

MINUTES OF REGULAR MEETING OF SMITHVILLE VILLAGE COUNCIL
March 4, 2019

The Council of the Village of Smithville met in regular session on Monday, March 4, 2019 at 7:00 pm in Village Hall. Mayor Tom Poulson called the meeting to order. Members present at roll call were Larry Allen, Jim Carter, Tricia Fetzer, John Heitger, Robert Kerr, and Ken McCune. Solicitor Matt Simpson, Fiscal Officer Pam Keener, Police Chief Funk, and Clerk of Council Beverly Hatten were also present. In the audience was Amy Marinello.

Mayor Poulson opened the bids for the 2019 street resurfacing project, 6 bids were received. Heitger will review the bids with Mike Turner and return his findings to council at the next meeting.

McCune motioned to approve the minutes of the February 18, 2019 regular meeting as written. Kerr seconded the motion and the minutes were unanimously approved.

Mayor recognized Amy Marinello, Marinello Realty in Wooster. Ms Marinello represents a resident in Smithville selling his property. They will be combining and selling 4 lots to the same buyer and she presented a plat map for approval. McCune motioned to approve the combining of the lots, Allen seconded the motion. Council unanimously approved to allow the lots to be combined. Signatures were obtained: Heitger for the planning commission, Mayor, and Clerk.

Chief Funk presented the February Police Report to council. Allen motioned to file the February Police Report, Carter seconded the motion. Council unanimously moved to file the February Police Report. The chief presented a letter of resignation from Officer Keith Yost. His last day was February 18, 2019. Fetzer motioned to accept the resignation of Officer Yost. Carter seconded the motion. Council voted unanimously to accept the letter of resignation from Officer Yost. Chief advised the new officers are progressing well and they will be out and about in the community soon. The new cruiser is to be finished tomorrow. The Police Department thanked council for acting quickly in the deal with Pallotta Ford to obtain the new cruiser.

Fetzer inquired if Chief Funk knew anything about the broken utility pole on East Center Street. Chief advised it was a hit skip accident. There are no known witnesses and the vehicle was gone by the time the officer arrived. They have tried contacting someone about the pole as it is just hanging there by the wires. AEP came right out and verified the pole does not belong to them, the electrical poles are taller and across the street. The pole has a UTC (United Telephone Company) tag and the company was purchased by Century Link. Century Link has been contacted several times, and was called again this afternoon. They have not responded at this time.

Dollar General Update. Mayor advised everything has been completed and they will be moving forward in the development of the property.

Mayor reviewed the electric and natural gas suppliers. He had the broker check the offers again since it had been awhile. The offer for the natural gas remained the same. The offer for the electric has changed. AEP Energy had an aggressive bid. It is recommended to change the decision for the electrical provider from Constellation to AEP Energy. Fetzer motioned for the Village to use AEP Energy as their

electrical supplier. McCune seconded the motion. Council unanimously agreed to accept the better rate with AEP Energy.

Mayor presented a contract with American Legal regarding an agreement for access to the code of ordinances on the internet. American Legal will convert the Smithville Code of Ordinances into the Folio VIEWS search and retrieval program and then place it on the internet. The internet version will be maintained on American Legal Publishing's website with a link on the Village's website. Fetzer motioned to enter into the contract with American Legal for the purposes of making the Smithville Code of Ordinances available to the public online through a link on our website to American Legal's website. Allen seconded the motion. Council agreed unanimously to contract with American Legal to make available and maintain the Village Code of Ordinances online.

Mayor shared the Income Tax revenue report with council. Currently we are \$13,971.26 ahead of last year at this time.

The Mayor presented the Tuition Assistance Agreement to Council. This agreement was developed as a contract with an employee attending training. The contract will be executed prior to the training in which the tuition is over \$500. The contract states the Village will pay for the tuition expenses and the employee agrees to repay the employer if the employee voluntarily leaves employment with the Village. The reimbursement will be prorated over a 24 month period. This is to protect the Village in the event of sending employees to costly training only to have the employee leave employment with the Village to go to another position. McCune motioned to approve the Tuition Assistance Agreement. Kerr seconded the motion. Council unanimously approved the Tuition Assistance Agreement.

Mayor reviewed with council that last year Smithville contracted with CT Consultants in a General Engineering Agreement. They worked under task orders. BPA recommended an agreement for 2019 for General Village Engineering Consultation and related duties as requested in the amount is \$12,000 which was presented to council. CT Consultants will bill the Village as tasks are assigned and services are rendered. Fetzer motioned to enter into the contract with CT Consultants in the amount of \$12,000 for the year 2019. Allen seconded the motion. Council unanimously approved the contract with CT Consultants.

BPA has recommended approving CT Consultants as the engineer for the E Prospect, S Mill and Church Streets water main replacements. This will be the second phase as the project as a total was too large to complete last year. The water main replacement was split into two years and this is the second part. The contract for CT Consultants to provide engineering services for design, bidding and construction oversight is \$54,000.00. Allen motioned to approve CT Consultants as engineer for the water main replacement project in the amount of \$54,000. Fetzer seconded the motion. Council unanimously approved CT Consultants for the project.

McCune advised the dump truck was taken to AK Welding for work. Turner was in contact with Myers for training on the Durapatcher. McCune will check with Turner to see if he needed a sealer for cracks in the street and if so, when.

Kerr advised of a meeting Tuesday for the Memorial Parade Committee. Kerr is on the committee representing the Village.

Carter advised Maibach is in the park working on cutting down trees this week.

Heitger advised the street sweeping will be done the week prior to Memorial Day. Chip and seal bid for Parkview Drive, Parkview Circle received from Melway was considered to be high, will continue to look for a second company. An estimate for the catch basin replacement on Summit by B&K Concrete was shared. Turner has been working on patching potholes.

Heitger inquired the procedure for closing an alley. Mayor advised they are not normally closed as often times both parties still use the alley as a driveway access. There is a process, application involved. An alley will not be closed if there are utilities involved.

Fetzer advised the month end reports have been handed out. Council reviewed cash position, revenue, and expense reports. Fetzer motioned to file the monthly (February) financial reports as presented. Allen seconded the motion. Council unanimously agreed to file the February financial reports.

Resolution 2019-3 A resolution authorizing the Mayor to advertise and receive bids for the water main replacement for East Prospect, South Mill, and Church Streets. Fetzer motioned to suspend the rules for Resolution 2019-3. McCune seconded the motion. Council unanimously agreed to suspend the rules for Resolution 2019-3.

Resolution 2019-3 A resolution authorizing the Mayor to advertise and receive bids for the water main replacement for East Prospect, South Mill, and Church Streets. McCune motioned to approve Resolution 2019-3 at an estimated cost of \$427,821 and for the resolution to take effect and be in full force immediately upon approval. Kerr seconded the motion. Council unanimously approved Resolution 2019-3 resolution authorizing the Mayor to advertise and receive bids for the water main replacement for East Prospect, South Mill, and Church Streets and to take effect immediately.

Mayor reported the engineers and Tom Abraham have been working on the freezing issue at the sewer plant. They have come up with the solution of putting a building around the area which freezes. The BPA has an estimate from Scenic View Construction to build a building to insulate the filters that are freezing. The estimate is \$46,440. We are not being charged for the engineering work, only the construction of the building. An estimate was shared for electrical work in the amount of \$6,600. McCune considered the estimate for the cost of the building to be high. McCune requested the approval for the building to be tabled until he can obtain another estimate. Heitger inquired where the funds will come from to pay for this building. Mayor advised the sewer improvement fund would provide funding and council will need to appropriate \$53,000 to cover the costs for the building and the electrical work. Council determined to table this issue at this time for McCune to look into a second estimate.

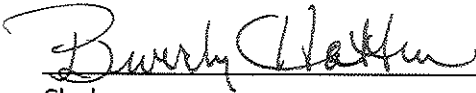
Board of Zoning Appeals met to consider the request for conditional use for 212 W Main. They determined the owner did not demonstrate a hardship. The board was diligent in their consideration and involved Solicitor Simpson and Zoning Inspector Parker. The Zoning Board rejected the request. The owner may appeal to Council if they desire.

McCune motioned to pay the bills in the amount of \$24,480.26. Fetzer seconded the motion. Council agreed unanimously to pay the bills.


Allen motioned to adjourn the business meeting. Kerr seconded the motion. The business meeting was adjourned at 8:10.

The next Council meeting will be March 18, 2019 at 7pm in Village Hall.

Minutes approved on March 18, 2019



Clerk



Mayor