

September 23, 2013

Meeting was called to order by Mayor Skelton at 7:00 pm. Mayor Skelton reminded all in attendance of the expectations for conduct by the council and gallery.

Roll call: Blackstock, Karker, Tibbs, Smith, Coon, Nolan

Absent: None

A moment of silence was recognized for those less fortunate and already gone.

Nolan made motion to accept the minutes from the August 19, 2013 board meeting as issued in print, with one correction on the last page changing "donated" to "loaned" with 2<sup>nd</sup> from Karker. Vote: 6-0 Motion Carried

Nolan made motion to accept the minutes from the September 5, 2013 Committee Meeting as issued in print, with 2<sup>nd</sup> from Tibbs. Vote: 6-0 Motion Carried

Blackstock made motion to accept the Treasurer's report, subject to audit with 2<sup>nd</sup> from Nolan. Vote: 6-0 Motion Carried

Citizen Concerns:

1. Mason County Clerk: Summer, the new Mason County Clerk was present and introduced herself and two of her staff members to the board.

2. 407 W. Walnut St.: Mark Mattingly was in attendance and explained that Mary Matthews, deceased, still owns said property. Mr. Mattingly explained the status of getting the paperwork transferred. Mr. Mattingly also explained that said property has been sold several times with Rick Davis being the last one to have "ownership" and is waiting for paperwork to be finalized for purchase to be legal. There was discussion and questions regarding tax payments and power of attorney documentation on the property. Smith gave Mr. Mattingly three (3) week to get all the paperwork finalized. Mr. Mattingly is to have weekly updates to Smith with decision on responsibility for removal of trailer to be postponed to the October board meeting.

- Citizen Alicia Hill was present and asked about the violations that she had received pertaining to the junk/vehicle storage. A. Hill reported that all violations had been abated. Nolan made a motion to dismiss stated violation based on extenuating circumstances and all issues had been abated with 2<sup>nd</sup> from Tibbs. Vote: 6-0 Motion carried

3. Semi parking on Route 136: This item was struck from the agenda.

4. The board reviewed the maintenance time management sheets.

5. Maintenance personnel reported that they are currently working on the storm sewer at 216 W. Arch Street. No further questions for the maintenance personnel.

Mayor:

-Mayor Skelton announced that Interim Chief Jerry Melton would be retiring as of September 27, 2013. Everyone voiced their appreciation to Melton.

Clerk:

6. Clerk Coon explained the need and wishes to obtain and maintain a village website. Clerk Coon was instructed to pursue said website quotes.

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Engineer:

7. Damage to Arch St.: Clerk Coon read correspondence from Engineer Burris due to his inability to attend meeting. Summary of correspondence: Burris wrote that there was some damage to the street surface however his opinion was that the areas could be spray patched next summer.

8. Storm drain obstruction: Clerk Coon read correspondence from Engineer Burris due to his inability to attend meeting. Summary of correspondence: Maintenance has purchased all replacement materials and are currently waiting on a vactor truck to clean the drain and then all replacement will be installed. Burris also noted that the existing garage on the adjoining property is built in a low area which could cause a problem during a high intensity-short duration rainfall event.

9. 105 W. Walnut: Clerk Coon read correspondence from Engineer Burris due to his inability to attend meeting. Summary of correspondence: Burris wrote that the Village Attorney has filed the documentation at the Mason County Courthouse and the work would not have to be done until the demolition has been approved by the court. Burris is still pursuing a proposal from Nelson Construction for this work.

Water & Sewer:

10. K. Albers water works report: Nolan asked K. Albers why Mr. Detmers was used to fill in and not the maintenance worker. K. Albers indicated that there were some issues but the main reason was because Mr. Detmers is licensed to execute the work.

11. S. Coon water use report: There were no questions for Clerk Coon regarding the water use/billing.

Finance:

12: Review bills: A break was taken for the trustees to review all bills submitted for payment.

13. Payment of bills: Smith questioned paying Mr. Detmers for his work with the village on the water systems due to contractor insurance being needed on file with the Village Clerk. Treasurer Shelley is to send Mr. Detmers a letter requesting insurance information be submitted to the Village Clerk prior to any future payment or use of his services. Smith also explained that any further need for an outside contractor to be used in the execution of the maintenance of the water system during K. Albers absence should be taken to the Water & Sewer Committee Chairman prior to using outside contractor. Nolan made a motion to pay all bills as submitted for payment with 2<sup>nd</sup> from Blackstock. Roll Call vote: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion Carried

14. Revisions to employee handbook: Nolan asked Smith to explain the concerns that had been raised. Smith read the ordinance/statute pertaining to the removal of appointed officials and suggested that the village ordinance be amended to include all village employees follow the same process as the appointed employee. There was discussion about how the hiring and termination process currently is handled. There was also discussion pertaining to retroactive pay that may be afforded an employee that was terminated and the board overturned termination. It was decided that this scenario would be looked at per circumstance with a decision rendered at that point. Nolan made a motion to amend the employee handbook, page 11 to include the following:

“The Supervisor, Mayor or Board Members reserve the right to apply appropriate discipline in accordance with workplace rules, based upon individual circumstances; however, termination of any hired village employee shall be reported to the Village Board of Trustees at a meeting to be held not less than five (5) days nor more than ten (10) days after termination occurs. Reasons for termination shall be filed in writing to the Village Clerk within 48 hours of said termination. If the supervisor, Mayor, or Board Members shall fail or refuse to file with the Village Clerk a statement in writing of the reasons of such

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termination, or if the Board of Trustees, by a two-thirds (2/3) vote of all its members authorized to be elected, by yeas and nays, to be entered upon its record, disapprove of such removal, such hired employee shall thereupon be reinstated to the same position of such removal, such hired employee shall thereupon be reinstated to the same position and pay as prior to termination with retrospective back pay to be determined on a case by case basis. "with 2<sup>nd</sup> from Blackstock. Roll Call: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion Carried

Police:

15. Monthly Report: Nolan commended Chief Cupi on the amount of information contained in the reports that she had presented. Chief Cupi reported that the repairman for the radar gun would be coming to the village to certify and inspect the equipment.

16. LETAC training: Chief Cupi reported that there will be a criminal law and an IBC update class offered in January 2014 that all officers will be attending.

17. On-board camera system: R. Coon explained that currently the on-board camera system in the squad car (Charger) is inoperable and this concerned him due to the liability of the matter. Chief Cupi then explained the importance of the camera system for prosecution purposes also. Chief Cupi presented quotes for said system with installation to be done at Moyer's automotive at a cost of approximately \$300-\$400. There were questions asked about the length and types of recordings. Blackstock made motion to move \$6000.00 from the appropriated vehicle purchase fund into the car equipment fund for purchase of an in-car camera system and installation with 2<sup>nd</sup> from Nolan. Roll Call: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion Carried

18. New Patches: Chief Cupi explained that she would like to have a patch designing contest open to the citizens of San Jose age 18 and younger. The winning design would be rewarded prizes that Chief Cupi would get donated. Nolan made motion to allow Chief Cupi to hold the patch designing contest for citizens of the village age eighteen (18) and younger with 2<sup>nd</sup> from Smith. Vote: 6-0 Motion Carried

19. Updates to room at police station: Chief Cupi showed a drawing of the potential upgrades and improvements she would like to implement in the large room to the west of the lobby at the police station. Said drawings also included estimates for cost of approximately \$1500.00. Nolan made a motion to allow Chief Cupi to make presented improvements with 2<sup>nd</sup> from Coon. Vote: 6-0 Motion carried

20. Hiring PRN Officer: In lieu of the announcement of Officer Melton retiring, Chief Cupi explained that she would now be in need of one part-time officer and one PRN officer. A PRN officer was explained as an officer that would only work approximately one shift a month and be used to cover shift for part-time officers that request vacation or call-off shift due to any other problem. There was discussion on how the hiring process will be executed. R. Coon asked Chief Cupi to obtain applications. Cupi stated that she would contact area departments and the counties to inquire about potential hires. R. Coon made motion to allow Chief Cupi to accept applications for one part-time officer and one PRN officer as explained with 2<sup>nd</sup> from Tibbs. Roll Call vote: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion Carried. Discussion was had about allowing the Police Committee to review applications with Chief Cupi and hire a new officer at a Police Committee meeting to be scheduled. R. Coon made a motion to amend the above motion to include giving the Police Committee authority to hire officers at the next Police committee meeting, to be scheduled with 2<sup>nd</sup> from Tibbs. Roll Call vote: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion Carried

-Officer Spickard informed the board on the ordinance violations that had been written and the compliance that had been afforded to date. Spickard informed the board that there will be possibly as many as five (5) ordinance violation citations sent out. There was discussion about how to encourage citizens that are not complying with abatement to comply. The new ordinance violation warning tags were inspected by all board members. Chief Cupi reported that there are new

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citations being made that will allow for all ordinance violation ticket payments to be received by the village instead of going through Mason County courthouse which will leave more revenue in the village.

Buildings & Grounds:

21. Accepting recommendations: Smith made a motion to accept the recommendations from the Buildings & Grounds committee meeting which was 2<sup>nd</sup> by Karker. Vote: 6-0 Motion carried The above mentioned recommendations are as follows:

A) Grant an extension to D. Skelton until the September 23, 2013 board meeting at which time if a longer extension is needed it will be discussed.

B) Trustees Coon and Smith to speak with Mr. Davis in regards to the above mentioned concerns

C) Clerk Coon was directed to send Mr. Mattingly a letter explaining 1) he has thirty (30) days to take care of the title/deed work or remove the trailer and 2) he has thirty (30) days to take care of the title/deed work or fix or demolish the garage on said property.

D) Mr. Richards is to get the camera or let the village know if he can get the camera within two weeks for Maintenance to utilize for tracking of the sewer system. The Village is to hear from Mr. Richards by the 18<sup>th</sup> of September or Trustee Smith will call on the 19<sup>th</sup> so determination can be made if a petition for attachment to village sewer system needs to be made. The sewer system will not be used until a determination can be made.

22. 100 W. Main Street: Smith asked Michelle Skelton, who was present, to explain what progress had been made. M. Skelton explained that all materials are purchased, however; repair work had stopped due to weather but the pillars and foundation had already been repaired. M. Skelton asked if another extension could be granted for the completion of the work. Smith questioned M. Skelton why there had not been any progress seen since the committee meeting where they were given their first extension to this M. Skelton replied that they were trying to secure the help. There was a discussion about the length of extension that could be granted. Tibbs made motion to grant M. Skelton an extension to October 7, 2013 with 2<sup>nd</sup> from Blackstock. Vote: 5-1 Motion carried (R.Coon-nay)

23. 300 W. Main St.: Smith read a letter from M. Skelton regarding an update given to her from Mr. Schuch, owner of said property. There were concerns expressed about the walls of the building being built not being secured. Blackstock asked if Mr. Schuch had contacted anyone on the board to which Mayor Skelton expressed that he had heard from Mr. Schuch. Blackstock encouraged that Mr. Schuch be asked to contact the Village Clerk with future updates. Chief Cupi relayed that M. Skelton has spoken with her about this matter and she had referred M. Skelton to Smith as the Buildings & Grounds Chairman. There was discussion about the non-compliance by Mr. Schuch in regards to the walls and safety of the above mentioned building. Smith made a motion to send Mr. Schuch citations for non-compliance with 2<sup>nd</sup> from Blackstock. Karker questioned the length in which the citation would be issued. Vote: 6-0 Motion carried

24. 207 S. 5<sup>th</sup> Street: Smith reported that there was no contact between himself and Mr. Richards in regards to the camera for the sewer system during the allotted timeframe. Smith referenced ordinance #9-5-4 and pointed out that sewer issue was not a problem of the village. There was discussion about making Mr. Richards hook-up to the village sewer system per above stated ordinance through application. Smith made motion to allow Mr. Richards ninety (90) days to hook-up to village sewer system per Title 9 Article 1 Section 4 of Ordinance 318 with 2<sup>nd</sup> from Tibbs. Vote: 6-0 Motion carried

25. 101 S. 4<sup>th</sup> Street: R. Coon reported that Mr. R. Davis, who was present, had contacted him on the deadline for the variance for the inspection of the final installation of windows on the house at 101 S. 4<sup>th</sup> Street. There was discussion about the vehicles that were located at said address and the possibility of a violation of the variance due to the amount of storage currently. Possible compliance recommendations were heard from each board member. There were concerns voiced to Mr. R. Davis over the boarded windows on the porch and it was noted that said windows need to be replaced within fourteen (14) days. -There was a short break taken due to Smith's need to research the terms of said variance.

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Smith voiced his opinion that Mr. R. Davis was in compliance with the variance at this time but cautioned Mr. R. Davis directly that he needed to adhere to the terms of the variance very strictly and to try and keep the building materials off the property. R. Davis explained that the camper that is currently parked on the property is being used during the daytime only and that no one is living in the camper.

Streets & Alleys

26. Recommendations: Smith made motion to accept the recommendations from the Streets & Alleys committee meeting with 2<sup>nd</sup> from Karker. Vote: 6-0  
Motion carried            The recommendations are as follows:

- A) To remove the sidewalk in question at 209 E. Arch Street per the homeowners' request for consideration of replacement in the future.
- B) Contact contractors for pricing to repair several sidewalks in the coming months and years to include leveling, sand and all finish work.
- C) Clerk Coon is to contact Attorney Dunn and schedule a special board meeting to be held as soon as possible taking into consideration the schedules of all parties involved.

Tibbs opened discussion about replacement of the sidewalk at 209 E. Arch Street. Smith made a motion 2<sup>nd</sup> by Tibbs to allow for the sidewalk to be replaced if it was found that the cost would be under \$600.00. Vote: 5-1 (R. Coon-nay) Motion carried

-M. Skelton asked for there to be possible gravel placed on Locust Street, East of N. First Street. Smith explained that a discussion and clarification had already been had within the past meetings pertaining to the decision to no longer maintain stated road due to it not being an actual road. Mayor Skelton indicated a possibility of using the grinding obtained through the Route 136 project to cover said "road". M. Skelton asked that the subject matter be placed on the October board meeting for a final board action.

Health:

27. Siren repair: Clerk Coon reported that the repair for the siren had been submitted to the village insurance carrier and we are waiting on their reply.

28. Bug spraying chemical and schedule: The spraying schedule was discussed and Conrad reported that the bug spraying chemical had all been used. Blackstock made a motion to purchase one barrel of bug spray and flush and to leave the spraying schedule at 2 times per week until the first frost and then the bug spraying can be discontinued with 2<sup>nd</sup> from Nolan. Roll call vote: Blackstock: Aye, Karker: Aye, Tibbs: Aye, Smith: Aye, Coon: Aye, Nolan: Aye Motion Carried

Old Business:

Nolan questioned why the Village Engineers were being used to look over a drainage/water issue on the Dan & Michelle Skelton property which is outside of the village limits. Nolan voiced her opinion that this was not the village's responsibility and did not feel that the village should be asked to accept any further bills regarding this matter.

New Business: None seen.

Meeting Adjourned at 10:20 pm by Mayor Skelton