

Held August 11, 2020

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The Beaverdam Village Council met in regular session at the Town Hall with Mayor Pamela LePine presiding.

The meeting began with Council Member Neuenschwander saying a prayer. Council President Gillette then asked all to stand and say the Pledge of Allegiance.

Roll call was taken and the following Council members were present: Carl Murray, Todd Long, Frank Gillette, Jerry Neuenschwander, Thomas Nowlan, and Anthony Myers.

There were additions to the agenda, as there were several visitors in attendance that were not listed on the agenda. The visitors were; Scott Recker, ODOT; Michelle Miller, ODOT; Trina Hirsch, Resident; Fred Danser, Resident; and Randy Spencer, Resident.

Mayor LePine asked that all visitors sign in, and then recognized the first visitor, Mr. Scott Recker, from ODOT. Mr. Recker was here to speak about the Sidewalk Project that will begin this week. He asked Council if they had any questions regarding encroachments or any other general questions about the project. Village Administrator Mike Leis asked if the encroachment issue with the sign on Resident Greg Smith's property had been resolved. Mr. Recker was not sure if this had been written as an allowed encroachment, but would look into it. Village Administrator Leis also asked about the appropriations for the property owned by Resident Fred Danser, at the Thirsty's business location. Attorney Van Dyne advised Council that due to the pending litigation on this topic, it should not be discuss in open session.

Mr. Recker said that he would only speak to general questions, and not discuss any particular property. He explained the process that ODOT has used in the past for encroachments. When there is an obstruction in the right-of-way, a revocable permit could be issued. This permit would explain to the property owner what the obstruction is, that it is being allowed to remain in place, and that at any time ODOT could ask to have it removed. Mr. Recker also introduced Michelle Miller, ODOT District 1 Real Estate Administrator. She had brought along some copies of notices that they have used in the past for asked property owners to remove obstructions.

Council Member Neuenschwander asked when the project was set to begin. Mr. Recker explained that the exact date was left to the contractor to determine. Village Administrator Leis said that it should be starting in the next week, and also explained that the project would be in conjunction with a similar project taking place in Lafayette, Ohio, so the contractors would be jumping from both villages.

Attorney Van Dyne advised Council that he did have some items to discuss in regards to the pending litigation that Mr. Recker and Ms. Miller should be in attendance for as well. He asked Council for a motion to go into Executive Session for this discussion. Council Member Neuenschwander made a motion to go into Executive Session to discuss pending litigation and to allow Mr. Scott Recker, Ms. Michelle Miller, Attorney Van Dyne and Village Administrator Leis to remain in the room during the Executive session as well. Council Member Nowlan seconded the motion. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

**** EXECUTIVE SESSION HELD ****

Council Member Neuenschwander made a motion to come out of Executive Session, and Council Member Long seconded the motion. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

Mayor LePine recognized visitor Trina Hirsch, Resident. Mrs. Hirsch did not have any business to discuss with Council. She was there simply to observe the meeting.

OLD BUSINESS: The trailer homes on North Street and Church Street were again discussed. Attorney Van Dyne advised Council that he had sent letters to the property owners in regards to them paying income tax on any rents received from the homes.

COMMITTEE REPORTS

UTILITIES: Fiscal Officer Unverferth advised Council that she and Attorney Van Dyne have been reviewing the contract sent over from SetFlow in regards to the new billing software. Revisions are being made to ensure that the contract is acceptable for the Village. Council decided to wait to discuss the contract until Attorney Van Dyne is comfortable with the final draft of it.

RECORD OF PROCEEDINGS

0201

Minutes of

VILLAGE OF BEAVERDAM COUNCIL MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held August 11, 2020 CONTINUED20

Resident Randy Spencer spoke about his utility bill. Mr. Spencer felt that he had been paying too much for his sewer bill for the last 10-12 years. He questioned if he has been charged for water services during this time. Fiscal Officer Unverferth then explained that she had spoken to Mr. Spencer's wife on July 31, 2020. Upon review of their account, they were being charged for commercial services to their address. Fiscal Officer explained this and told Mrs. Spencer that she would make the adjustment to the account so it would be billed as a residential service. However, after speaking with Mrs. Spencer, Fiscal Officer spoke to Village Administrator Leis, who advised that there was an auto detail business being ran out of the garage, hence the commercial rate. Mr. Spencer said that he did have a business in his garage but that the drain did not go into the sewer system, it went to a field tile. Village Administrator Leis said that it may be a state laws that if there is a garage drain, it has to be tied into the sanitary sewer. The only way to tell for sure where the drain goes, is to do a dye test. Council asked for that to be done before they make a final decision as to how the account should be billed.

ATTORNEY: Attorney Van Dyne did not have anything else to discuss. He did leave the meeting at this time, as he had another meeting to attend.

MAYOR'S REPORT: There was nothing to report from the Mayor at this time.

FINANCE: There was nothing to discuss from the Finance Committee at this time.

STREET: There was nothing to discuss from the Street Committee at this time.

SAFETY/TREES: Council Member Long asked if Maintenance could take a look and trim some of the trees along Main Street that are blocking the view of traffic from adjoining streets and driveways.

BUILDING: There was nothing to discuss from the Building Committee at this time.

REC BOARD: There was nothing to discuss from the Rec Board at this time.

PROPERTY MAINTENANCE: Fiscal Officer Unverferth advised Council that she had attempted to have personal service for the Building Demolition Letter for 105 West Pearl St (Clark), however the Miami County Sheriff Department would not do it without a court order. On the advise of Attorney Van Dyne, Fiscal Officer sent the letter via UPS. She has not received delivery confirmation.

Fiscal Officer also advised Council that she had sent a letter to 7530 LLC in regards to the semi trucks that were on the property. Village Administrator Leis asked if a letter to Mr. Valentine in regards to his junk vehicles. Fiscal Officer has sent letters in the past, and asked for Council to get new pictures so another letter could be sent. Pilot gas station has also been sent a letter to mow a section of grass on their property.

VILLAGE ADMINISTRATOR: Village Administrator is going to get a quote for a new metal roof on the shelter house at the park. The tongue and groove wood will also need to be replaced as several sections are beginning to rot. Council will need to decide what route they want to go for the replacement of this.

Maintenance has purchased and installed some trail cameras for security purposes.

Village Administrator told Council that there were three more pumps that would need to be replaced to have the entire building updated. These are the high service pumps that sit out in the small building. The cost would be approximately \$17,000.00. This project is not urgent and can wait until there is more funding for it.

Council Member Nowlan asked about the new meters. These have been ordered and we are still waiting on the arrival of them.

Village Administrator advised that he was working with the Fire Department to install an outside meter at their location.

Council Member Myers asked if Village Administrator had contacted the resident that wanted to fill their hydraulic drill for this business with Village water. Village Administrator had spoken to the resident and told him a meter could be placed at the water plant, but had not heard back from him.

Village Administrator asked if Attorney Van Dyne was working on a new contract for the farm ground and when that will go out for bid. He will be writing up a new contract, which will include a clause for soil testing. The bids for the farm ground will go out in late October.

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There were no additions or correction to the minutes from the July 21, 2020 meeting. Council Member Gillette made a motion to accept those minutes, and Council Member Nowlan seconded the motion. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

NEW BUSINESS: There was no New Business to discuss at this time.

FISCAL OFFICER REPORT: A motion to accept Ordinance 2020-23 (*An Ordinance to Pay Bills*) was made by Council Member Gillette and seconded by Council Member Long. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

A motion was made by Council Member Neuenschwander and seconded by Council Member Murray to accept the Fiscal Officer Reports, which included; Appropriations Summary, Fund Summary, Revenue Summary, Payment Listing, and Wage Withholding Summary for the period of 07/21/2020 through 08/10/2020. Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

A motion to accept May 2020 Bank Reconciliation was made by Council Member Gillette and seconded by Council Member Myers. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

A motion to accept June 2020 Bank Reconciliation was made by Council Member Gillette and seconded by Council Member Neuenschwander. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

Fiscal Officer Unverferth present Council with Resolution 2020-07 (*A Resolution Appropriating Additional Sums of Money to Defray Expenses of Amounts Budgeted for the Village of Beaverdam, Allen County, Ohio and to Declare an Emergency*). This resolution would appropriate an additional Fifteen Thousand into the Street Fund, Thirty Thousand into the Water Fund, and Thirty Thousand into the Sewer Fund. These funds are needed because when the permanent appropriations were done, the large expenses of the Sidewalk Project, the Main Street Lighting Project, and the new meter purchase were not known and accounted for. Council Member Neuenschwander made a motion to accept Resolution 2020-07, and Council Member Nowlan seconded the motion. Roll call was taken: Frank Gillette "yes", Carl Murray "yes", Todd Long "yes", Jerry Neuenschwander "yes", Thomas Nowlan "yes", Anthony Myers "yes". **Motion passed.**

Fiscal Officer Unverferth handed out an email request from the Greater Toledo Futbol Club. They were wanting to use the fields at the park for their practices. In the past, Bluffton Soccer Club had used the fields for their practices and games. Council decided to allow the Bluffton Soccer Club the first access to it. Fiscal Officer will contact them. If Bluffton Soccer Club is not wanting to use it, then the fields would be open for this request.

Fiscal Officer Unverferth also distributed a handout regarding the COVID-19 Impact on Municipal Income Tax Collection. This was simply for informational purposes.

Mayor LePine asked if the November 3, 2020 meeting could be changed to November 4, 2020. The original date was the same as election night, which Mayor LePine would be working the polls. This was agreeable with the rest of Council.

Council Member Long asked if the residents that had been delinquent with their utility payments and had asked for extensions had made good on their payment promises. Fiscal Officer reported that both accounts had followed through.

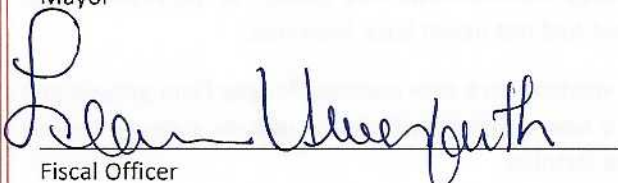
With no further business, a motion to adjourn was made by Council Member Nowlan and seconded by Council Member Long.



Mayor



Council President



Fiscal Officer