

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON MAY 4, 2009 AT 7:30 P.M.

Mayor Kevin Gilmore called the May 4, 2009 meeting of the Ottawa Hills Village Council to order at 7:33 p.m. Clerk Treasurer Katherine O'Connell took roll with Council members Rex Decker, Norma King, Jeff Gibbs, James Walter, Robert Reichert and Jack Straub present. Also present were Mayor Kevin Gilmore, Clerk Treasurer Katherine O'Connell, Village Solicitor Sarah McHugh and Village Manager Marc Thompson.

Members of the audience included Nasrin Afjeh and Lee Hart.

Mayor Gilmore then asked Lee Hart to lead in the Pledge of Allegiance. Mr. Hart did so in excellent fashion and got the meeting off to a good start.

Mr. Reichert made a motion to approve the minutes of the April 20, 2009 meeting. Mr. Gibbs seconded the motion which passed unanimously.

Mr. Decker reported that income tax revenues in the month of April were very good and that revenues generally were very positive. He also reported that through April expenses amount to 26% of the total budget which is well within an acceptable range. He concluded his comments by stating that the workers compensation payment for the Village will be due in May so that May figures for expenditures will reflect that large payment.

Mr. Gibbs stated that there would be a Safety Committee meeting in the near future.

Mr. Walter stated that we would hold a meeting soon to get back on the subject of deer related problems.

Mr. Reichert reported that there is legislation on the agenda authorizing us to proceed with a contract for reconstruction of Orchard Rd. He reviewed the project briefly reminding Council that it included complete reconstruction of the pavement and all curbs. The project is scheduled to start after school is out and it is anticipated that it will conclude before school starts again.

Mr. Straub reported that the Equipment, Utilities, Buildings & Grounds Committee met recently and that County Sanitary Engineer Jim Shaw was in attendance at the meeting. Much of the meeting dealt with the flooding issues at various locations in the Village. As a result of the meeting, a questionnaire has been developed which will be sent to all residents so that there is a better understanding of the nature of the problem and, to some extent how various houses are plumbed.

The committee also reviewed legislation from Summit County which prohibits connections of downspouts, yard drains, etc. through the sanitary sewer system.

The survey will be sent out by the Village and collected by the Village, although the results will be compiled by the Lucas County Sanitary Engineer's office. They have the capacity to do that and have developed the survey.

A second topic for discussion has resulted in an item of legislation on the agenda this evening. First Energy Solutions has provided a proposal to reinstitute the electric

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aggregation program. The situation before the PUCO has changed making this a possibility. First Energy Solutions has provided two options and the committee recommends that the Council adopt legislation which will proceed with a 6% discount from the standard rate for the next 34 months.

Mr. Straub reminded everyone that this is an "opt out" program meaning that citizens have the opportunity not to participate if they are so inclined. However, if the citizens take no action they will be included in the plan.

The final topic reviewed by the committee was the Sculpture Garden and the number of letters expressing concern which have been received recently. Mr. Straub stated that it was the committee's hope to invite citizen participation to the meeting so that everyone's voice could be heard. After that the committee would come back to the Council with a report. A substantial number of people have indicated a desire to participate in such a public discussion.

Mr. Reichert commented that there appeared to be more structures than originally anticipated. Mr. Decker stated that he believed there were two permanent pieces and eight rotating pieces of sculpture in the collection.

Village Solicitor McHugh stated that she had items for executive session involving the Boice lawsuit.

Mr. Thompson reported that floodplain maps are now available on line and in the office. Floodplain maps have indicated minor changes in the Village. Availability of the maps will be made known on the website and through a bulletin.

Mayor Gilmore reviewed the newly created Recreation Board stating that the School Board appointments are Gretchen Rohm and Willis Day. He stated that many people in the community have expressed interest in participating and that he has appointed Lori Dixon, Margaret Rodriguez and Norma King to serve as Village representatives on the Board. He commented that Mrs. Dixon has been very involved in the Recreation Board analysis from the very beginning. Mrs. Rodriguez is a relatively new member of the community but has been very involved in this community and in her previous community of residence. Mayor Gilmore added that she would bring a new perspective to the community.

Mayor Gilmore also commented that the appointment from the Village Council, Norma King, has been very involved in the community and will represent very well those families in the community that do not have young children.

Under the heading of new business Mr. Walter called to the attention of the Council the outstanding effort of Council member Jeff Gibbs having completed the recent Toledo Marathon. Mr. Walter commented that to the best of anyone's knowledge this is the only time a member of the Village Council has participated in and completed a marathon. He thought some special recognition was appropriate.

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Attention then turned to legislation.

Mr. Decker commented that Ordinance 2009-6 and Resolution 2009-11 were related.

Ordinance 2009-6	Adding additional appropriations to previous appropriations, amending Ordinance 2008-13, 2009-1 and 2009-3 and declaring an emergency.
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Mr. Decker moved to dispense with the rule requiring an Ordinance be fully and distinctly read on three different days. Mr. Reichert seconded the motion which passed unanimously.

Mr. Decker moved for consideration of the Ordinance as an emergency. Mr. Reichert seconded the motion which passed unanimously.

Mr. Decker moved for final passage of the Ordinance as an emergency measure and Mr. Reichert seconded, the roll being called the vote thereon was as follows: 6 Yeas, 0 Nays.

Resolution 2009-9	Authorizing a contract with Geddis Paving and Excavating of Toledo, Ohio for reconstruction of Orchard Road between Indian Road and Gallatin Road and declaring an emergency.
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Mr. Reichert moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Gibbs seconded the motion which passed unanimously.

Mr. Reichert moved for consideration of the Resolution as an emergency. Mr. Gibbs seconded the motion which passed unanimously.

Mr. Reichert moved for final passage of the Resolution as an emergency measure and Mr. Gibbs seconded, the roll being called the vote thereon was as follows: 6 Yeas, 0 Nays.

Resolution 2009-10	Authorizing an amendment to the master agreement between the Village of Ottawa Hills, Ohio and First Energy Solutions Corporation, and declaring an emergency.
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Mr. Straub moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Gibbs seconded the motion which passed unanimously.

Mr. Straub moved for consideration of the Resolution as an emergency. Mr. Reichert seconded the motion which passed unanimously.

Mr. Straub moved for final passage of the Resolution as an emergency measure and Mr. Gibbs seconded, the roll being called the vote thereon was as follows: 6 Yeas, 0 Nays.

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It was confirmed that the intention of the Council was to adopt the plan which involved a 6% discount from the standard rate.

Resolution 2009-11	Authorizing the transfer of \$120,000 from the Income Tax Fund of the Village of Ottawa Hills to the Capital Projects Fund, and declaring an emergency.
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Mr. Decker moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Reichert seconded the motion which passed unanimously.

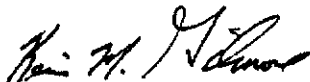
Mr. Decker moved for consideration of the Resolution as an emergency. Mr. Reichert seconded the motion which passed unanimously.

Mr. Decker moved for final passage of the Resolution as an emergency measure and Mr. Reichert seconded, the roll being called the vote thereon was as follows: 6 Yeas, 0 Nays.

At 8:05 p.m. Mr. Walter made a motion to move into executive session for the discussion of pending litigation. Mr. Reichert seconded the motion which passed unanimously.

Council returned to regular session at 8:15 p.m. It was agreed that the next meeting of the Village Council would be on June 8, 2009.

There being no further business the meeting was adjourned at 8:16 p.m.



Kevin Gilmore, Mayor