

LOUDONVILLE VILLAGE COUNCIL

OCTOBER 7, 2019

Loudonville Village Council met for a regular meeting on Monday, October 7, 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, and Mrs. Cathy Lance. Mr. Tom Gallagher was absent from the meetings. 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 Brad Dilgard, Loudonville Times Reporter Jim Brewer; Village residents Brandon Biddinger, Matt Young, Bob Bucher, Bryan & Jennifer Baynes, Jim Meyer, and Jennifer Hawk.

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

CONSENT ITEMS:

Council Minutes – September 16, 2019 Regular Meeting: Councilman Van Sickle moved the minutes be approved as presented. 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; Mrs. Lance, yes.
Motion carried.

Monthly Financial Report – September 2019: Councilman Welsh moved to approve the September Financial Report. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

Mayor's Court Report – September 2019: Councilwoman Lance moved to accept the September Mayor's Court Report. 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.
Motion carried.

GUESTS:

Bryan and Jennifer Baynes – Barking Dog Ordinance: Mr. and Mrs. Baynes expressed their concern regarding the Village Ordinance pertaining to barking dogs. They explained they were recently given a written warning by the Police Department after a neighbor made a complaint about their dog that was barking while they were away. They stated that they were concerned with the ordinance, noting they do not think the ordinance clearly defines what a nuisance is with regard to a barking dog. They stated they did not want to be cited for a misdemeanor and asked for clarification on when a citation could be issued versus a warning. Resident Bob Bucher commented that he felt if a dog is barking, there is a problem as a dog provides security. Resident Jennifer Hawk questioned whether the ordinance addresses an allowable decibel level, to which Solicitor Gilman noted it does not. Ms. Hawk also commented that when you live in the Village, noise levels are a risk that should be expected, including traffic noise. Solicitor Gilman asserted that the Loudonville Police Department does a great job working with the residents to resolve issues such as barking dogs and noxious odors from dogs without the need to write ordinance violation citations. He said the Police have been successful dealing with these types of neighborhood concerns by utilizing a warning tag rather than issuing citations. Mr. Baynes stated he feels the ordinance is too ambiguous and stated he wants to understand how it is determined when a warning is issued and when a citation is issued. Solicitor Gilman stated he would review Mr. Baynes concerns and issue a written report of the Village's position. Mayor Stricklen thanked the Baynes for attending and assured them that their concerns would be addressed.

DEPARTMENTAL REPORTS:

North Water Street Sidewalk: Administrator Young asked Council to review the condition of the sidewalk adjacent to the new parking lot on Water Street. He noted that the sidewalk is in need of repair and stated he had received a cost estimate of \$11,300 to replace approximately 55'x14' of sidewalk with a tapered ramp for the entrance into the parking lot. He noted the proposed entrance into the parking lot would be on North Water Street and would eliminate two street parking places and would also include new curbing. Councilman Robinson noted he liked the idea of having the entrance on North Water Street. Administrator Young remarked that Council might want to consider if a downtown revitalization project ever takes place, the sidewalks may be something different than just concrete. Administrator Young also noted that the estimate does not include the concrete improvements that will be required along the south

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side of the theatre building. Mayor Stricklen asked Council to take a look at the sidewalk for further discussion at the October 21 Council meeting.

Payment Application #1 – Swimming Pool Project: Administrator Young reported he had received the first payment application from James P. Finnegan Construction, Inc. late Friday, after the Claims Ordinance was complete. He asked Council to approve by vote the payment in the amount of \$47,840. Councilman Young moved to approve the payment. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

Youth Building Usage Request: Administrator Young presented a request from Pastor George Grennel of Mount Vernon from the Visions of Fellowship Ministry to rent the Youth Building on Sunday mornings from 9 AM to 2 PM. Solicitor Gilman stated the usage request should not be approved for an indefinite period but rather on a week-to-week basis. Councilman Van Sickle moved to approve the request. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

BWC Premium Rebate: Fiscal Officer Van Horn reported that the Village received a rebate from the Bureau of Workers' Compensation in the amount of \$33,965. She noted that the rebates distributed to employers represented 88% of the premiums paid for the policy year that began in 2017 due to a BWC surplus.

LEGISLATION:

RESOLUTION 33-2019

A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN A FUND

EMERGENCY MEASURE VOTE

Councilman Welsh moved to suspend the rules and Councilman Van Sickle seconded that Resolution No. 33-2019 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 Resolution No. 33-2019. A roll call upon said motion resulted as follows:

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

ADOPTION VOTE

Councilman Welsh moved that Resolution No. 33-2019 be passed as read. Second by Councilman Van Sickle. A roll call upon said motion resulted as follows:

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

Fiscal Officer Van Horn noted the appropriation transfer is required to remit the council-approved donation to Growing Mohican Families using monies previously appropriated for capital improvements.

OLD BUSINESS: None.

NEW BUSINESS:

Street Closure Request – LHS Class of 2020 5K: Councilman Van Sickle moved to approve the request to close Wally Road on November 23, 2019 for the LHS Class of 2020 5K from 7 AM to Noon. 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; Mrs. Lance, yes.
Motion carried.

Park Usage Request – LHS Class of 2020 5K: Councilman Van Sickle moved to approve the request to use the Wally Road soccer fields on November 23, 2019 during and after the LHS Class of 2020 5K. 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.
Motion carried.

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Employee Recognition: Mayor Stricklen expressed appreciation to the Village employees in the Police, Maintenance, Water/Wastewater and Fire Departments for their work during the Loudonville Street Fair, acknowledging the extra work put forth.

Jim Meyer Recognition – Zoning Board of Appeals: Mayor Stricklen presented a Certificate of Recognition to Jim Meyer who recently resigned from the Zoning Board of Appeals after fourteen years of service. Mayor Stricklen thanked Mr. Meyer for his impartial and dedicated service on the Board.

CLAIMS ORDINANCE 2019-19:

Claims Ordinance 2019-19 was presented for approval. Councilman Welsh moved to approve Claims Ordinance 2019-19. Second by Councilwoman Lance. A roll call upon said motion resulted as follows:

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

ADJOURN: With no further business to be brought before Council, Councilwoman Lance moved the meeting be adjourned at 6:30 PM. Second by Councilman Robinson. A roll call upon said motion resulted as follows:

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

Fiscal Officer

Mayor