

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 13, 2008 AT 7:30 P.M.

Mayor Kevin Gilmore called the October 13, 2008 meeting of the Ottawa Hills Village Council to order at 7:32 p.m. Roll was taken with Council members Norma King, Jeff Gibbs, Jack Straub, Robert Reichert and Jim Walter present. Also in attendance were Mayor Kevin Gilmore, Clerk Treasurer Katherine O'Connell, Village Solicitor Sarah McHugh and Village Manager Marc Thompson. Mr. Decker was absent from the meeting but was expected momentarily.

Also in attendance were Steven Wipfli, Todd Kime, Tony Bassett, John Schalles and Nasrin Afjeh.

Mayor Gilmore then led the Pledge of Allegiance.

Mr. Decker entered the meeting at this time.

Mayor Gilmore called on Steven Wipfli to address the Council. Mr. Wipfli described the upcoming AGORA week at the high school as an alternate learning opportunity focusing on proper stewardship of the earth. He was accompanied by Todd Kime and continued by telling the Council that one of the AGORA activities would involve art in the environment which they were describing as a green awareness project.

Mr. Kime described the plan to use recycled political signs in the area of the sledding hill and the meadow immediately east of Talmadge Rd.

The temporary use of old political signs is envisioned to become a work of art with an environmental message. Mr. Wipfli and Mr. Kime would provide to the students a general idea for use of the signs but the students would provide the creative energy. The signs are envisioned to create a walking path with various artistic and environmental messages. It is anticipated that the installation would be visible from Brookside Rd. and from Talmadge Rd. Brookside Rd., which has many pedestrians, may be a key in regard to generating interest.

Both Mr. Kime and Mr. Wipfli are aware of weather issues, floodplain, etc. but were seeking an approval from the Village to proceed with this idea. They commented that the project would be undertaken during the week of November 17 – 21 and they hope to have the project last another week after AGORA week and then be promptly removed.

Mr. Decker asked about the possibility for using other areas such as the art display area on Bancroft and Indian.

Mr. Wipfli mentioned that they would be happy to consider other areas which may be more attractive.

The proposed area has the advantage of substantial pedestrian activity on Brookside Rd. and vehicular traffic on Talmadge Rd.

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Mayor Gilmore asked if any members of the Council had problems with the proposed project. Mr. Gibbs stated that he thought it was a very good project and encouraged Mr. Kime and Mr. Wipfli to work with the Village administration on the project. The Council was supportive of the proposed environmental/art project.

Mayor Gilmore then called on John Schalles to address the Village Council. Mr. Schalles stated that he appreciated the opportunity to speak as a citizen, commenting that many years ago he had been a member of the Village Council. He mentioned to the Council that he was aware of some of the marketing efforts intended to make the broader community aware of the ambience of Ottawa hills. His purpose for attending was to identify four areas where he felt there was a lack of ambience. He identified safety, sight, sound and school.

Under the heading of safety Mr. Schalles expressed concern about the speed of traffic on Hillandale Rd. He stated that speed limits were not being enforced and that cars were using Hillandale at excessive rates of speed. He offered several solutions including sidewalks, speed humps, a pedestrian lane similar to that which is on Talmadge Rd., periodic use of a speed monitoring device or perhaps a stop sign at one of the intersections.

Mr. Schalles continued by expressing concern about the intersection at Hillandale and Richards Rd. focusing specifically on left turns from Hillandale to southbound Richards. He commented that there is no speed limit sign on Richards in that location and that there are sight distance issues with utility poles, other signs, etc. He also commented that the alignment of the driveway from the Village municipal building created difficulty.

Mr. Schalles continued by expressing dismay regarding a number of pickup trucks that are visible in the Village along with the number of driveways which have cars parked in them. He specifically mentioned a house at the southwest corner of Bancroft and Boshart which frequently has five or six cars in the driveway and the Afjeh property on Bancroft St. which has three cars which seem not to have moved for many years. He commented that it used to be a requirement that a pickup truck was parked in a garage.

Mr. Schalles also expressed concern about noise particularly related to a noisy pickup truck of a neighbor. Mr. Schalles concluded by handing out a one page list of concerns.

It was agreed that the Village would make an effort to get the speed trailer on Hillandale Rd. and undertake a traffic count as soon as possible.

Brief discussion followed regarding noise ordinances. It was reported that there is an ordinance dealing with disturbing the peace and an ordinance dealing with specific decibel levels.

Mr. Gibbs stated that these topics would be on the agenda for the upcoming Safety Committee meeting.

Mr. Schalles thanked the Village Council for their attention and then left the meeting.

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Mr. Reichert made a motion to approve the minutes from the September 8, 2008 meeting. Mr. Straub seconded the motion which passed unanimously.

At 7:58 p.m. Mayor Gilmore opened the public meeting regarding the reemployment of the Village manager. He stated that Mr. Thompson had indicated his intent to retire effective October 31, 2008. He also indicated his desire to continue working in his present position consistent with provisions of the Ohio Revised Code and the rules of the Public Employees Retirement System. Mayor Gilmore stated that he had appointed Mr. Thompson to the position effective November 1, 2008 as provided for in Ohio Revised Code 735.271. Mayor Gilmore also stated that the Ohio Public Employees Retirement System requires that a public meeting be held prior to the effective date of any such rehire. The required notice of the public meeting has been published in the Toledo Blade and additional notice has been posted on the Village website. Mayor Gilmore continued stating that ORC 735.271 states that his appointment only becomes effective upon a vote of the majority of the Village Council. He reminded the Council that there would be no change in salary and other forms of compensation for employment should the Council elect to confirm his appointment.

Mayor Gilmore then asked for any comments.

Nasrin Afjeh objected to the meeting stating that back to back meetings are illegal. Therefore, she stated the action taken at the meeting would not be valid.

Solicitor McHugh stated that the procedure being followed by the Village is entirely correct and completely legal. After additional comments regarding the meeting by Mrs. Afjeh, Mr. Reichert made a motion to endorse the action taken by Mayor Gilmore appointing Mr. Thompson to the position effective November 1. Mr. Straub, stating that he heard no relevant objections seconded the motion. Upon call of the roll Council members Decker, King, Gibbs, Walter, Reichert and Straub voted in favor of the motion.

Mayor Gilmore then closed the public meeting and returned to the regular agenda of the Village Council.

Mr. Decker provided the Finance Committee report stating that the Finance Committee met recently to review the Village investment portfolio in light of the recent financial crisis. He reminded Council that the Village investments are debt obligations only with approximately 57% of the portfolio in federal agency papers. The investment policy for the Village sets limits on diversity and our current investment portfolio is in line with the policy but the diversity limits in the policy do not require diversity within the federal government agency paper.

The Finance Committee will continue to review the investment policies and have a recommendation at an upcoming meeting. He mentioned to the Council that some of the current investments are callable and therefore, interest rates may change.

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The Finance Committee also had brief initial discussion about projected revenues for 2009 with an anticipation of a potential drop in revenues due to the financial crisis. The committee concluded that it is possible that income tax, estate tax and property tax revenues may diminish. There may be an affect on Village operations and likely will be an affect on capital expenditures.

The committee also reviewed the recent audit which had a finding for the first time in many years. The specific finding was a minor issue with a state revenue source being attributed to the wrong fund. Brief discussion followed regarding the need to reset reserves. Mr. Decker commented that Mr. Thompson would not be taking his sick leave entitlement as part of his retirement. Such action would be deferred.

Mrs. King reminded everyone that there would be a Human Resources Committee on October 29.

Mr. Gibbs asked that the issues raised by Mr. Schalles be on the agenda for the October 23 Safety Committee meeting.

Mr. Gibbs stated that the marketing program was close to having the website up and running and the marketing brochure which would go out to citizens. He stated that the website would go forward without the detailed "Homes for Sale" information due to the difficulties with the multiple listing rules.

Mr. Gibbs also stated that the mockup of the gateway entry structures was recently reviewed by the committee and that the mockup would probably be moved to some other locations. Council would be made aware of the move so that they can view the mockup at other locations for consideration of size and mass.

Mr. Reichert reported that the Brookside/Miner/Valleyview project has been finally completed and is approximately \$43,000 under budget.

He reviewed the Pembroke/Hawthorne projects stating that pavement on Phase 3 should be in place yet this week and that Phase 4 should be started next week. Brief discussion followed regarding the speed hump survey which was limited to Pembroke Rd. addresses. It was agreed that the residents on the side streets would be surveyed as well. Mr. Thompson reported that since speed humps were the last piece of the project there was still sufficient time to survey the side street residents regarding speed humps.

Mr. Straub reported that the Equipment, Utilities, Buildings & Grounds Committee should be meeting in the near future.

Solicitor McHugh stated that there is a trial set for Geresy Field on December 1. She expressed doubt that it would go forward at that time.

Judge Jennings has set a trial date of February 5 for the Boice lawsuit.

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Mr. Thompson reported that Shred Day was this coming Saturday. He also stated that the leaf pickup program was underway and that the Hasty Rd. right-of-way sale was not on the agenda because it was unclear whether or not both of the adjoining property owners wished to purchase the adjoining right-of-way.

Mr. Thompson also reported on the potential use of beet extract as part of a de-icing agent for the coming winter. The beet extract makes salt much more effective so that it works at lower temperatures and less salt is necessary.

Mayor Gilmore reported that he had been approached, along with other suburban mayors to attend a press conference expressing support for the upcoming COSI levy. He stated that his appearance would not constitute an endorsement by the Council but wanted to make certain that members of Council had no concerns with his participation in a press conference. Council members encouraged Mayor Gilmore to attend.

A brief update followed regarding the drainage and infield reconstruction at Geresy Field. The drainage is in place and restoration began today. The contractor has assured the Village that the project would be completed by the end of this week.

Mr. Reichert made a motion to authorize payment of a bill to Bowser & Morner in an amount of \$438.25. Mr. Gibbs seconded the motion which passed unanimously.

Mr. Reichert then made a motion to authorize payment of a bill to Blanchard Tree & Lawn for tree fertilizing in an amount of \$2,900. Mr. Gibbs seconded the motion which passed unanimously.

Mr. Thompson then informed the Village Council that the Forestview/Falmouth project would be over the estimate by about \$23,000. He reminded the Council that this project was a unit cost project and that the Council approved a contract with an estimated cost based on anticipated quantities. The quantities of asphalt were greater than expected resulting increased cost. No action was necessary on the part of the Council based on the way the legislation was originally written.

Attention then turned to legislation.

Resolution 2008-21	Waiving the requirement for competitive bidding and authorizing the purchase of salt and other ice control products and declaring an emergency.
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Mr. Gibbs moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Straub seconded the motion which passed unanimously.

Mr. Gibbs moved for the passage of the Resolution as an emergency measure. Mr. Reichert seconded the motion which passed unanimously.

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Mr. Gibbs moved for final passage of the Resolution as an emergency measure and Mr. Reichert seconded, the roll being called the vote thereon was as follows: 6 Yeas, 0 Nays.

Resolution 2008-22	Amending Resolution 2008-14 which authorized a contract with Buckeye Asphalt for repair and resurfacing of pavement on the grounds of the Jean W. Youngen Municipal Building, and declaring an emergency.
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Mr. Straub moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Reichert seconded the motion which passed unanimously.

Mr. Straub moved for the passage of the Resolution. Mr. Reichert seconded the motion which passed unanimously.

Mr. Straub moved for final passage of the Resolution as an emergency measure and Mr. Reichert seconded, the roll being called the vote thereon was as follows: 6 Yeas, 0 Nays.

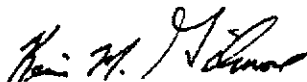
There was no need for an executive session.

Mayor Gilmore offered congratulations to Mr. Thompson on his retirement and reemployment.

Mr. Thompson expressed his sincere thanks to the Village Council for their continued support.

It was agreed that the next meeting of Council will be on November 3, 2008.

There being no further business the meeting adjourned at 8:40 p.m.



Kevin Gilmore, Mayor