Council met in regular session Monday, April 01, 2019 at 7:00 p.m.

Council members present: Karon Lane, John Hudik, Karen Noward, John Pupos, and Richard Sauerlender. Brooke Smith absent.

Other officials present: Mayor Ken Wysong and VFO Catherine Vorst

The meeting was opened with the Pledge of Allegiance.

Mayor met the new council member – Karen Noward.

**Guest:** Ed Vasko resides at 439 E. Main Street. He has water in his backyard and his neighbor’s caused by leakage from the sanitary sewer overflowing. The creek has come up but that is not flooding the back yard. Several years ago we had a similar problem and it was fixed. ~~Now here we are, the leak is below the ground.~~ The leak is next to the manhole. ~~There is a manhole in my back yard. There is a manhole two houses over but they do not have a problem~~. John Pupos and Richard Sauerlender are going to go over after the meeting and check a couple of things.

**Minutes**- Motion by Richard Sauerlender, seconded by John Pupos to approve the minutes of the March 28, 2019 meeting. 5 ayes

**Reading of Bills –**

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| **CHECKS** | 04/01/19 |  |
| Wex Bank/Marathon | Fuel | 164.61 |
| Stapleton Insurance Co | Annual Premium 04/01/2019-20 | 8,874.00 |
| Tri-County Fuels | Diesel Fuels | 13.38 |
| Treasurer of Fulton Co | Police Protection | 425.00 |
|  | Total | 9,476.99 |

Motion by John Pupos, seconded by Karon Lane to approve the bills totaling $9,476.99. 5 ayes.

**Solicitor’s Report –**

**Old Business**- Motion by John Pupos, seconded by Karen Noward to accept Third and Final Reading of Ordinance #995 regarding contract with the Fulton County Sherriff’s Department.

On Water Fountain, do we replace the fountain or repair it? The valve is stuck and it runs water. We have a quote from Taylor and Bob Dick coming out to look at this. Karon Lane suggested we get costs and decide from there.

Grant work from Poggemeyer is ready to be sent out. It will go out overnight for $25.50. Maumee Valley due date is Monday, 04/08/19 for the Fulton Street Project. The award year would be 2020.

Porta-Pot has been ordered for the month of April for the park. Place in the SW corner of the park.

Brandon Fetzer has been called regarding the Energy Assessment. Steve has contact info on Brandon to be able to set up Smoke Test later in the year.

Mayor Wysong asked about the meeting with Nick Shrader. After a discussion, L&B will ask Nick Shrader to come to the next meeting to discuss EYA selling tickets for the Park-O-Rama. Mayor suggested each team sell $50 in tickets.

Mayor Wysong asked about the Level 2 license for the concession stand. The mayor thinks this person has to available all the time, someone in the Village on a regular basis. There are online courses and books. There is a test good for five (5) years. Need more information.

**New Business** – Joshua Sellick needs to perform service hours. He was given our name by the courts to call to help him with the service hours. He could possibly assist Jamie and/or Steve. The Admin Office is currently using a person in need of service hours. Council thought it would be good opportunity to help him and the Village.

The Governor and the House are talking about an 11 cent increase for the motor fuel tax and a 20 cent increase for the diesel fuel tax. No agreement has been reached. This would increase revenue.

The Governor is proposing to increase minimum age for tobacco purchasing from 18 to 21 years of age. This would decrease revenue.

**Fiscal Officer’s Report** – Catherine Vorst is asking for a motion to **increase** **Account A01-3-B-236** (Park Insurance) and **decrease Account A01-3-B-239** (Park – Misc. Contractual) by **$47.00.** Motion made by Karon Lane, seconded by Richard Sauerlender. 5 ayes.

Auditor of the State Keith Farber has requested an increase of $10 million to help offset cost for local governments of state audits. The estimated cost of the next two (2) year audit is $10,000.

Catherine Vorst distributed Water Pollution ~~Control~~ Loan Control Fund paperwork to Council for all of Fulton County. John Pupos said this is a grant to assist people.

Spring Newsletter changes made as discussed at last meeting. This Newsletter will be mailed out at the end of the week.

**Mayors Report** – Mayor Wysong asked about the shelters. The 220 electrical needs to be done and some painting needs to be done. ~~John Hudik said when he was inside the concession stand with Steve was a mess – stuff all over the floor. The units for the score board were on the floor. John Pupos thinks they were in the cupboards that need to be put away~~. Shelter also needs cleaned up. Scheduling for the park ~~can call~~ is done at the Village Office. EYA sent the office a schedule of the games. This information has been provided to Jamie along with Tara of the Twirlettes.

EYA is looking for someone to do the diamonds. We need ~~to make sure who they are~~ have EYA prep since they will be driving our gator. EYA and Twirlettes will get codes. The first game is 03/31. Bathrooms will be opened permanently for people walking thru the park when? L&B will ask Jamie VanAlstine and decide if the Sunday after the Easter Egg Hunt is the day. Need to talk about the hours for the bathrooms and who is responsible.

Regional Planning requesting the Mayor to appoint a person to sit on the Revolving Loan Fund Committee for 2019, 2020 and 2021. Keith Truckor had done this in the past. They do not meet often. Richard Sauerlender said he would do this. Ken will appoint him.

Richard Sauerlender asked about anything else on the water that the Mayor is going to meetings on. For now, the Mayor said there is nothing. Fulton County is talking about vacant land and available places for business coming this way.

Karen Noward asked about the building on Maple which was just taken down. The part still up in question belongs to ARCAM Steel. The wood is part of the building.   
And she asked about the Sullivan fence. The Mayor asked about the tax lien. Alan Lehenbauer, Solicitor, said you cannot add this to his taxes. Mr. Sullivan assumed the fence belonged to him when in fact it is part of the parcel purchased. A survey pin got moved somehow. When the Village had it surveyed, it was on the South side. The fence belonged to us. We asked him to replace it, or pay us for it ~~or whatever~~ to be replaced. Council decided that the fence would be replaced. The resident would owe that money. John Pupos stated, Solicitor said it does not meet the requirement in order to be able to attach it to his taxes. You can take it to small claims court which will be next to no cost and he will get a judgement and then if he does not pay this, then the judgement could be attached to his taxes.

~~Catherine Vorst brought up the issue of ethics. When she was in Columbus, the attorney giving the training said some issues are not about right or wrong. Council is here to determine what the best interest for the use of the funds for the Village. So you have to ask yourself, is this money best spent in pursuing this or would the money be better spent on playground equipment. John Pupos asked if it would be better to press charges for destruction of city property. Mayor Wysong agreed. Mayor Wysong and John Pupos feel he could be charged. It is up to Council how they want to pursue that or the cost of the fence or? John Pupos wants to know how many times are we going to beat this dead horse. The Mayor said he did not know. It was brought up again here. You made a decision and just do it. Karen asked “He will not pay for it?” Mayor Wysong said no. Someone (could not determine person) said he is not willing. John Pupos said they are waiting on RJ to put the survey stake back. Mayor Wysong said we already know where the survey stake belongs. It is up to you and Council, if you put the fence back up and there is you fee of $1,000 or whatever that it and you need to do it; cause it has now been six months and we still have not gotten any progress. . . John Pupos said they gave him a deadline of January 31~~~~st~~ ~~and it is April 1~~~~st~~~~. Richard Sauerlender said right now we would probably not be putting it up; too muddy. John Pupos said now we are waiting on moving the pin back to where it belongs and taking removing some trees. Mayor Wysong said Council made the decision to put the fence back up. John Pupos said once the trees are removed we can put the fence back up. Richard Sauerlender said Lands & Building might want to talk about this because we assumed it would be put on his taxes and now Alan Lehenbauer said he will not do that. John Pupos said he will front the $75 to go to small claims court if that is what you guys want to do. Mayor Wysong said no. You are not going to do it the right way. If you want to do it then you go thru the small claims and the process. It is not so much the money, it is the ethics. It is precedent – you did something, we are not going to let it go. Catherine thinks they should communicate the decision with Mr. Sullivan. Mayor Wysong said just do it. Send it to small claims court. You already have the figures. At that point, it is up to Tom and Tina, the owners, to dispute it. Then we determine from there how far we want to go. Karon Lane said when it comes to the Village funds being best served; she feels it is a good cost because it is a protection. When he took the fence down he was commonly using the Village Property to come in and out of his yard. It is a safe guard for the village. So let’s get the stupid fence ordered. Mayor Wysong said you can still go to small claims court. You know what it is going to be. You need to get it started. John Pupos said they were going to get the fence up and then give him a bill and see if he would pay it. But we cannot put the fence up until the survey is done. Richard Sauerlender said you need to put the fence up first before you go to small claims court. John Pupos agreed. And said you need to give him a bill and a chance to pay the bill. If he does not pay it, then we can take him to small claims court~~. Once RJ gets the pin moved back to the proper spot, then Jaime, Steve or John will take down the trees needed to be taken down. ~~Mayor asked if that will be signed off by Scott. John Pupos said Scott will sign off. Catherine asked if any of the trees are on the Sullivan property. John Pupos said Scott Lumbreezer will sign off. John clarified there are no trees on the Sullivan property; the trees are on Scott’s property.~~

Motion by John Pupos to adjourn, seconded by Karen Noward to adjourn at 7:50 pm. 5 ayes.

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Mayor - Ken Wysong VFO – Catherine Vorst