

Regular Council Meeting
October 13th, 2010

The meeting of the October 13th, 2010 Regular Council Meeting was called to order with the Pledge of Allegiance by Mayor Robert C. Bickley.

Roll call: present- Dickman, Fox, Jenkins, Maloney and Wolf, absent-Kovesdi. Also present- Administrator Bruce Bowie, Fiscal Officer Mary Bruno and Solicitor Vickie Ruffing.

Motion by Fox, seconded by Jenkins to approve the minutes of the September 22nd, 2010 Council Meeting. Vote-all yeas, motion carried.

Motion by Fox, seconded by Maloney to pay the October 13th, 2010 Council Bills in the amount of \$41,258.89. Vote-all yeas, motion carried.

Motion by Dickman, seconded by Fox to pay the October 13th, 2010 Utility Bills in the amount of \$ 81,943.50. Vote-all yeas, motion carried.

Citizens Participation

Tammy Vitaz, representing Milan Melon Festival was in attendance. She began by asking Council for permission to hold a Jaycee sponsored Halloween party on October 24th, from 10 a.m. to noon. There would be a scarecrow decorating contest involving the businesses on and around the Square. The Jaycees would be responsible for the cleanup of the scarecrows, hay etc. There would also be a 20-30 minute Trick or Treat with the area businesses, to be done in an orderly fashion. This would coordinate with the Pumpkin Palooza sponsored by the museum. Motion by Maloney, seconded by Jenkins to authorize the Jaycees the above mentioned times and dates, with proof of insurance. Vote-all yeas, motion carried.

Todd Barber, a Milan resident asked Council how long a water cooler should be considered in working condition, as the one in the break room is being replaced after 7 years. He also asked if the Village cell phones are for business only and was told they are.

Tammy Vitaz addressed Council on the electric bill the Melon Festival received after this year's festival. The electric bill is much higher than previous years, and she is unable to understand why as they were nothing new this year that would double their bill. She was told the meter can be tested at the Melon Festivals cost. Her concerns at the A field were they had no electric used there this year, but still there was a charge.

Vitaz's next concern was overtime for the Chief of Police during the Melon Festival. The Fiscal Officer issued an invoice of for one-half of the chief's overtime to the Melon Festival, as agreed upon contract and signed through the Melon Festival and Village of Milan. The Festival thought the \$500.00 donation from the ride committee at Festival time was put toward overtime. The Fiscal Officer was not aware of any donation, until Vitaz informed her of it. The Fiscal Officer stated she had never billed the committee before as she had never seen a contract before this year. Although the contract has not changed over the years, some internal procedures have, such as how the part-time officers are paid. Vitaz stated she thought since 1976 a cash donation of \$500.00 was given to the Chief of Police for his Police Association. Some members of Council knew about the association, while others stated they did not. However, this year was the first year the ride committee gave the cash to the Melon Festival, who in turn issued a check to the Chief for \$500.00 as the Melon Festival was more comfortable with a paper trail than cash that did not pass through their hands. Vitaz said the check was made out to Milan Police and had been written on September 6th and cashed on September 7th. There was conversation amongst Council on why a check made out to the Milan Police was cashed by a Police Association. The association is not any part of Village finances, and never has been, and the Fiscal Officer has never seen any cash or checks from the Melon Festival Committee concerning this matter. Vitaz brought a copy of the check and several Council members requested copies. There was still no clarification on how the Melon Festival's share of the overtime would be handled. Vitaz stated she was not here to cause trouble; she is only concerned about the Melon Festival's books.

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers- The handicapped ramp is underway and should be done next week.

It would cost around \$17,000.00 to fix the street sweeper. The Administrator stated it would cost about \$180,000.00 to purchase a new one. There was mention that perhaps Monroeville could go in half with the Village. There was discussion on how to handle the matter, and the Fiscal Office reminded Council half of the cost would have to come out of the general fund, and the general fund cannot handle it. It was then discussed contracting an outside party to come in with their own equipment and sweep the Village streets for a cost.

The OPWC did approve their half of the change orders for the Liberty/Merry Street project.

The Administrator will check to see if the portions that were to be re-seeded was done at the Liberty/Merry Streets project. The Tree Commission met to discuss replacement trees at the site.

Safety-None

Finance-None

Planning, Building Codes & Inspection- None

Utilities- None

Civic Contact and Historical Preservation-None

Parks and Trees-None

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers-The Administrator requested Richland Engineering to submit the Liberty Street Phase II reconstruction for a possible OPWC grant, however it probably won't come through. The total of the second phase is about \$81,000.00 which the Fiscal Officer would have to sign a certificate of funds for half of the grant, which she would not do at this point. If the grant is approved, it would be for 2012. To apply for this grant, the Village would need to do so yearly, for the years they would be applying.

Safety-Motion by Jenkins, seconded by Fox to approve the resignation of Officer Paul Freeman, effective October 1, 2010 due to his moving out of the area. Vote-all yeas, motion carried.

Motion by Fox, seconded by Jenkins to approve the raise of Officer John Brown on his anniversary date of October 20th. Officer Brown will now make \$10.00 an hour. Vote-all yeas, motion carried.

Motion by Jenkins, seconded by Wolf to hold Trick or Treat on Saturday, October 30th from 4:30-5:30 p.m. to be followed by the Rotary party at the elementary school at 6:00p.m. Vote-all yeas, motion carried. The media will be notified.

Finance- The Fiscal Officer has reported 2 recent accident reports to the insurance company. One was a personal injury and the other a property. Neither party has filed a claim; therefore, the Village has met their requirements of reporting the issues.

Regional Planning, Building Codes & Inspection-There will be a Zoning Board of Appeals hearing on October 21st.

Utilities-The Fiscal Officer addressed Council on the incorrect PPC calculations prepared by the Administrator that has cost the Village electric department to decline severely in the last 27 months. She has discussed all the errors on the PPC calculation with the Administrator, Solicitor, Council, Mayor, Village of Milan Auditor, and State of Ohio Auditor, and has identified the many errors and believes they have been corrected from this time forward. All issues have been discussed also with John Courtney who agreed these errors did cost the Village electric department to decline. The Fiscal Officer brought it to Council's attention there was a \$162,000.00 difference

between billed and collected, while the Administrator stated in the past the Village collected what it billed. The Village has accounts that were write offs, therefore they are never collected, and these accounts were discussed in the past. When the PPC was done using the billed amount vs. the collected amount, it was one of the errors contributing to an incorrect PPC. Other problems that contributed were the J Arons bill the Fiscal Officer was paying to AMP, but was not figured into the PPC from January 2008 through March 2010. The BAN note was not figured into the PPC formula from March 2009 through December 2009, and was put in incorrectly from January 2010 through August 2010. The Fiscal Officer believes these errors in the PPC have contributed to a fund balance decline of at least \$400,000.00 Council now needs to decide if they choose to extend the J Arons and BAN replacement past their end dates to make up for the losses over the last 27 months. The Village has no way of recouping the \$162,000.00 lost through the billed vs. collected amount in the PPC. Motion by Wolf, seconded by Jenkins to sell Renewal Energy Credits (RECS) at a potential 50% of the \$30.00 per REC. There is a form that will be signed showing the Villages approval to sell. Vote-all yeas, motion carried.

Motion by Maloney, seconded by Wolf to honor the contracts as written, and not extend either the J Arons or BAN loan payoff to recoup the moneys lost by the incorrect calculation of the PPC by the Administrator. Vote-all yeas, motion carried. The Village and its electric fund will have to absorb the loss.

The large bucket truck is experiencing problems, with the boom not working. The Administrator stated it is scheduled for replacement in 2012.

John Courtney is reviewing the AMPGS Power Sales Contract with AMP. The EPA conducted an on-site survey, revealing no problems at the water department, and Ackerman, Hipp, Benesh and Rockwell were all approved to continue coverage.

The Village posted a Public Notice for WWTP NPDES Permit to Discharge to State Waters. New regulations have reduced mercury to very low levels, and the WTP has applied for a variance to the old limits.

The WTP/WWTP truck is in need of replacement. It was discussed whether to replace the bed or to begin to look into a new vehicle. The Fiscal Officer stated these departments could afford a new vehicle next year, when the money is appropriated.

Council chose to forgo any options with the ESPP ordinance, pertaining to the Gorsuch closing, therefore payment would begin January 1, 2011.

The cell phone policy will have to be revised to fit what the Village currently is paying for.

Motion by Maloney, seconded by Fox to accept the Fiscal Officer's recommendation to contract with John Courtney of Courtney & Associates, Inc. for a period of no less than 18 months to correctly prepare the Village PPC, Tenneco bill and advise the Village of the electric fund issues. Courtney's cost will be \$200.00 per month, as well as an hourly rate should he need to adjust or review any parts of the formula. Vote-all yeas, motion carried.

Civic Contact and Historical Preservation-None

Parks and Trees-None

UNFINISHED BUSINESS

Motion by Jenkins, seconded by Fox to excuse Kovesdi from tonight's meeting. Vote-all yeas, motion carried.

The Village electric accounts are now at a rate of \$.669 per CCF

Motion by Maloney, seconded by Fox to authorize Village employees to receive flu shots at the clinic being held at the Administration Building on October 14th from 8:00 a.m. to noon, at the cost of the Village. Vote-all yeas, motion carried.

Maloney instructed the Administrator to replace the water cooler, whose cord had been cut.

Motion by Dickman, seconded by Fox to adjourn. Vote-all yeas, motion carried.

Mayor Robert C. Bickley

Fiscal Officer Mary Bruno