

VILLAGE OF SWANTON

Council Meeting Minutes

January 25, 2021

7:00 p.m.

Prayer

Pledge of Allegiance

Roll Call:	Tony Stuart	Michael Rochelle
	Kathy Kreuz	Craig Rose (excused)
	J. David Pilliod	Dianne Westhoven

Motion to approve January 11, 2021 meeting minutes made by Councilwoman Kreuz, seconded by Councilman Pilliod. Roll Call. ALL YES. Motion passed 5-0.

Councilman Pilliod summarized discussion from Public Service Committee: Recommendation to proceed with Woodside project in 2021; pursue OPWC funding for Crestwood; proceed with Rupp Rosebrock Beard Pavilion contract; contract with CT Consultants for zoning update; proceed with vacating n/s alley between Clark and Pennsylvania.

Motion to authorize Ms. Hoelzle to obtain updated quote for Woodside project made by Councilman Pilliod, seconded by Councilwoman Kreuz. Roll Call. ALL YES. Motion passed 5-0.

Motion to contract with CT Consultants for the purpose of zoning code update not to exceed \$50,000 made by Councilman Pilliod, seconded by Councilman Kreuz. Roll Call. ALL YES. Motion passed 5-0.

Motion to continue discussion on vacating alley between Clark and Pennsylvania as described in Public Service Committee made by Councilman Pilliod, seconded by Councilman Kreuz. Roll Call. ALL YES. Motion passed 5-0.

Old Business:

Third Reading 2020-XX: Amending Chapter 74 (Parking Generally) of the Codified Ordinances motion made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed 5-0.

Third Reading 2020-XX: Amending Village Zoning Map by amending the zoning classification for 13950 Airport Highway with the Village of Swanton motion made by Councilman Pilliod, seconded by Councilman Rochelle. Roll Call. Motion Failed 1-4. Councilman Pilliod – yes. Councilman Stuart, Councilman Rochelle, Councilwoman Westhoven, Councilwoman Kreuz - no.

New Business:

Councilman Pilliod moved to suspend the rules for Emergency Ordinance 2021-XX: Authorizing Village Administrator to enter into an agreement for the beard pavilion replacement project with Rupp Rosebrock not to exceed \$75,000 seconded by Councilwoman Kreuz. Roll Call. ALL YES. Motion passed 5-0.

Motion to authorize Village Administrator to enter into an agreement for the Beard Pavilion replacement project with Rupp/Rosebrock not to exceed \$75,000 made by Councilman Pilliod, seconded by Councilman Kreuz. Roll Call. ALL YES. Motion passed 5-0.

First Reading Ordinance 2021-XX: Declaring the necessity to assess all properties in the Village of Swanton, pursuant to Ohio Revised Code section 727.01. Et seq. For the cost of leaf collection, approving plans, establishing tentative assessments, and method of payment made by Councilwoman Kreuz, seconded by Councilman Rochelle. Roll Call. ALL YES. Motion passed 5-0.

First Reading Ordinance 2021-XX: Declaring the necessity to assess all properties in the Village of Swanton, pursuant to Ohio Revised Code section 727.01. Et seq. For the cost of street lighting, approving plans, establishing tentative assessments, and method of payment made by Councilwoman Kreuz, seconded by Councilman Stuart. Roll Call. ALL YES. Motion passed 5-0.

Administrator Report:

1. COVID-19 pandemic update
 - a. Vaccine roll out in both counties going as well as it can
 - b. Kroger in Swanton is a location for vaccine distribution
 - c. The Village of Swanton has no direct affiliation with the roll out
 - i. Please contact Kroger or Health Department for more information
2. U.S. Census Bureau recognition
 - a. Enclosed in Dropbox is a copy of a certificate the Village received regarding the 2020 U.S. Census
 - b. Publishing of 2020 Census data is delayed
 - c. Hoping for data sometime in February or March

3. TMACOG General Assembly

- a. Consul General of Canada, Joseph Comartin was the Keynote and he spoke on the Gordie How International Bridge
- b. This project is massive and is expected to be complete in 2024
- c. Ohio's exporters sell more to Canada than the next eight (8) foreign destinations, combined!
- d. Will have a large impact on the region for trade
- e. I also moderated the Village Caucus and gleaned good information from other local governments

4. Project Updates

- a. Project 8 & 9
 - i. Working on permit to install document to send to EPA
 - ii. Sent letter of intent to EPA
 - iii. Finalizing design
- b. WRRF Master Plan
 - i. Mr. Geise is working with Fishbeck to gather pertinent information to begin analysis and review
- c. Membrane Softening
 - i. Mr. Yackee is working with Shoaf Consulting and hopes to have a preliminary sketch very soon
- d. Memorial Park Drainage
 - i. Still on track for 2021 project
 - ii. This is necessary to elevated flooding at Memorial Park before any more major improvements can be made
- e. Phase 2 Meter Update
 - i. Finalizing total number of meters
 - ii. Much back and forth review to ensure any possible deviations were highlighted
- f. Beard Pavilion
 - i. Discussed in Public Service Committee
- g. Safe Routes
 - i. Received the proposed service agreement with the firm to perform construction administration, MAAKIL Group
 - ii. Proposed fee is \$29,810 but does indicate that once a contractor is awarded, a revised cost can be calculated

Personnel Report:

Families First Coronavirus Response Act (FFCRA) leave:

- The requirement that employers provide paid sick leave and expanded family and medical leave under the Families First Coronavirus Response Act (FFCRA) expired on 12/31/2020.
- Village Council approved a policy outlining the process of the aforementioned leave; this policy expired on 12/31/2020
- Employers may voluntarily decide to provide an extension of this leave
- With the pandemic still ongoing, cases still rising, and the majority of Village Staff not vaccinated (if they wish to do so) Village Administrator humbly requests Council consider extending this leave until 3/31/2021.
- This date coincides with Congress' extension of employer tax credits for paid sick leave and expanded family and medical leave voluntarily provided to employees

Motion to extend FFCRA leave extension until March 31, 2021 made by Councilman Rochelle, seconded by Councilwoman Westhoven. Roll Call. ALL YES. Motion passed.

Motion to enter into Executive Session at 7:27 p.m. for the purpose of employee hiring and to consider the sale of property at competitive bidding made by Councilwoman Kreuz, seconded by Councilman Stuart. Roll Call. ALL YES. Motion passed 5-0.

Mayor called Council back in to order at 8:11 p.m. Roll Call.

Chief Berg provided Council with a report of the Law Enforcement Trust Fund activity.

Motion to amend training reimbursement for Firefighter Lovingood to 'three' attempts for successful completion of EMT certification made by Councilwoman Kreuz, seconded by Councilman Stuart. Roll Call. ALL YES. Motion passed 5-0.

Councilwoman Kreuz moved to approve the promotion of Andrew Lovingood from a part time FFI/EMT-Basic to a full-time FFI/EMT-Basic in the Fire and Rescue Division, effective February 21, 2021 at an hourly rate of \$15.40/hour contingent on successful completion of physical exam and drug screen. Mr. Lovingood will accrue personal leave, sick leave, and vacation leave according to policy. Mr. Lovingood is subject to a 6-month introductory period effective February 21, 2021. Further, Mr. Lovingood must submit a letter, no later than March 13, 2023, from the State of Ohio illustrating completion of State of Ohio Paramedic certification. Upon receipt of said letter, Mr. Lovingood's wage will be increased to the appropriate firefighter/Paramedic wage /hour at the beginning of the next full paid period after the date of the letter. Mr. Lovingood understands reimbursement to the Village for the physical exam expense if he leaves before two


years employment with the village. Mr. Lovingood understands the reimbursement and condition of employment to become a paramedic by March 1, 2023. In addition he has three (3) chances to pass paramedic exam. If not successful after three (3) chances the course cost will be reimbursed to the Village by Mr. Lovingood, seconded by Councilman Stuart. Roll Call. ALL YES. Motion passed 5-0

Adjourn:

Motion to adjourn meeting at 8:14 p.m. made by Councilman Rochelle, seconded by Councilman Stuart. Roll Call. Motion passed 5-0.



Neil Toeppe, Mayor

Attest: 

Jennifer Harkey,
Fiscal Officer

Public Service Committee

January 25, 2021

6:00 p.m.

Councilman J. David Pilliod (Chair)

Councilman Rose

Councilwoman Kreuz

1. Election of a Chairperson for 2021
 - a. Councilman Pilliod made a motion to nominate himself as chairperson. Councilwoman Westhoven seconded.

2. Crestwood/Woodside
 - a. The Village of Swanton was unsuccessful in receiving OPWC and Small Government funds for the Crestwood/Woodside project
 - b. The hope was to receive funds to perform engineering in 2021 and construction in 2022
 - c. With the unsuccessful application, the Village may look to the next round of submission in September 2021 for the entire project
 - i. Not ideal as it may not score well again against the other applications
 - d. Another option is to separate the project into two: Crestwood and Woodside, respectively
 - i. Woodside road repairs: approximately \$100,000 (2019 estimate)
 1. Woodside scores 60/100 on the road inventory list and ranks 84th out of the 104 roads (104 being the worst scored)
 - ii. Crestwood includes underground infrastructure work plus road work
 1. Without curb and gutter: approximately \$600,000 (2019 estimate)
 2. With curb and gutter: approximately \$706,000 (2019 estimate)
 3. Crestwood has a low score (52/100) on the road inventory list and ranks 101st out of 104 (104 being the worst scored) which makes it a candidate for road repair
 - e. \$100,000 is included in temporary budget; original thought was engineering for the project

- i. If Council wishes to repair Woodside in 2021, an updated estimate could be obtained and those funds could be used for said project
- f. Then the Crestwood project could be submitted in September 2021 to try again for OPWC and Small Government funds

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Pursue OPWC funding again with next round for Crestwood. Pursue Woodside in 2021. Obtain updated quote.			

3. Beard Pavilion

- a. Received eight (8) sealed bids for the Beard Pavilion rebuild project
- b. Lowest bidder is Rupp Rosebrock at \$63,900
- c. Next lowest came in at \$81,500
- d. I've asked Rupp Rosebrock representative multiple questions to ensure they are confident they can complete the project as presented and within the time frame (completed by 8/30/2021)

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Proceed with Rupp Rosebrock NTE \$75,000			

- e. He indicated they are absolutely confident they can comply
- f. Recommendation to proceed with Rupp Rosebrock and enter into an agreement at an NTE amount of \$75,000? (this provides a buffer in case of unforeseen issues; contract amount will be in amount of bid- any deviation would have to be in a change order)

4. RFP: Zoning Code

- a. Received four (4) proposals
- b. Planning Commission members, Mrs. Harkey, and myself reviewed the proposals; I made reference calls
- c. All firms have great knowledge and skills to bring to the table for this project
- d. \$50,000 was allocated in the temporary budget for this project

- i. This figure was an estimated as it was unknown what cost proposals would be submitted
- e. Please see below for scoring and ranking
 - i. Some reviewers used the scoring matrix provided (100 points highest) and some ranked the four (1 being the highest mark)

ii. Discussion of proposals and scores

Reviewers	CT Consultants	McKenna	Poggemeyer	Zone Co.
1	92/100	73/100	66/100	40/100
2	89/100	89/100	92/100	77/100
3	98/100	100/100	75/100	79/100
4	86/100	82/100	81/100	84/100
5	2/4	3/4	1/4	4/4
6	1/4	3/4	2/4	4/4
7	1/4	2/4	3/4	4/4
Average w/ scoring	91	86	78.5	70
Average w/ranking	1	2	1.5	3

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Proceed with CT Consultants			

5. Vacating alley

- a. The property owner at 216 Clark Street intends to sell the property
- b. During a title search it became apparent, to the owner, that portion of structures were encroaching on a North/South alley between Clark and Pennsylvania
- c. The alley is still a dedicated public way and there is a utility line, which runs West/East from Clark and Pennsylvania, in a portion of this alley
- d. The property owner would like to petition vacating this North/South alley
- e. Process
 - i. ORC 723.04: Legislative authority may vacate an alley on petition by person owning a lot in the immediate vicinity of such alley
 - ii. ORC 723.05: Legislative authority may vacate an alley without petition when, in the opinion of the legislative authority, there is good cause for vacating the alley, or any part thereof, and that such vacation will not be detrimental to the general interest

- iii. ORC 723.06: Publication of notice for six (6) weeks is NOT required IF written consent to such vacation is filed with the legislative authority by all the owners of the property abutting the alley
 - 1. 105 Pennsylvania
 - 2. 107 Pennsylvania
 - 3. 109 Pennsylvania
 - 4. 113 Pennsylvania
 - 5. 210 Clark
 - 6. 214 Clark
 - 7. 216 Clark (property in question)
- iv. ORC 723.014: Permanent easement- will be needed for utility line
- f. Councilwoman Westhoven recalled the alley was already vacated year ago. However, it was never record. Mr. Lehenbauer is going to look into this further.

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments: Recommendation to vacate alley.</i>			

Public Safety Committee

January 25, 2021

6:30 p.m.

Councilwoman Kreuz (Chair)

Councilman Rochelle

Councilwoman Westhoven

1. Election of a Chairperson for 2021
 - a. Councilman Rochelle nominated Councilwoman Kreuz as chairperson. Councilwoman Westhoven seconded.

2. Organizational study- SFRD
 - a. After briefly discussing at previous Council Meetings and at the request of Mayor Toeppe, the Ohio Fire Chief's Association submitted a proposal for an organizational evaluation study regarding the SFRD
 - b. As the proposal outlines: All facets will be reviewed to determine operational and administrative efficiencies, internal division and community communication effectiveness, personnel development, compliance with local, state and federal law, and industry best practices. The study will determine the current level of service and future response needs of the community. All areas of review will include a focus on employee safety, safety of the public, and risk management for the fire & rescue division and village.
 - c. Chief Schaffer expresses his desire to work toward a strategic plan
 - d. Councilman Rochelle reminded the committee of the momentum towards forming a fire district. The Swanton Fire & Rescue division may look very different in five years. A feasibility study should be done on forming a district, not on the department as it is now.

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> No action at this time			

3. Fulton County EMS Plan 2022-2026
 - a. Fulton County Commissioners are looking to place a 4 mil *replacement* levy on the May 2021 ballot
 - b. The intent would be for the subdivisions to still provide services and a lump sum is allocated for each subdivision
 - i. The \$100 run money is not included in the proposal
 - ii. Commissioners indicated this is off set by the increase in allocation
 - c. The proposal for Swanton is \$750,000
 - d. There was a meeting on January 19 when the Commissioners presented their proposal
 - e. However, there are many details which have yet to be decided by County
 - f. As of right now the information on the sheet are the details we've received in print
 - g. Questions posed by the Village of Swanton
 - i. Is the \$750,000 solely for employee compensation & benefits (i.e. just wages, retirement, insurance)?
 1. For example, will fuel for ALS 7 be included in this \$750,000 or is that a different pot of money?
 2. Can the money be used for utilities?
 - ii. In what format should the entity provide actual EMT & Paramedic costs/time records? Will there be a standard template provided by the County OR will the entity be responsible for said records?
 - iii. If entity is responsible are there any set requirements for documents?
 - iv. How/where will the information be submitted? Online portal? Email?
 - v. If the actual compensation is a reimbursement, as indicated on the proposal summary sheet provided by the County, how/when will the first distribution in 2022 be coordinated? Further, when will it be distributed?
 1. By definition reimbursement means to repay something that was spent. If the entity must provide actual expenditures for reimbursement, then one could surmise a reimbursement would occur further in 2022 after those expenditures are made.
 - vi. How frequently will documents be sent and subsequently will reimbursements be made?
 - h. Are there any specific topics to present at future meetings? We believe the conversations will occur at the EMS meetings and with the Fire Chiefs
 - i. If myself or Mrs. Harkey can be of assistance, please let us know

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> No action at this time.			

4. Fireworks Fest

- j. It is extremely early to know what, if any, regulations will be coming from the State of Ohio or federal government regarding events such as the Fireworks Fest
- k. There is a lot of planning before such an event would take place
- l. First task is to settle on a date and then confirm any outside vendors
- m. Historically the event takes place the Saturday before Independence Day; this year it would be Saturday July 3, 2021

<i>More Discussion Needed</i>	YES	NO	If yes, resume when:
<i>Decision/Recommendation</i>	YES	NO	No Decision Needed
<i>Decision Details/Comments:</i> Tentatively scheduled pending COVID and health department directives			