR OF THE ASHLAND COUNTY JAIL FACILITY.

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Young seconded that Resolution No. 26-2017 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. 26-2017. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilwoman Cooper moved that Resolution No. 26-2017 be passed as read. Second by Councilman Young. A roll call upon said motion resulted as follows:

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

ORDINANCE 27-2017

AN ORDINANCE GRANTING CONSENT TO THE STATE OF OHIO TO PERFORM A BRIDGE REPLACEMENT ON STATE ROUTE 0039 OVER THE BLACK FORK OF THE MOHICAN RIVER AT STRAIGHT LINE MILEAGE 08.95 WITHIN THE VILLAGE OF LOUDONVILLE IN ASHLAND COUNTY AND DECLARING AN EMERGENCY

Administrator Young reported that Georgia Kaufman of the Mohican Visitors Bureau has been in contact with the ODOT project manager to discuss concerns and proposed the schedule prior to the 2018-scheduled project.

EMERGENCY MEASURE VOTE

Councilwoman Cooper moved to suspend the rules and Councilman Welsh seconded that Ordinance No. 27-2017 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. 27-2017. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilwoman Cooper moved that Ordinance No. 27-2017 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

DEPARTMENTAL REPORTS:

333 West Campbell Property: Council discussed a Notice of Forfeiture that was filed by the Ashland County Common Pleas Court for the property at 333 West Campbell. Solicitor Gilman noted that the property was the subject of a tax foreclosure and was offered for sale twice without success. He stated that the Village or the School District can petition the Court before July 21, 2017 to have the property forfeited to them. He noted that the delinquent property tax of about \$7,500 would have to be paid by the recipient of the forfeited property. He further commented that if neither the Village nor the School District petitions the Court for the property, the property would be forfeited to the State to be disposed of. Solicitor Gilman advised Council that if they received the property, they could put it up for bid. He stated that the Village had the property inspected several months ago, and it was not habitable and was set to be condemned by the Village. Councilman Young expressed concerns that if the Village acquired the property and then offered it up for bid, the purchaser could allow it to remain in its current poor condition. Ashland County Commissioner Bittle explained that the County is currently in the process of establishing a Land Bank in the county within the next six months which could take a property such as this one, demolish it and turn it into a green space. Solicitor Gilman stated that he would touch base with the School Board to determine if they are interested in the property and with the Attorney General to review the process. Council contemplated the possible costs involved to acquire it and to tear it down and took no action.

Geophysical Seismic Survey: Mr. John Buren, Permit Manager of Precision Geophysical Inc. in Millersburg, was present to ask Council for permission to conduct their geophysical seismic survey along State Route 39 through the Village as they pass through from Mansfield on to the east side of Millersburg. He noted that the survey is being conducted to identify possible reserves of petroleum and/or natural gas along State Route 39. He

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explained that the survey team would place wire pin flags to identify the survey location, which involves the placement of a three-foot square pad lowered onto the road surface. He noted vibrations are sent through the pad into the earth for a period of time, with the pad then being lifted and moved ahead about another 100 feet where the process is repeated. He stated that the survey through the Village would take about two to three hours. He noted that they would have their own traffic controllers and traffic control signs that will be posted in accordance with ODOT requirements. Administrator Young expressed his concerns with the survey and possible damage to Village utilities, especially near the water plant. Mr. Buren assured Council that they have never had a problem with the survey negatively affecting underground utility lines. Mayor Stricklen questioned the benefit of doing the survey through the Village, with Mr. Buren responding that the seismic survey will help to identify the location of shale underground. Solicitor Gilman noted that the agreement to permit Precision Geophysical Inc. to conduct the test through the Village includes an indemnification of the Village against damages. Councilman Welsh moved to approve the request. Second by Councilman Wilson. A roll call upon said motion resulted as follows:

Mr. Welsh, yes; Mr. Wilson, yes; Mrs. Cooper, yes; Mr. Young, no; Mr. Robinson, yes. Motion carried.

OLD BUSINESS:

County Building Demolition: Administrator Young reported that he had received the results of the asbestos analysis report on the old County building, a copy of which he had presented to Council in their packets. He also had included two quotes from Page Excavating, Inc., one to remove the roofing material at a cost of \$7,500 and one to remove the remainder of the building at a cost of \$6,500. He noted that the EPA requires a 10-day notification before the abatement project can begin. Mayor Stricklen encouraged Council to approve the estimate to remove the building roof so that the maintenance building project can finally move forward. He noted that there was an offer to remove the remainder of the building at no cost to the Village. Councilman Young moved to approve the quote from Page Excavating, Inc. for the asbestos abatement of metal roofing material on the old county building at a cost of \$7,500. Second by Councilwoman Cooper. A roll call upon said motion resulted as follows:

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

Fire Department Inc. Donations: Chief Carey reported that the Loudonville Fire Department Inc. was donating a new cot for one of the EMS squads at a value of \$16,500. He noted that the Fire Department Inc. had received a grant from the Hugo & Mabel Young Foundation to purchase the new cot.

NEW BUSINESS:

Pool Usage Requests: Councilwoman Cooper moved to approve a request from the LHS Marching Band to use the Loudonville Pool on July 26, 2017 from 8 to 10 PM. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

ASHLAND COUNTY COMMISSIONERS: The focus of the scheduled question-and-answer period centered around the upcoming .25 percent county sales tax levy for the operating and maintenance of the Ashland County Jail. Commissioner Welch noted that at the special election on August 8, the sales tax levy will be on the ballot as a replacement levy rather than a renewal because the proceeds will no longer go toward the construction loans but rather to continued operations. He shared that the jail is operating at a full capacity of 127 inmates, in part due to the opiate epidemic and partly due to a new unfunded state mandate that sends all non-violent fifth degree felons to county jails rather than federal prisons. Area resident Rebecca Augustine commented that substance abuse issues should be a focus of conversation, noting that families are destructing because even grandparents are substance abusers. Commissioner Justice responded that the County is working hard to develop a better foster care program due to the drug epidemic affecting entire families. Councilwoman Cooper remarked that teaching in the schools is becoming harder due to substance abuse in families that negatively impact the children. Commissioner Welch shared that if the levy fails, the County General Fund could not sustain the cost of the jail operations. Commissioner Justice stated that while the jail is currently operating as efficiently as possible in the past year or two, it is critical that the levy passes. Commissioner Bittle stated that the levy will have to be placed on the ballot again if it fails on this attempt. He noted that if the jail closes, the County would have to pay other jails to house its felons. Solicitor Gilman commented that having a jail in the County is beneficial, providing quicker access for Village police officers who have to transport individuals charged with crimes to a jail facility upon arrest. Mayor Stricklen thanked the Commissioners for attending, with Commissioner Bittle expressing appreciation that Council passed a resolution supporting the tax levy. He further stated that they plan to be more visible in the future.

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CLAIMS ORDINANCE 2017-14:

Claims Ordinance 2017-14 was presented for review. Councilman Young moved to approve Claims Ordinance 2017-14. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

ADJOURN: With no further business to be brought before Council, Councilman Welsh moved the meeting be adjourned at 7:30 PM. Second by Councilman Wilson. A roll call upon said motion resulted as follows:

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

Fiscal Officer

Mayor