

## ZOAR VILLAGE COUNCIL MEETING February 11, 2020

The Zoar Village regular council meeting was called to order by Mayor Scott Gordon at 6:00 pm.

Roll Call	David Irwin	Present	Judy Meiser	Present
	Tom Klingaman	Present	Gayle Potelicki	Present
	Hans Fischer	Present	Joe Potelicki	Present

Motion to approve the 1/14/19 regular meeting minutes and the 1/14/2020 Organizational minutes as received and amended was made by Tom and seconded by Gayle. Roll call: All yes.

The following bills were presented for signature to be paid in February 2020.

Scott Gordon	150.00	Feb Mayor salary
Patricia Smith	450.00	Feb Clerk
OPERS	108.00	Feb Clerk
AEP	307.92	Jan Street Lighting
FIA Card Services	16.32	Copies
Tusc Co Municipal Court	5.50	Law Library Fees
Lacee Felix	58.50	Prosecution
Tusc Co Treasurer	72.00	MWCD Assessment
Mary Ellen Gooding	195.00	Budget/Year End
The Times Reporter	37.90	Legal Ad 2019 Financials
Alonovus	32.00	Fiscal Officer Ad
Tusc Co Homeland Security	42.25	2020 Contract Agreement
EDG	734.88	1 <sup>st</sup> Draw Zoar Connection Trails

Motion to acknowledge receipt of financial statements and pay the monthly bills for February as made by Joe and seconded by David. Roll Call: All yes.

### Public Speaks:

Hans questioned whether ZCA pays anything to lease the schoolhouse. Scott said they do not but they do take care of the building. Hans agreed since they maintain the building.

Mark Welty briefed council on a possible opportunity for a tree grant for the Village. Scott said he investigated the application and found that the Village would not qualify since the Village is not classified by census data as a low/moderate income area.

Hans stated he would like the wording in the minutes concerning the three levels of conflict of interest changed. Hans will email the changes to Patty.

Shawn Lynch attended to answer any questions council had on the BVFD Annual report which was distributed to council at the January meeting. Scott asked the status of the aerial truck. Shawn said it is back from Columbus and operating. He said a total of \$15,000 in repairs was done on this truck. The BVFD is planning to seek grant funds to replace this truck as it is past its useful service life. Shawn stated the cost for replacement on the low end is approximately \$700,000.

Scott asked about the large budget the BVFD has in place for personnel training. Shawn said it is necessary because each EMS employee is required to have 30 annual hours of training. Shawn said this is separate from fire personnel who require 54- hours every three years.

Scott asked Shawn for his expertise on smoke detectors. Shawn said the permanent lithium battery is top of the line currently and has a service life of 10 years. The BVFD is working with a Red Cross program that will provide free of charge smoke detectors to Lawrence Township residents.

Hans commented on the staffing reductions at the BVFD. He stated 27% of the recorded runs require a total of 4 personnel and current staffing is only three. Hans asked Shawn if staffing will increase soon and is service suffering because of the reduced staff. Shawn said this is a concern the Lawrence Township Trustees are working on, and mutual aid is filling the gap currently.

Judy commented the annual report did not mention the business officers. Shawn said this is on the agenda for their next meeting, the board has established the officers and on the 17<sup>th</sup> it will be decided which positions they will hold. Shawn stated the officers are: Matt Seward, Bo Boswell, Taylor Fach, Zachary Lynch, and Jason Ely.

**Fiscal:**

Patty said the financial statements for 2019 are available for review if anyone would like.

Patty requested council extend last years' ordinance with Bolivar Baseball through the 2020 season. Joe made the motion to extend for the 2020 season and the motion was seconded by Gayle. Roll Call: All yes.

**Street Committee:**

David requested \$150.00 be approved for the purchase of LED lights for the tractor. Patty asked that council also approve the PO's in place which are: \$500 fuel for the truck, \$500 maintenance supplies and materials, and \$500 for asphalt patch. The total request is \$1,650.00. Gayle made the motion to allow and Tom seconded. Roll Call: All yes.

**Safety Committee:**

None.

**Planning Commission and Historic Preservation Commission:**

Scott introduced and explained the revision to the Zoning Ordinance as a final ready for passage. He said the only adjustment was removing the term "lodging houses" as there is no definition for the term and there are none in the Village. He said it is just a clean-up to the language. Joe asked if the term lodging houses is in the original zoning ordinance. Scott researched the original and could not find a definition for lodging houses. Scott said anyone can go to the Zoar Ohio website to review the entire ordinance.

A public hearing was set for April 14, 2020 just prior to the regular council meeting.

Scott said the tavern windows have been installed to the original specification of the building. He said David Hayes is working with the owner to have the original entry door restored.

**Cemetery Board:**

None.

**Solicitor Report:**

None.

Hans asked Doug to explain to council why Roberts Rules of Order are not used in the Village meetings. Doug said they are very specific and technical and can be challenged if not followed to the letter. Doug cautioned council on implementing Roberts Rules of Order because of their technicalities.

## **Mayor's Notes:**

Scott asked Hans and Judy to summarize changes to the rules to present to council at the March meeting. He asked Patty to put this on the agenda. Hans stated he and Judy cannot find the Village charter. Doug stated the Village is not chartered but rather falls under the Ohio Revised Code; the state treats the Village as a Municipal Corporation.

Hans and Judy requested a PDF copy of the Village's Public Officials Policy. Patty said she would scan this to them.

Scott asked council to email him a "top 5 priority list" for the Village for 2020. He will compile and bring to the March meeting. Council will have discussion on the best top 5 projects for 2020.

Scott said everyone should be receiving a packet from the Census Bureau. He stressed how important it is to complete and send it in, as a tremendous amount of funding is distributed based on census data collected.

While preparing the proposal to bid out the Fire Contract, Scott said it came to mind that the Village has never done an evaluation of safety needs for the Village. He said some obvious needs like the number of historic buildings, and the increase of oil tanker traffic on SR 212 are a real concern. Scott feels it would be premature to bid the contract out without a complete and thorough safety evaluation of all Village concerns. He proposed the current fire contract be extended for at least 6 months so that this can be done. Joe suggested extending to the end of the year and Patty agreed as the levy monies can be distributed for the year. Scott explained as services and the associated cost for services have evolved, the Village will need to react to this changing environment. He gave the example of the Village at one time had its own Police and as time passed it became evident that the pooling of resources made it more efficient to contract with an outside source. Scott said nothing will change with the current contract—this is only an extension to give time to evaluate and do what is best for the Village. Tom and David said they believe this is best for the Village. Chuck Meiser commented that he would like to know what has changed since the last meeting where it was stated the contract had to go out to bid by law. He said he will contact the ZVFD attorney for guidance. Doug stated since this contract was done prior the ruling of the Attorney General on conflict of interest, he has no problem with the extension to the end of the year allowing time for a thorough safety assessment. Doug told Chuck Meiser he has corresponded with their attorney welcoming suggestions of the contract but has not received a response yet.

Scott asked Chuck Meiser for a list of the ZVFD assets with the age of each asset. Chuck responded that the information is in the tax report (990) given to the Village.

Joe made a motion to extend the current Fire Contract with the ZVFD through December 31, 2020. The motion was seconded by Tom. In a roll call vote: Judy-recused her vote, Tom-Yes, Hans-Yes, Gayle-Yes, Joe-Yes, David-Yes. The current contract is extended to December 31, 2020. This extension is subject to ZVFD approval.

Scott reported the Zoar Connection Group will meet at the Town Hall on March 19, 2020 at 9:30AM. Scott and Tom walked all the Village trails with the consultant and other Connection members. The consultant is preparing a preliminary evaluation of the trail alignments for review at the March 19th meeting.

Judy expressed Pat Adamson requested that East Street not be closed during festivals to allow customers access to her antique business. Scott said the street closures are for safety purposes, customers will still have access to all businesses. The closures are, "soft closures" where patrons can request entry onto streets for picking up items purchased if necessary. Joe stated that police officers are generally positioned at the closure points to allow patrons access if necessary. Scott will talk with Jon Elsasser to ensure access is granted when necessary. Officer Jeff Stearns said he will have a meeting with ZCA to make sure all is coordinated for each event. Jeff said better communication prior to the events will ensure a safer event where everyone is on the same page as to what is allowed and not allowed.

Council discussed the tree on Hess Mill near the cemetery that is a safety concern and needs to be removed. Scott obtained a bid from Anywhere Tree Service. They can remove the tree safely without removing the property owners fencing as reported previously. Anywhere Tree Service submitted a bid proposal for \$1,800.00 to remove a total of 10 dead ash trees in the area. These trees will be felled and left to decompose naturally. Judy asked if all of these trees were on Village property and Scott responded that they were. Scott stated this is a definite safety issue and council needs to vote to get this done to alleviate future problems. David asked if the tree service will push the brush back from the homeowners' property. Scott said all brush will be pushed out of the way of any close properties and allowed to decompose on Village property. Scott said ash trees decompose very rapidly in comparison to other trees.

Anywhere Tree Service also agreed to clean up several large limbs in the cemetery as part of this bid. Scott asked Anywhere to also give him a bid on trees at 4<sup>th</sup> and Foltz in the schoolhouse lot. Anywhere submitted a bid at \$4,200 to remove the 4 large Hemlock trees in this area. This bid includes stump grinding and brush removal. Scott said he will talk with ZCA to see if they share in some of the cost.

Joe made a motion to allow \$6,000 to accept both bids and have the trees removed. Gayle seconded the motion stating the general fund would support the costs. Roll Call: All yes.

Scott advertised the mowing bid for the 2020 mowing season.

**Ordinance 2019-17:** Fire Contract. 5<sup>th</sup> Reading by title only. A motion was made to remove this Ordinance from consideration given the current contract has been extended to December 31, 2020. Joe made this motion and Gayle seconded. In a roll call vote: Judy Meiser-recused her vote and all others voted yes.

**Ordinance 2020-01:** Permanent Appropriations 2020. 2<sup>nd</sup> Reading.

**Ordinance 2020-03:** Ordinance to appoint Doug Frautschy for a period of 2 years for solicitor services. 2<sup>nd</sup> Reading.

**Ordinance 2020-05:** Zoning Ordinance amendment. 2<sup>nd</sup> reading.

**Ordinance 2020-06:** Festival Street Closures 2020. 1<sup>st</sup> reading.

Meeting adjourned by Gayle and Joe.

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Patty Smith, Fiscal Officer

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Scott Gordon, Mayor

Date: \_\_\_\_\_