

August 7, 2018
Village of Somerset Council Meeting

Present: Members Bill Mohler, Eric Emmert, Doug Fehrman, Mechelle Siemer and David Snider. Also present were Mayor Johnson, Solicitor Will Flautt, Kelly Beem, Chief Pressdee and Stacey Hicks.

Guests: Steve Saines with Ohio EPA, Nellie Sheridan Committee, Ken and Lydella Smith, Jenny LaRue and David Hansen

Mayor Johnson led The Pledge of Allegiance

Steve Saines addressed council with a map showing the Somerset Source Water Protection plan and a certificate of recognition for our efforts taken to protect the village's source of drinking water through completion of a Drinking Water Source Protection Plan.

Lori Dalrymple approached council for the Nellie Sheridan Committee. She thanked the council for their continued support of the Nellie Sheridan Statue, and she asked for approval of the reveal for Sat. Sept. 29th at 11am. There will also be a bronzed plaque with the history of Nellie Sheridan. Mayor would like to enact a Public Art Policy and have someone from the Historical Society research the text for the plaque. Making sure it is full and accurate. Mechelle Siemer will work with the committee for the placement of the statue and the plaque. Mechelle motioned to approve the Sept 29th unveiling at 11am, seconded by David. All voted Aye.

Jenny LaRue was here to speak about the Complete Streets Policy. She presented an updated version of the policy. Complete streets strive to provide the best possible blend of service, mobility, and safety for citizens of all ages, income levels, and abilities. This policy will need to be in the form of an ordinance. This is the first reading of the policy. David Snider motioned to approve the first reading, seconded by Eric Emmert. All voted Aye.

OLD BUSINESS:

Innovation Gateway: Talk about the 2-year lease for 105 West Main St. At last council meeting, it was voted and approved to sign a 1-year lease. David Snider spoke with Robert Muetzel, property owner and he stated that Mr. Muetzel has another interested party ready to sign a 5-year lease with him, but he is waiting for a decision from Council. Mr. Muetzel insisted on the 2 year lease, allowing additional parking in the back, and in the event the lease is unable to be fulfilled by village, Mr. Muetzel will aggressively seek a new lease with a third party and may under extreme duress, forgive or cancel certain debts associated with the lease at the sole discretion of the lessor. After the 2 year lease, David Hansen confirmed that we would have a stand-alone business with the Underwood building thru Gateway and Digital Works. Mechelle expressed concerns that the Village has numerous buildings in contract. Therefore it reduces someone else coming in to start a business. Mechelle also wants answers on the \$50,000.00 grant that was already received. She wants to see and be accounted for where the money is being spent. Mr. Hansen explained that Digital Works Program will be starting in October and will generate money for the rent. The Library is working with Genesis on a lease agreement to bring a doctor in town. Tom will work with Mechelle, so she has a better understanding of the \$50,000. And all the grants involved with this project. Bill motioned to approve **Res. 18-20**, the 2-year lease for 105 W. Main Street if the rent and utilities are covered by Grant money. Eric seconded. All voted Aye except for Mechelle with a no vote.

David Hansen asked the council to approve \$20,000 revolving loan with Commodore Bank for USDA Small Business Development Grant. This will allow the village to pay for projects thru the loan until it is reimbursed from the Grant. This resolution will allow Mayor to sign the loan documents, also allows Kelly and Tom to make the bank withdraws. David motioned to approve, seconded by Eric. All voted Aye.

Mark Schmelzer Property: Mr. Schmelzer has property off of N. Columbus Street and 757. The alley is consider opened but never used. Property owners have planted trees in the alley, not allowing him to his property. He asks that the village establish the southern alley by notifying the people living beside the alley that it is an alley and it cannot be blocked and to remove the tree. Tom recused himself from this discussion since he has property adjoin Mr. Schmelzer. Eric stated

the Village needs to survey this alley and the Smith Alley. Eric motioned to have Mr. Snider contact Andy Knisley to survey both alleys. Seconded by Bill. All voted Aye.

Will Flautt read the statements from MKSK regarding the Smith Alley. Their conclusion was the alley is still opened since the correct procedure was not completed in the early 70's. "If a neighboring landowner relied (took action such as erecting a building on the vacated land) on the Village's actions (Council's passing of an Ordinance to vacate the alley), and if the reliance was reasonable (if the Village acted like the land belonged to the adjoining landowner for all these years), then it is possible that the landowner could recover damages if the Village now says the alley was never vacated. The damages would be their actual losses (for example, if they erected a building that now has to be torn down). As to recusal in voting, is Council proposing to rescind its prior action? If so, then any council members with interest (some possible ownership in the land in question) should recuse themselves.

Peoples National Bank: David Snider presented the branch design drawings of the proposed Bank on 13 and W. Gay. He also has a letter for approval from the council with the support of the bank and Peoples have pledged to work hand in hand with the Review Board, the Perry County Historical Society, and the Village Council and to allow extensive archaeological investigations of the site before construction commences. Bill motioned to approve the letter, seconded by Mechelle. All voted Aye.

NEW BUSINESS:

Grant Agreement for Gateway: This grant amendment for Village State Appalachian Development Program is approved by the Office of Community Development. The Total Grant award is \$250,000. Bill motioned to approve, seconded by Doug. All voted Aye.

Res. 18-16 Kelly stated the need to amend appropriations for Sewer and General Fund. Doug motioned to approve, seconded by David. All voted Aye.

Res. 18-17 Kelly informed the council the resources and appropriations for The Innovation Gateway needs to be established. David motioned to approve, seconded by Bill. All voted Aye.

Res. 18-18 Allows Kelly to transfer \$25,000 from the General Fund to Street Dept. Eric motioned to approve, seconded by Doug. All voted Aye.

Res. 18-19 Solid Waste Management Plan. Tom spoke to Commissioner Ben Carpenter regarding this plan. More questions need to be answered before signing this resolution. The Village or county does not receive tipping fees that other get. David Snider will look deeper into this for the next meeting.

Res. 18-21: Accepting resource rates from County Auditor. Kelly shared the rates with the council for next year. Bill motioned to approve, seconded by David. All voted Aye.

2019 Estimated Budget: Kelly shared with council the budgets for next year. They are estimated and will also be revised by the end of the year. She needs to submit to county Auditor if council approves. Doug motioned to approve, seconded by Bill. All voted Aye.

Street Dept. trucks: Kelly informed council the need for trucks for Ron. We have spent a lot on repairs so it might be best to purchase a new pickup truck and dump truck. Kelly is to have Ron meet with Street Committee to see which vehicle he needs first and what his needs are.

Emerald Necklace III CSX purchase: Tom is clarifying this with OPWC. He believes we have an excess in the appraisal that should take care of the \$4,000 deposit they are asking for. We should have plenty of match requirement in the appraisal. He will table this till next meeting.

Back to school signs: We received an email from Rosemarie at AAA Auto Club asking to put temporary signs up for school safety for a few weeks. They will be placed close to both schools for street safety. Council approved her doing so and thanked her for asking before placing signs out.

Indigent Burials: Kelly received a bill for a resident of Altercare for Indigent Burial. She spoke with Will Flautt regarding this. He stated that the village is responsible for having an indigent person cremated and/or buried at village expense. The bill from Day Funeral home was

for \$750.00. Kelly will work with Will in drafting applications for this service so the village can better prepare and budget. Kelly or Mechelle will deliver to nursing homes when completed.

WSRLA Loan Agreement: This loan agreement is for \$10,000 for the water/sewer asset management plan. It allows us to use IBI for assistance. Doug motioned to approve, seconded by David. All voted Aye.

Kelly asked for approval to hire Brandon Thompson for the water/sewer dept. Doug motioned to approve, seconded by Eric. All voted Aye.

Chief Pressdee and Will Flautt met with Genesis regarding the agreement between our Police department and Genesis Safety Dept. Chief worked with them on a few changes which were approved by Genesis. He asked for council approval for this Memorandum of Understanding with Genesis. David motioned to approve, seconded by Doug. All voted Aye.

MINUTES: The minutes from July 17, 2017, were mailed out. With no changes, Bill motioned to approve, seconded by David. All voted Aye.

PAY ORDINANCE 14-2018: After reviewing the bills, Bill motioned to approve, seconded by David. All voted Aye, except Doug abstaining from Mike Ferhmans bill.

David motioned to suspend rules, seconded by Bill. All voted Aye.

David motioned to go into executive session to discuss Personnel benefits, seconded by Bill. All voted Aye.

Doug motioned to return to regular session, seconded by David. All voted Aye.

No action taken.

Doug mentioned the storm tile on Josh Cobles property was tile and was repaired previously with plastic. The clay tile has busted, and there are holes in his yard from the drainage. He says the village needs to take care of this.

Kelly stated we received complaints from Tom Thornton regarding 204 E. Sheridan. Trees are leaning toward his home, and they are afraid they will fall over. Doug and Mike volunteered and trimmed the trees with their bucket truck up high enough so no trucks would hit them. Most of the trees are Lanthis trees which are an invasive species and are very close to the road. These do need taken care of soon.

With no further business to discuss, the meeting adjourned at 10:15pm.

President David Snider

Fiscal Officer Kelly Beem