

Regular Council Meeting
June 8th , 2011

The meeting of the June 8th, 2011 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 Wolf to approve the Minutes of the May 25th, 2011 Council Meeting after correcting Boy Scout Pack 215 to read Cub Scout Pack 215 in New Business Civic Contact and Historical Preservation.
Vote-all yeas, motion carried.

Motion by Fox, seconded by Jenkins to approve the Council Bills for June 8th, 2011 in the amount of \$8,655.23.
Vote-all yeas, motion carried.

Motion by Dickman, seconded by Fox to approve the Utility Bills for June 8th, 2011 in the amount of \$13,597.67. Vote-all yeas, motion carried.

Citizens Participation

Pam Brumbaugh and Katie Joyce from the United Way of Erie County were in attendance reviewing the 2010 Annual Report.

Lawrence Schell addressed Council about the house that is falling down on the corner of Merry and Main Streets. Council told him the issue has been addressed before. Erie County Health Department was notified, but they do not have any funding left to help this year. The Village does not have the money to tear it down, either. The situation will be reviewed.

Schell also asked Council why trash cans have been out on the sidewalk since Monday on the north side of the Square. He questioned why Council is not enforcing the ordinance and was told commercial pick up is Tuesday, not Thursday like the residential pick up. Council will look into this matter, also.

Mary Basterash asked Council the policy for missed meetings by a Council member. John Fox stated 3 unexcused absences of a member would probably be reviewed but Council always excuses. Basterash asked him why that was, and Fox replied that is how it has always been done. Basterash stated Council should be accountable for the position they were elected to.

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storms Sewers-The Village received \$418.00 reimbursement for damaged signs due to an accident.

Safety-None

Finance-Maloney brought the issue of employees that are able to use prior service to their Village service. To date, 5 employees have been given prior service credit. The Solicitor's legal opinion did not state a 6 year go back period, therefore, that time frame was not taken into consideration when calculating the service. The 6 year go back period affects 2 of the 5 employees. Maloney said he did state at the last Finance Meeting it was his recommendation to go forward and treat all employees eligible the same way as the first 2, but now would like to change his mind. The Solicitor said her opinion did not say to go back, but rather her opinion stated prior service for credit. Basterash, who was at the Council meeting, asked if Council is going to ignore Solicitor Ruffing's legal opinion, and Maloney said he would like to reconsider her opinion. Dickman asked why Council did not sign off on the checks, and he was told they were payroll checks, not bills. Payroll is distributed the Wednesday following the end of the pay period at noon, and Council Meetings routinely do not fall within the same week. If Council

Meetings do fall in the same week, they are held after the payroll has been distributed. All payroll is included in the Fiscal Officer's audits. A Finance Meeting will be scheduled to discuss the matter.

Fox wanted to know if the Fiscal Officer had received the review of her audit. Bruno told Council she had, in between a 4-week stretch between Council Meetings, but had reviewed it all with Maloney of the Finance Meeting in April when she received it. It will be given to the rest of Council.

Regional Planning, Building Codes & Inspection- None

Utilities-Dean Frederick and Associates performed the easement survey for the lift station at Johns Manville.

The blower and motor at the WTP had a gasket leak and is scheduled for reinstallation.

The WTP/WWTP truck has been ordered.

The Village reviewed the easements and transfer of the lift station from Johns Manville.

Dean Frederick and Associates estimates a \$1,100.00 contract for a survey of easement extent for accessing the sanitary lift station at Johns Manville. The Village will accept the proposal from Frederick.

The WWTP blower and motor repair through Kiemle Hankins has been priced out at approximately \$10,500.00 for used units.

John Courtney recommends the Village not participate in AMP's AFEC natural gas unit located in Fremont.

Civic Contact and Historical Preservation-Recently there was a Townhall Meeting on May presented by Johns Manville. Most questions were about unemployment.

At the recent Senior Night Awards for Edison High School Class Of 2011 Mallory Kiley was given the Marilyn D. Bickley Award, while Rebecka Bedard was the recipient of the Milan Alumni Association Scholarship.

Great Lakes Electric will assist the Birthplace in changing the light bulbs on the street.

Parks and Trees- Certainteed will donate shingles for the gazebo in the Square. EHOVE will be contacted to see if they will be able to do the roofing job

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers-Motion by Jenkins, seconded by Fox to authorize the Administrator to get prices for asphalt projects on Old State Road from St. RT. 601 to east of Sleepy Hollow for resurfacing only and Williams Street from ST. RT. 250 to Huron Street for resurfacing only. The prices for the projects will be reviewed once received. Other projects that fall under the necessary or emergency work the Street Committee recommended to Council in March are the damaged handicapped pavers by Groff Funeral Home, 2 small sections of sidewalk at the NW corner of E. Front Street and Edison Drive and 4 storm sewer manholes that require concrete repairs. Vote-all yeas, motion carried.

Safety-Motion by Fox, seconded by Dickman to hire auxiliary officer Kyle Sheehan, effective June 8th, 2011 at \$1 an hour. Vote-all yeas, motion carried.

Motion by Dickman, seconded by Kovesdi to accept Chief Ward's resignation letter, effective June 30th, 2011. Vote-all yeas, motion carried.

Finance-Motion by Maloney, seconded by Fox to participate in the subpoena program by RITA at \$8.00 a subpoena. Vote-all yeas, motion carried.

Motion by Fox, seconded by Maloney to pay James Ward and Lawrence Smith for all unused vacation time, 30 hours of sick leave and any unpaid holiday time upon the time of their retirement. Ward will retire June 30th, 2011 and Smith July 31st, 2011. Vote-all yeas, motion carried.

Regional Planning, Building Codes & Inspection-None

Utilities- None

Civic Contact and Historical Preservation- The Birthplace has been granted permission to close North Edison Drive between 2:00 p.m. and 6:00 p.m., Sunday, September 11th, 2011 for the Friends of Erie Metro parks 8th Annual "Go Take A Hike" program. The original request was for September 9th, 2011.

The Mayor prepared a Proclamation for Eagle Scout Ben Spacek.

Parks and Trees-Motion by Maloney, seconded by Wolf to allow Milan Garden Club to place bunting on the gazebo in the Square. Vote-all yeas, motion carried.

Wolf and the Mayor will be participating in the MDA Lock Up on June 15th .

UNFINISHED BUSINESS

Johns Manville will be hosting a groundbreaking of their newest single ply Roofing Systems manufacturing facility on June 30th from 10:00-11:30 a.m. It will be a RSVP ceremony.

Legislation

AN ORDINANCE AUTHORIZING AND DIRECTING THE TRANSFER OF \$20,000.00 FROM THE WATER FUND TO THE WATER REPLACEMENT FUND. Motion by Maloney, seconded by Fox to bring this ordinance to its first and final reading. Roll call: Fox-yes, Jenkins-yes, Maloney-yes, Wolf-yes, Dickman-yes, motion carried. Motion by Wolf, seconded by Maloney to adopt by title only. Roll call: Jenkins-yes, Maloney-yes, Wolf-yes, Dickman-yes, Fox-yes. Motion carried, Ordinance no.551-06-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE TRANSFER OF \$20,000.00 FROM THE SEWER FUND TO THE SEWER REPLACEMENT FUND. Motion by Wolf, seconded by Fox to adopt by title only. Roll call: Roll call: Maloney-yes, Wolf-yes, Dickman-yes, Fox-yes, Jenkins-yes. Motion carried, Ordinance no.552-06-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE TRANSFER OF \$35,000.00 FROM THE ELECTRIC FUND TO THE ELECTRIC REPLACEMENT FUND. Motion by Jenkins, seconded by Fox to adopt by title only. Roll call: Roll call: Wolf-yes, Dickman-yes, Fox-yes, Jenkins-yes, Maloney-yes. Motion carried, Ordinance no.553-06-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE TRANSFER OF AN AMOUNT NOT TO EXCEED \$8,000.00 FROM THE KWH TRANSFER OUT TO THE KWH TRANSFER IN FUND. Motion by Wolf, seconded by Fox to adopt by title only. Roll call: Dickman-yes, Fox-yes, Jenkins-yes, Maloney-yes, Wolf-yes. Motion carried, Ordinance no.554-06-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE TRANSFER OF \$20,000.00 FROM THE TRANSFER POLICE PENSION FUND TO THE POLICE PENSION FUND. Motion by Jenkins, seconded by Fox to adopt by title only. Roll call: Fox-yes, Jenkins-yes, Maloney-yes, Wolf-yes, Dickman-yes. Motion carried, Ordinance no.555-06-11

AN ORDINANCE AUTHORIZING AND DIRECTING THE TRANSFER OF \$23,629.56 FROM THE GENERAL FUND TRANSFER OUT TO THE ELECTRIC DEBT SERVICE FUND. Motion

by Wolf, seconded by Fox to adopt by title only. Roll call: Jenkins-yes, Maloney-yes, Wolf-yes, Dickman-yes, Fox-yes. Motion carried, Ordinance no.556-06-11

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF MILAN, OHIO AND DECLARING AN EMERGENCY. Motion by Dickman, seconded by Wolf to suspend the rules. Roll call: Maloney-yes, Wolf-yes, Dickman-ye, Fox-yes, Jenkins-yes, motion carried. Motion by Fox, seconded by Jenkins to adopt as an emergency. Roll call: Wolf-yes, Dickman-yes, Fox-yes, Jenkins-yes, Maloney-yes. Motion carried, Ordinance no. 557-06-11.

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

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

Mayor Robert C. Bickley

Fiscal Officer Mary Bruno