

LOUDONVILLE VILLAGE COUNCIL

May 4, 2020

Loudonville Village Council met for a regular meeting on Monday, May 4, 2020 at 6 p.m. via teleconference. (Zoom Meeting ID: 88691025828) 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, and Village Solicitor Thom Gilman. The following joined the meeting: Loudonville Fire Department, Loudonville Times Reporter Jim Brewer, Brandon Biddinger, Cheryl Young, Dennis Schaefer, Jenny Wade, Joe Kiefer, and Museum Curator Kenny Libben.

**CONSENT ITEMS:**

**Council Minutes – April 20, 2020 Regular Meeting:** Councilwoman Lance moved the minutes be approved as presented. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

**Monthly Financial Report – April 2020:** Councilman Tom Young moved to approve the April monthly financial report. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

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

**Monthly Mayor's Court Report – April 2020:** Councilman Welsh moved to accept the April Mayor's Court Report. 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.

**Confirmation of appointment – Firefighter/Paramedic Patrick Connor:** Mayor Stricklen asked for Council's confirmation of the appointment of full-time Firefighter/Paramedic Patrick Connor pending the passing of his Ohio Police & Fire physical. Councilman Welsh moved to confirm the appointment. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

**DEPARTMENTAL REPORTS:**

**Railroad crossing repairs – Spring & Market Streets:** Administrator Young reported that Mayor Stricklen, Maintenance Superintendent Burkhart, Engineer Ronny Portz and he met with a representative of Norfolk Southern on April 17 to discuss the condition of the railroad crossings at Spring and Market Streets. He noted that they discussed various possibilities to repair the crossings. He further stated that Norfolk Southern will determine how to best proceed with the repairs and will start sometime after June 1.

**Communications Hardware Upgrade:** Administrator Young reported that the previously approved upgrade of the communications network was underway, noting that the upgrade will increase the speed from 15 Mbps/second to 200 Mbps/second. He did advise Council that there was a system failure last week at the municipal building affecting the phone and computer systems throughout the building. He noted that the current VoIP system is outdated and in order for the network upgrade to be effective, the phone system should be updated as well. He stated he received a quote to upgrade the phone system from the current provider, Star2Star, for about \$3600 for the four locations, as well as a quote from Verizon's agent Masters Telecom LLC for \$1,785. He explained that the quote from Star2Star was to upgrade just the modems, not the phones. He noted that the quote from the Verizon agent, Masters Telecom LLC, includes all new phones throughout all departments with the exception of the Wastewater Plant. He noted that the \$1,785 one-time charge for the equipment and installation would be reduced by a rebate credit of \$1,050, for a final cost of \$735. He advised Council that switching to Verizon would provide a lower monthly rate as well. Councilman Van Sickle moved to authorize the purchase of an upgraded Village phone system from Masters Telecom, LLC for an amount not to exceed \$1,900. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

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**LEGISLATION:**

*Second reading of Ordinance 13-2020.*

**ORDINANCE 13-2020**

**AN ORDINANCE ADDING CHAPTER 860 TO THE CODIFIED ORDINANCES OF THE VILLAGE OF LOUDONVILLE.**

**ORDINANCE 15-2020**

**AN ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH TRUSTEES OF THE WESTERN HOLMES COUNTY FIRE DISTRICT, FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AND DECLARING AN EMERGENCY.**

**VOTE TO SUSPEND THE RULES**

Councilman Matt Young moved to suspend the rules of the law, which require an ordinance to be read on three different days, for Ordinance 15-2020. Councilman Welsh seconded the motion. A roll call upon said motion resulted as follows:

Matt Young, yes; Bill Welsh, yes; Tom Young, no;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

Solicitor Gilman explained that the provision that allows for a suspension of the rules that requires three readings must have a three-fourths vote of the council members to dispense with the rule, therefore the Council cannot proceed with an adoption vote.

Mayor Stricklen asked Councilman Gallagher and Councilman Tom Young why they voted no. He asked Councilman Tom Young why he had agreed to the current proposed rates that were included in the ordinance during the Safety Committee meeting but was now opposed. Mayor Stricklen stated he feared that the Village would lose the contracts with the townships if Council did not act upon them promptly, noting he thought it was detrimental to the continued successful operation of the Village Fire and EMS Departments. Councilman Tom Young stated that since the Committee meeting, he has looked closer at reports from Ohio Billing that he noted indicates that the Village lost \$25,000 of uncollectable revenue from township runs that went unpaid. He stated that he felt the townships were essentially soft-billing themselves, further commenting that the Village provides them a reduced rate and then the Village is impacted again when they do not pay the full amount due. Councilman Matt Young responded that it would have a bigger impact if the Village loses any of the contracts. Councilman Tom Young stated that he felt the rate the township pays is not equitable to the amount Village residents pay, noting that he was not in favor of keeping the same rate for the next four years before there is an increase. Mayor Stricklen asked Councilman Tom Young what he felt his 'no' vote would accomplish. Councilman Tom Young responded that he understood that some people cannot pay their bills, but he felt that \$25,000 was an excessive amount of uncollected money from EMS runs in 2019 in the townships. Councilman Welsh asked Councilman Tom Young what his solution would be. Councilman Tom Young stated that he felt from the beginning of the discussions that he was in favor of an increase at least every other year. Mayor Stricklen chastised Councilman Tom Young, stating that he felt he "threw a curve ball" at the Council because he changed his recommendation as a member of the Safety Committee. Councilman Tom Young responded that at the time of the earlier discussions at the Safety Committee meetings, he did not really agree but said he would go along with the proposed contract as written. He stated it wasn't until he recently again reviewed some of the information from Ohio Billing regarding bad debts and write-offs of unpaid bills from township runs that he decided to change his mind. Mayor Stricklen said he spoke with a township trustee who indicated they would not contract with the Village if the contracts were increased significantly. Councilman Van Sickle concurred, noting he spoke with a township official after the prior council meeting at great length regarding the contracts. Councilwoman Lance stated she had spoken with Fire Chief Carey and it was her understanding that the current rate structure in place is sufficient for the services provided to the townships. Councilman Van Sickle stated he was hesitant to charge the townships more when they do not get the same service that the Village residents receive, and noted he did not want to see the townships have to search for fire/EMS services from a provider that is further away than the coverage the Village provides to them. Mayor Stricklen cautioned that township residents that are currently covered by the Village could end up in a similar situation that some Green township residents face, where they live at the edge of the Village of Loudonville and receive coverage from Perrysville. He further stated he does not want the Village Council to be a part of a situation where Hanover Township

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residents are waiting longer for Fire/EMS services. He encouraged Council to reconsider the vote, noting that the contract will be negotiated again in five years. Councilman Gallagher suggested Council not suspend the rules that require three readings so that interested taxpayers could offer input on the proposed rates. Mayor Stricklen responded that he felt that there have been several opportunities for community input given that the contracts have been discussed in many meetings open to the public since the beginning of the year, further noting he has not had one person contact him. Councilman Van Sickle noted he has talked to many individuals, including businesses, with no negative input on the proposed contracts. Councilman Gallagher stated he felt the Village was selling a higher priced product for less, with Councilwoman Lance responding that you “cannot compare apples to apple” when considering the amount to charge, further noting that it cannot be computed one hundred percent fairly across the board. She noted that the Fire Department is currently operating under a balanced budget. Mayor Stricklen expressed his opinion that the Fire/EMS department head is the only department head in the Village that is constantly being questioned on the operations of his/her department, stating he felt it was unfair to Chief Carey. Councilman Tom Young stated that while he does not agree with the new contract rates, he would vote for it, further stating he felt he was the only council member doing his part for the citizens of the Village.

VOTE TO SUSPEND THE RULES

Councilman Matt Young moved to suspend the rules of the law, which require an ordinance to be read on three different days, for Ordinance 15-2020. Councilman Welsh seconded the motion. A roll call upon said motion resulted as follows:

Matt Young, yes; Bill Welsh, yes; Tom Young, yes;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

ADOPTION VOTE

Councilman Matt Young moved that Ordinance No. 15-2020 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Matt Young, yes; Bill Welsh, yes; Tom Young, yes;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

**ORDINANCE 16-2020**

**AN ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH TRUSTEES OF THE TOWNSHIP OF HANOVER, ASHLAND COUNTY, FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AND DECLARING AN EMERGENCY.**

VOTE TO SUSPEND THE RULES

Councilman Matt Young moved to suspend the rules of the law, which require an ordinance to be read on three different days, for Ordinance 16-2020. Councilman Welsh seconded the motion. A roll call upon said motion resulted as follows:

Matt Young, yes; Bill Welsh, yes; Tom Young, yes;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

ADOPTION VOTE

Councilman Matt Young moved that Ordinance No. 16-2020 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Matt Young, yes; Bill Welsh, yes; Tom Young, yes;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

**ORDINANCE 17-2020**

**AN ORDINANCE AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH TRUSTEES OF THE TOWNSHIP OF LAKE, ASHLAND COUNTY, FOR FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES AND DECLARING AN EMERGENCY.**

VOTE TO SUSPEND THE RULES

Councilman Matt Young moved to suspend the rules of the law, which require an ordinance to be read on three different days, for Ordinance 17-2020. Councilman Welsh seconded the motion. A roll call upon said motion resulted as follows:

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Matt Young, yes; Bill Welsh, yes; Tom Young, yes;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

**ADOPTION VOTE**

Councilman Matt Young moved that Ordinance No. 17-2020 be passed as read. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

Matt Young, yes; Bill Welsh, yes; Tom Young, yes;  
Tom Gallagher, no; Jason Van Sickle, yes; Cathy Lance, yes. Motion carried.

**OLD BUSINESS:**

**Swimming Pool - Summer Playground - Theatre:** Council discussed the possibility that the swimming pool may not be permitted to open under the Governor's current public health orders due to the coronavirus global pandemic. Councilman Tom Young suggested waiting until the next Council meeting on May 18 to determine if it can be opened. Councilman Matt Young stated he was not opposed to waiting until May 18 to decide, but suggested Council consider the time frame involved to open the pool as well as the costs involved to operate the pool for what could be a shortened season under specific operating guidelines. He also stated that he spoke with the Fire Chief, who indicated he would be willing to provide recreational opportunities throughout the summer using fire equipment to provide for the spraying of youth. Mayor Stricklen noted that the theatre is also covered under the restrictions issued by the Governor concerning the gathering of people. The Mayor noted that the Holmes County Health District would be notified, per their request, that the Village has not yet decided whether the pool will open.

**Village Facebook Page:** Councilman Matt Young stated that the Facebook page is ready to be launched.

**NEW BUSINESS:**

**Community Support:** Councilman Tom Young encouraged Council to support local business, including those businesses outside the Village. He also asked Council to consider making a donation to Helping Hands. Councilman Van Sickle noted that the Food Pantry and Food Bank are also available to assist residents. Mayor Stricklen noted that the Village is not shutting off water during the Covid-19 pandemic. Councilman Bill Welsh moved to donate \$200 to Helping Hands. Second by Councilman Van Sickle. A roll call vote 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.

**Park Usage – Trinity Church Sept. 6, 2020:** Councilwoman Lance moved to approve the park usage request from Trinity Community Church for the NE quadrant of Central Park on September 6, 2020 from 4-8 PM for an ice cream social. Second by Councilman Matt Young. A roll call upon said motion resulted as follows:

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

**Cleo Redd Fisher Museum Request:** Council considered a request from Mr. Kenny Libben, Curator of the Cleo Redd Fisher Museum, asking Council for a memorandum or formal agreement stating that the Village does not own the log cabin in Central Park. Solicitor Gilman noted that the request could be done by a motion of Council authorizing the Mayor to sign the document. He noted he would not recommend a long-term lease and he would advise Council to obtain a proof of liability insurance with the Village named as an additional insured. Mr. Libben commented that he understood Attorney Gilman's position on a possible long-term lease, and felt a formal letter from Council would suffice in the Museum's goal to protect the log cabin from the possibility that a future Council might attempt to claim ownership or remove it. He explained that the Museum is committed to the preservation of the log cabin, noting they have invested approximately \$50,000 into the structure and plan to continue to maintain it. He further noted that the cabin is covered by liability insurance and that he will verify that the Village is named as additional insured. Councilman Tom Young moved to direct Solicitor Gilman to prepare a letter to the Cleo Redd Fisher Museum that acknowledges that the Village does not own the log cabin, that it can be displayed without an ongoing lease, and that it is subject to liability insurance. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

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**Ashland County Community Foundation Donation:** Mayor Stricklen reported that the deadline for the grant application identifying the use of the \$25,000 Silver Anniversary Municipality Grant has been extended from June 30 to September 30, 2020. He noted he had received suggestions from several council members, residents and Village employees and encouraged anyone who had any ideas to submit them to him for Council consideration.

**RECOGNITION/APPRECIATION:**

**American Legion Post 257:** Mayor Stricklen reported that the American Legion Post 257 had presented another donation to the Village for the maintenance building bond retirement in the amount of \$19,157.99. He thanked the Legion for their continuous support of the Village, noting that they had donated a total of \$213,610.01 for the maintenance building, \$36,118.49 for swimming pool improvements, and \$5,008.72 for theatre improvements over the past six years.

**Samaritan Hospital Foundation Certificate:** Mayor Stricklen read a Certificate of Appreciation to be presented to the Samaritan Hospital Foundation, in appreciation of their donations of \$5,000 each to the Police and EMS Departments through their Covid-19 Community Grant.

**Speed Limit Concerns:** Guest Joe Kiefer expressed concerns with the speed limit on South Market Street near the McDonalds entrance. He noted he owns the property where the business Drops of Essentials is located on S. Market, stating the speed limit is 50 mph at that location. He stated he spoke with the Police Chief, who directed him to address Council with his concerns. Solicitor Gilman explained that the Village could request that ODOT do a traffic study in the area. General discussion ensued regarding where to reduce the speed, with Solicitor Gilman stating that ODOT has set criteria for their study. Councilman Van Sickle moved to petition ODOT to complete a traffic study on South Market Street to support a request to reduce the speed limit from 50 to 35 further south. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

**Farming Equipment Speed Concerns:** Councilman Tom Young stated that he has witnessed on several occasions large agricultural spreaders driving through town at a high rate of speed, noting he was concerned for pedestrians. Councilman Welsh stated he would discuss the concern with Chief Taylor.

**CLAIMS ORDINANCE 2020-09:**

Claims Ordinance 2020-09 was presented for approval. Councilman Matt Young moved to approve Claims Ordinance 2020-09. Second by Councilman Welsh. A roll call upon said motion resulted as follows:

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

**ADJOURN:** With no further business to be brought before Council, Councilwoman Lance moved the meeting be adjourned at 7:06 PM. Second by Councilman Tom Young. A roll call upon said motion resulted as follows:

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

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Fiscal Officer

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Mayor