

VILLAGE OF FARMERSVILLE
Minutes of Village Council Meeting
August 22, 2011

The Farmersville Village Council met in regular session on August 22, 2011 in the Village of Farmersville Council Chambers at 117 E. Walnut St. Mayor Jeffery Morneault called the meeting to order at 7:00 pm; Ms. Walton led the group in prayer; the Pledge of Allegiance was recited and followed by a roll call.

COUNCIL MEMBERS PRESENT: Ms. Walton, Mr. Cottman, Ms. Morgan, Ms. Gisewite, Mr. Scarberry, Mr. Weller.

EMPLOYEES: Tom Sears, Administrator; Amy Schenck, Fiscal Officer.

Others in attendance: Law Director, Ryan Brunk; Joe Kelly, DP &L; Resident, Jeff Pope.

Mr. Cottman moved, Ms. Gisewite moved to approve the minutes of July 25, 2011 and August 8th as presented; there was some discussion questioning if both sets of minutes could be approved if the Council members that were absent on August 8th abstained; Mr. Brunk advised the Council to approve the minutes separately. Ms. Morgan confirmed that she was in attendance at both of these meetings.

Mr. Cottman moved, Ms. Gisewite moved to approve the minutes of July 25, 2011 as presented; Ms. Morgan confirmed that she was in attendance at this meeting. Roll Call: Mr. Cottman: yes, Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: yes, Mr. Weller: yes, Ms. Walton: yes. MOTION PASSED.

Ms. Gisewite moved, Mr. Cottman moved to approve the minutes of August 8, 2011 as presented. Roll Call: Mr. Weller: abstain, Ms. Walton: abstain, Mr. Cottman: yes, Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: abstain. MOTION PASSED.

Mr. Scarberry moved, Ms. Walton seconded to approve the bills for this period for a total of \$26,951.68 warrant number 29643-29690. Roll Call: Ms. Walton: yes, Mr. Cottman: yes, Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: yes, Mr. Weller: yes.

VISITOR COMMENTS:

Joe Kelly, DP&L presented an overview of the investment in reliability Dayton and Power & Light has made in the past year; including: line clearance (every 5 years), distribution line inspection and deficiencies addressed (every five years); pole inspection (every 10 years); distribution underground devices including inspecting the condition and security of transformers, pedestals, risers, and switchgears (every 5 years); and monthly substation inspections with emphasis on security. He provided additional information about the capital investments DP&L has invested in new technology and additional substations. The Mayor thanked Mr. Kelly for the presentation.

Jeff Pope, 75 N. Elm Street, addressed Council about the sewer backup damage he suffered to his basement during heavy rains in April. He explained that Roto Rooter is refusing to pay for the damage because they claim that he had changed the plumbing since they had been there last. Mr. Pope stated that he hoped to avoid a lawsuit and that he would like for the Village to pay to repair the damage to his home as they had paid the Clean & Dry Service bill. Mr. Brunk responded that Mr. Pope would have to sue Roto Rooter to recover his losses and that he expected that the Village would be involved in the suit as well to recover the payment to Clean and Dry Services.

LAW DIRECTOR COMMENTS:

Ryan Brunk reported that the acquisition of the Depot property was moving along. He discussed the 38 N. Main Street property and asked Council to approve Mr. Higlefort giving the property to the Village through a quit

claim deed. Mr. Brunk provided a detailed overview of the foreclosure process and explained that the 38 N. Main Street property had been foreclosed on but was never sold at Sheriff's auction, so essentially Mr. Haglefort remains the owner; through this action the Village will acquire the property and utilize grant funds to demolish the home to abate the nuisance. He asked Council to approve this gift tonight under new business. Mr. Brunk also reminded Council that the Montgomery County Fair would begin Wednesday August 31st and encouraged everyone to come out and visit the fair.

COMMITTEE COMMENTS:

Finance

Ms. Schenck reported that the Finance Committee met this evening and reviewed and discussed the end of the month reports including the municipal income tax collection report for July and had signed the bank reconciliation for July 31, 2011. Ms. Schenck reported that the committee had reviewed the bills on the agenda for Council's approval tonight and had recommended their approval.

MAYOR'S COMMENTS: None.

ADMINISTRATOR'S REPORT:

Mr. Sears provided the following report:

- Northeast Waterline Project would begin mid- September, after Maple, Vine, California.
- Maple, Vine and California Street Project – work would begin immediately, two crews would work on project to minimize the impact on the school.
- OPWC Round 26 Applications- Street projects update at meeting
- Business First update- At meeting (Business Walk) (Think Twice Buy Local). Business Walk set for Sept 15th Think Twice Buy Local set for month of Oct- TV advertisements.
- Senior Housing- Setting up meeting August 29th w/Montgomery County Representatives, Ken Crews and Mayor, hoping to move forward with project, apply for grant funding.

Mr. Sears reported that they had located and repaired a water leak on Hemple near Elm. He reported that the Medical Center intended to buy the old Ford garage and expand the Medical Center, looking into grants to facilitate necessary upgrades. Mr. Sears is also working on negotiating a new street light contract. He reported that the new owner of the Village Inn had completely gutted the first floor, cleaned out the basement, stabilized the building and is working on the upstairs apartments, and was working toward abating code violations.

FISCAL OFFICER REPORT:

Ms. Schenck reported that the recent BWC audit has resulted in "No Findings" which is the best possible outcome.

ORDINANCES / RESOLUTIONS

Mayor Morneault read Ordinance No. O2011-02, an ordinance levying special assessments on the lots of the Village of Farmersville, Ohio, to pay for furnishing and maintaining a street lighting system for 2011 in the Village of Farmersville, Ohio; this is the second reading.

Mayor Morneault read Resolution No. R2011-07, a resolution to renew the attached employment agreement with Ryan L. Brunk for Village Law Director, and declaring this an emergency measure. Mr. Scarberry moved, Ms. Morgan seconded to approve Resolution R2011-07 as presented. Roll Call: Roll Call: Mr. Cottman: yes, Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: yes, Mr. Weller: yes, Ms. Walton: yes. MOTION PASSED.

Mayor Morneau read Resolution No. R2011-08, a resolution authorizing the Mayor of the Village of Farmersville, Ohio, to execute and file with the District 4 Public Works Integrating Committee an application on behalf of the Village of Farmersville, Ohio, for aid in partly financing the cost of capital improvement projects pursuant to the State of Ohio Bond Issue #2 Program, as amended for the Elm Street Improvements Project, to execute contract agreements with the State of Ohio; authorizing the Mayor of the Village of Farmersville, Ohio to perform all acts and execute all documents he considers necessary to fulfill the Village of Farmersville, Ohio's obligations under said grant application and corresponding agreements and to comply with all relevant local, state or federal legal requirements and to provide assurances and additional information as required by the Ohio Public Works Commission and declaring an emergency. Ms. Gisewite moved, Ms. Morgan seconded to approve Resolution R2011-08 as presented. Roll Call: Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: yes, Mr. Weller: yes, Ms. Walton: yes, Mr. Cottman: yes. MOTION PASSED.

Mayor Morneau read Resolution No. R2011-09, a resolution authorizing the Mayor of the Village of Farmersville, Ohio, to execute and file with the District 4 Public Works Integrating Committee an application on behalf of the Village of Farmersville, Ohio, for aid in partly financing the cost of capital improvement projects pursuant to the State of Ohio Bond Issue #2 Program, as amended for the Northeast Waterline Improvements Project Phase 4, to execute contract agreements with the State of Ohio; authorizing the Mayor of the Village of Farmersville, Ohio to perform all acts and execute all documents he considers necessary to fulfill the Village of Farmersville, Ohio's obligations under said grant application and corresponding agreements and to comply with all relevant local, state or federal legal requirements and to provide assurances and additional information as required by the Ohio Public Works Commission, and declaring an emergency. Mr. Cottman moved, Ms. Gisewite seconded to approve Resolution R2011-09 as presented. Roll Call: Ms. Gisewite: yes, Mr. Scarberry: yes, Mr. Weller: yes, Ms. Walton: yes, Mr. Cottman: yes. Ms. Morgan: yes. MOTION PASSED.

Mayor Morneau read Resolution No. R2011-10, a resolution authorizing the Mayor of the Village of Farmersville, Ohio, to execute and file with the District 4 Public Works Integrating Committee an application on behalf of the Village of Farmersville, Ohio, for aid in partly financing the cost of capital improvement projects pursuant to the State of Ohio Bond Issue #2 Program, as amended for the Broadway Street Improvement Project, to execute contract agreements with the State of Ohio; authorizing the Mayor of the Village of Farmersville, Ohio to perform all acts and execute all documents he considers necessary to fulfill the Village of Farmersville, Ohio's obligations under said grant application and corresponding agreements and to comply with all relevant local, state or federal legal requirements and to provide assurances and additional information as required by the Ohio Public Works Commission, and declaring an emergency. Mr. Scarberry moved, Ms. Walton seconded to approve Resolution R2011-10 as presented. Roll Call: Mr. Scarberry: yes, Mr. Weller: yes, Ms. Walton: yes, Mr. Cottman: yes. Ms. Morgan: yes, Ms. Gisewite: yes. MOTION PASSED.

OLD BUSINESS:

Strategic Plan Process: No report.

NEW BUSINESS:

Ms. Walton moved, Ms. Gisewite seconded to accept the property at 38 N. Main Street as a gift. Roll Call: Mr. Weller: yes, Ms. Walton: yes, Mr. Cottman: yes, Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: yes. MOTION PASSED.

Mr. Weller apologized for not attending the last meeting; there was some brief discussion.

ANNOUNCEMENTS:

All formal actions of the Council and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.

ADJOURN:

Moved by Ms. Morgan and seconded by Mr. Scarberry to Adjourn the Council Meeting at 7:59 pm. Roll Call:
Mr. Cottman: yes, Ms. Morgan: yes, Ms. Gisewite: yes, Mr. Scarberry: yes, Mr. Weller: yes, Ms. Walton: yes.
MOTION PASSED.

Attest:

Amy Schenck, Fiscal Officer

Jeffery Morneault, Mayor