

August 13, 2012

Mayor Ann Roth called the Swanton Village Council meeting to order at 7:00 P.M. Councilman Rochelle opened the meeting with a prayer followed by the Pledge of Allegiance to the Flag of the United States of America. Council members present were William Belinger, Jeff Pilliod, James Piotrowski, Michael Rochelle and Tamara Haselman. Clerk-Treasurer Mary Lou Perrin and Village Administrator Jon Gochenour were also in attendance.

Mayor Roth called for a motion to approve the minutes of July 16, 2012. Motion to approve was made by Councilman Jeff Pilliod; seconded by Councilman Bill Belinger. Motion passed 6-0.

Mayor Roth called for a motion to approve the payment of bills totaling \$56,712.35. Jean Kelly, Director of Finance, presented a cash position report, revenue and expenditure report and a listing of bills to be paid. A motion to approve the payment of the bills was made by Councilman Jeff Pilliod; seconded by Councilman Piotrowski. Motion passed 6-0.

Mayor Roth called for old business and introduced **Ordinance 2012-13 (Amendment of Codified Ordinance Regulating Grass and Weeds)** and asked for a third and final reading. This Ordinance is an amendment to the Swanton Village Codified Ordinance intended to eliminate conflicting regulations dealing with the elimination of nuisance grass and weed conditions. Motion to approve was made by Councilman Bill Belinger; seconded by Councilman Rochelle. Motion passed 6-0.

Mayor Roth introduced **Resolution 2012-6 (Declaring Intent to seek Reimbursement for Capital Improvements for the Elm and West St. Clair Street Improvements)** and asked for a second reading. Motion to approve was made by Councilman David Pilliod; seconded by Councilman Jeff Pilliod. Motion passed 6-0.

Mayor Roth introduced **Resolution 2012-7 (Declaring Intent to seek Reimbursement for Capital Improvements for the Munson Road Emergency Waterline Project)** and asked for a second reading. Motion to approve was made by Councilman Rochelle; seconded by Councilman Jeff Pilliod. Motion passed 6-0.

Mayor Roth introduced **Resolution 2012-8 (Declaring Intent to seek Reimbursement for Capital Improvements for the Fulton Street Sewer Separation Improvement Project Phase 2)** and asked for a second reading. Motion to approve was made by Councilman David Pilliod; seconded by Councilman Piotrowski. Motion passed 6-0.

With no further old business, Mayor Roth called for new business and introduced **Ordinance 2012-16 (Authorization of Agreement for Fulton Street Sewer Separation Phase 2 Improvements)** and declaring an emergency. The ordinance authorizes the Village Administrator to enter into an agreement with Ohio Excavating and Sewer Contracting, Inc of Holland, Ohio at a cost of \$1,048,565 to replace approximately 600 feet of 4 inch waterline on Woodland Avenue with an 8 inch waterline and separate the

combined sewers on Lincoln, Woodland, Church, Crestwood, portions of Parkside and Woodside Drives and intersection of Church and Main Streets. The emergency measure is requested in order to submit the low bid to the Ohio EPA for approval and to begin construction by September 2012. The completion of this project is required by the Ohio EPA as part of the Village's long term sewer separation program. Motion to suspend the rules was made by Councilman Jeff Pilliod; seconded by Councilman Belinger. Motion passed 6-0. Motion to pass the Ordinance was made by Councilman Rochelle; seconded by Councilman Piotrowski. Motion passed 6-0.

Mayor Roth introduced **Resolution 2012-9 (Authorization to File for Financial Assistance with the Ohio Public Works Commission)** and declaring an emergency. The resolution authorizes the Village Administrator to file applications for financial assistance with the Ohio Public Works Commission for capital improvements to the water plant in order to meet new Ohio EPA requirements. The emergency measure is requested in order to file an application by the September 7, 2012 deadline. Motion to suspend the rules was made by Councilman Piotrowski; seconded by Councilman Jeff Pilliod. Motion passed 6-0. Motion to pass the Resolution was made by Councilman Rochelle; seconded by Councilman Belinger. Motion passed 6-0.

Mayor Roth introduced **Ordinance 2012-17 (Regulation of Garage and yard Sales.)** The ordinance amends the Village Zoning ordinance in regard to the duration and frequency of residential garage or yard sale activity. The ordinance permits no more than three (3) yard or garage sales within any consecutive twelve (12) month period with each sale not to exceed three (3) consecutive days. Sales are permitted between the hours of 9 a.m. and 8 p.m. and all merchandise not sold at the conclusion of the sales is required to be removed from public display and placed inside the garage or residence. This is the first reading of this ordinance. Motion to approve was made by Councilman Belinger; seconded by Councilman Rochelle. Motion passed 6-0.

Mayor Roth called for a motion to end the probationary period of Patrolman Charles Kessinger. Motion to approve was made by Councilman Piotrowski, seconded by Councilman Rochelle. Motion passed 6-0.

Councilman David Pilliod made a motion to approve a revised proposal from Munger and Munger Architects of Toledo to prepare drawings of the former rescue building to submit to the State of Ohio in order to renovate a portion of the former rescue building into a community meeting room at an estimated cost of \$4,000; seconded by Councilman Jeff Pilliod. Motion passed 6-0.

Mayor Roth called for a motion to retire to Executive Session for the Discussion of Pending Litigation. Motion to approve was made by Councilman Rochelle; seconded by Councilman Piotrowski. Motion passed 6-0.

Upon returning from Executive Session, Village Administrator Jon Gochenour made a recommendation to Council to accept the resignation of Mark Cerda from Village employment effective July 30, 2012; to release Cerda from the Canine Training

Reimbursement Agreement effective July 30, 2012; to abolish the Police Canine Unit and Canine Officer Position; authorize the Police Chief to hire one full time police officer and authorize the Village Administrator to dispose of canine unit equipment and vehicle no longer needed by the Village of Swanton. Motion to approve was made by Councilman Jeff Pilliod; seconded by Councilman Petrowski. Motion passed 6-0.

Mayor Roth asked for Committee Reports. The Finance Committee met this evening before Council and Chairman Piotrowski reported on the interest rate of notes issued to finance past Water and Sewer Improvements for 2012-2013. The notes were renewed at an interest rate of 1.03% with Key Bank of Cleveland, Ohio. The bids were opened on August 7, 2012 for the second phase of the Fulton Street Waterline and Sewer Separation Project. Of the four bids received, the low bid of \$1,048,565 was submitted by Ohio Excavating and Sewer Contracting, Inc. of Holland, Ohio. An emergency ordinance authorizing a contract was approved earlier this evening.

The Public Service Committee also met this evening before Council. Chairman David Pilliod reported on the approval of an architectural proposal to renovate the former Rescue Building approved earlier this evening. The Committee also discussed street lighting for the Hallett Avenue Overpass. Toledo Edison has been contacted regarding movement of existing lights and installation of new street lights in the vicinity of the bridge to ensure adequate lighting for night time traffic safety. The Public Service Committee also recommended to Council to authorize the Village Administrator to file an application for financial assistance with the Ohio Public Works Commission to help pay for the cost of improvements to the water plant to meet new EPA requirements scheduled to become effective in 2013.

Mayor Roth asked the Administrator for his report. Jon Gochenour reported to Council the State of Ohio has set the date of October 25, 2012 as the final completion date of the Hallett Avenue Overpass barring any unforeseen delays or weather.

Mayor Roth stated that the Committee of the Whole is planning to meet this evening following Council. The Planning Commission meeting is scheduled for September 11, 2012 at 6:30 p.m. With no further business, Mayor Roth called for a motion to adjourn. Motion was made by Councilman Belinger; seconded by Councilman Piotrowski. Motion passed 6-0. Council adjourned at 7:40 p.m.

Ann Roth, Mayor

Attest:

Mary Lou Perrin, Clerk Treasurer

