

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30 P.M.

The October 5, 2009 meeting of the Ottawa Hills Village Council was called to order at 7:30 p.m. by Mayor Kevin Gilmore. Mr. Reichert made a motion to appoint Marc Thompson as acting Clerk Treasurer. Mr. Gibbs seconded the motion which passed unanimously. Roll was then taken with Council members Jack Straub, Rex Decker, Jeff Gibbs, James Walter and Robert Reichert present. Also present was Mayor Kevin Gilmore.

Council member Norma King was absent from the meeting as was Clerk Treasurer Katherine O'Connell. Mrs. O'Connell was expected to arrive momentarily. In attendance representing the Village were Village Solicitor Sarah McHugh and Village Manager Marc Thompson.

Citizens in attendance are identified on the attached list.

Mayor Gilmore then led in the Pledge of Allegiance and welcomed everyone to the meeting.

He then called on Mr. Walter to provide an update regarding deer related issues.

Mr. Walter reported that the Services & Environment Committee had not met since the last meeting of the Village Council but has been dealing with deer related issues for the past two years. He reviewed the public meetings and the notices that had been provided in advance of those meetings. He also described the results of the aerial count that occurred in January. Mr. Walter continued by stating that we are monitoring car/deer accidents and had substantial contact with the Ohio Department of Natural Resources in this regard.

Clerk Treasurer Katherine O'Connell entered the meeting at this time as did Richard Hylant.

Mr. Walter continued by reminding Council that an application for a deer damage permit has been submitted to the Ohio Department of Natural Resources. No response has been received from that application at this time. In May legislation was adopted prohibiting feeding of deer in Ottawa Hills as one action intended to gain control of the growing deer population. Council is currently in the process of considering changing an ordinance which would allow for a very controlled effort to shoot deer in Ottawa Hills. The second reading of that legislation is on the agenda tonight.

Mayor Gilmore reminded everyone present that a second reading is on the agenda for this evening and that no final action would occur. The final vote on the legislation would occur at the next meeting of the Council which would include the third reading of the legislation. He asked everyone present to limit their comments to two to three minutes so that everyone would have an opportunity to speak.

Richard Hylant of 2135 Hawthorne Rd. told the Council that he had attended several meetings of the Services & Environment Committee and serves on the Board of Directors of the Ohio Nature Conservancy. He stated that the Nature Conservancy, on property they own, participates in deer herd culling through allowing hunts. This occurs in the Morgan

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30 P.M.

Swamp area east of Cleveland. The absence of predators he identified as a threat to the long term health of the deer herd in the region.

William Saunders wished to wait to speak until another time.

William Ahern of 3547 Indian Rd. reviewed recent articles from the Village Voice and the Toledo Blade. He was concerned that the articles have not addressed the concern of health hazards posed by the increased deer herd. He described in great detail the serious affects of Lyme disease which he described is a by-product of malaria. He reviewed the specific situations in Cape Cod and Nantucket stating that Nantucket has proposed deer culling to address the very serious Lyme disease problem they have on that island. In 2008 there were 262 confirmed cases of Lyme disease and he suggested that deer culling was appropriate in Ottawa Hills.

Phillip Navarre of 3321 Pelham Rd. suggested that an area wide solution was necessary and that the problem was larger than simply the deer herd in Ottawa Hills. He asked if it made sense to do this without other agencies being involved and questioned whether or not it would have an impact if the Village worked on this problem alone. He said that he appreciated the fact that the Village was being proactive on this issue.

Mrs. Askari of 3007 Valleyview Rd. said that she did not like the idea of hunting deer from an emotional perspective. However, she recognized that there doesn't seem to be any logical alternative. She had some questions about how long would the hunt occur, when would it occur and what would happen to the wounded deer.

Jim Jenkins of 4258 Bonniebrook Rd. was against the deer killing. He said that this was an issue of deer getting into peoples flowerbeds and he could not justify killing deer over someone losing their flowers.

Gerald Russell of 4112 Brookside Rd. said that reducing the deer population in Ottawa Hills through deer killing will result in a migration of more deer into the Village. He suggested that another solution might make more sense such as capturing and relocating the deer. He thought that the efforts to stop feeding the deer would be helpful.

Nancy Eisenstodt of 4233 Bonniebrook Rd. said that there were two cases of Lyme disease in Ohio in 2008 and that Lyme disease is not a problem in Lucas County now. She also took issue with the letter written to the Department of Natural Resources seeking a deer damage permit. She said that the letter identified an increase in car accidents involving deer but the reality is that there were five accidents in 2007, five in 2008 and four in 2009, almost all near Central Ave. She continued by informing the Council that she had done a great deal of research and a one time culling is not effective and that any culling efforts need to be ongoing if they're to be successful. She asked the Council to consider other alternatives before shooting deer.

Joanne Youngen stated that she came to hear what people had to say and did not wish to comment.

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30 P.M.

Maxine Roy of 4225 Indian Rd. said that she had lived in the Village for 35 years and has never seen a deer and don't know where the deer are at this time. She said she is not supportive of a deer culling effort and suggested that it should be put on a November ballot so the entire community could vote.

William Saunders of 2050 Carriage Hill said he has been trying to find a solution that would satisfy everyone. He suggested a survey which would identify on a geographic basis where people lived and their desires regarding a deer culling effort. He further suggested that if an area indicates they are in favor of deer culling then that area should be assessed for the cost. He also mentioned that the legislation does not identify areas where the activity would be permitted.

Mr. Walter commented that Lyme disease is very dangerous and but our research indicates that it is rare in Ohio. Soils are key as related to Lyme disease in the soils of northwest Ohio are not conducive to the spread of Lyme disease.

Mr. Walter also commented that the proposed Deer Management Plan involves working with other surrounding jurisdictions to attempt to address this problem on a regional basis. He described concern about increasing confrontations between deer and people in an effort to reduce the deer herd before a serious problem develops.

Regarding automobile accidents he said that in 2007/2008 one accident was not on Central Ave. but in 2009 four of six accidents were inside the Village. That could mean that the population is increasing and the problem is not limited simply to the Central Ave. area.

He reported on research that indicates that tranquilizing and relocation is not allowed in Ohio and is not particularly successful when it has been tried. Mr. Walter agreed that the efforts will probably have to be ongoing but that we won't know until after efforts have commenced. He anticipated that subsequent years will probably have lower culling rates if the first year is effective. Mr. Walter also described the theory of buck dispersal after 12 to 18 months and the pattern of fertile does locating on the fringe of their mother's area.

Nancy Eisenstodt expressed concern about the terrible public relations issue that she anticipates occurring if the Council votes to proceed with the deer culling.

Mr. Walter stated that he thought there would be a mixed review and that there would be efforts made to cast the Village in the best light.

Mr. Jenkins suggested that a poll of the entire community be taken prior to any action. Mrs. Roy suggested that there were certainly more people against than for.

Mrs. Askari stated that she thought that there would be a substantial amount of negative publicity for the Village from both residents and non-residents.

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30 P.M.

Mrs. Eisenstodt stated that she was "late to the party" because there was not sufficient notice and questioned whether or not there was notice placed in the Village Voice.

Mayor Gilmore said that every attempt has been made to make this issue open for public debate and disagreed that anyone has not had an opportunity to speak. He reminded everyone that no decisions have been made yet.

Mr. Straub commented that he was not on the Services & Environment Committee but appended a meeting earlier in the year based on public notice in the Village Voice. He said he thought it might have been in the Blade as well. At that meeting almost everyone was in favor of reducing the deer herd. Mr. Straub continued stating that the press reaction has been favorable commenting on the September 13 issue of the Blade with the column by Steve Pollock. He agreed that this was a problem of area wide concern and that no one is interested in eliminating all of the deer. Because there are no natural predators the deer herd has grown substantially.

Mr. Hylant stated that he was not a biologist but was a hunter and a state trustee for the Nature Conservancy. He has studied deer biology extensively and understands that deer multiply based on food and weather and that we currently have a very healthy deer herd which is growing quickly. He said that five deer come into his yard everyday and that it is a matter of time before the issue becomes a serious problem. There are simply too many deer in Ottawa Hills. Leash laws which prohibit dogs from running at large and fewer hunters contribute to the problem.

Nasrin Afjeh said that she was opposed to any deer herd culling and that Mrs. King was also opposed.

Mr. Ahern suggested a possible alternative of placing lion and tiger waste gathered from the zoo at various locations. This may be helpful in keeping deer away.

Mr. Decker stated that he would like to see a comprehensive deer management plan and that this process has a long way to go before we make any decisions.

John Sweetnam of 3 Exmoor agreed that there was something of a problem, he likes the deer.

Mr. Reichert mentioned the recent example of deer coming through a window and getting into a home in the Hasty Plat. He also talked about the rate of growth of the deer herd.

Mrs. Eisenstodt suggested that another count be undertaken and asked why there haven't been hundreds of deer in Ottawa Hills.

Mr. Decker said that he had heard all of the comments and said there are some people who don't want culling at any price, others who suggest that something other than the deer culling efforts should be the first effort. He said he believed that the deer herd is larger than it used to be but has not yet made up his mind about what course of action to take.

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30 P.M.

Phil Navarre said that he lived on Pelham Rd. and sees deer walking down the street on Pelham Rd. and crossing Secor Rd. He indicated that he expected the Council to represent the citizens and he appreciated that the Council is having these open discussions. He wanted to make sure that the Village tax dollars were wisely spent but commented that we can't let the deer starve to death.

At the conclusion of the discussions Mayor Gilmore read Ordinance 2009-11.

Ordinance 2009-11 (Second reading)	Repealing Ordinance 315 adopted June 17, 1940 and amending Section 137.09(d)(1) regarding hunting and fishing in the Village of Ottawa Hills.
---------------------------------------	---

Second reading motion for approval was made by Mr. Walter, seconded by Mr.Reichert, and the roll being called the vote thereon was as follows. 5 Yeas, 0 Nays.

It was agreed that Wednesday, November 4 at 7:30 p.m. would be the next meeting of Council. Mayor Gilmore thanked everyone for coming and expressed his appreciation for their comments.

Mr. Reichert made a motion to approve the minutes from the September 14 meeting. Mr. Gibbs seconded the motion which was approved unanimously.

Mr. Decker stated that income tax in October was down noticeably from October of last year and if some non-repeating income is removed from the 2009 revenues we are 3% below last year.

Mr. Gibbs stated that we needed to schedule a Safety Committee meeting to talk about the Brittany Rd. information. The traffic counts will be sent to everyone on Council.

Mr. Straub reported that the Utilities, Equipment, Buildings & Grounds Committee met and will be scheduling a meeting with a citizens group to deal with the Village owned property at Indian and Bancroft. The Committee also reviewed logjams in the river and some issues related to storm sewers. Two repairs have been made by the Village in the storm sewers west of Talmadge Rd. We have also learned that a grant application has been accepted for improvements on Bancroft St. to pavement and storm sewers.

A response to a letter from AT&T regarding a two tier rate system we are in contact with Buckeye Cablevision to see if there is an alternative that will result in a one tier system.

Mr. Straub reported that substantial discussion occurred at the meeting regarding a proposal from First Energy Solutions. That proposal would extend the existing 6% residential discount for an additional six years through the end of May 2018. In return, citizens would be guaranteed 6% off of the Toledo Edison rate and the Village would receive a one time

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30 P.M.

grant of \$75,000. It was the intention of the committee to have that one time grant be applied to bills of Ottawa Hills rate payers in the form of a credit. Attention then turned to legislation.

Resolution 2009-20	Authorizing an amendment to the master agreement between the Village of Ottawa Hills, Ohio and First Energy Solutions Corporation, and declaring an emergency.
--------------------	--

Mr. Straub 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. 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. Reichert seconded, the roll being called the vote thereon was as follows: 5 Yeas, 0 Nays.

Village Solicitor Sarah McHugh reported that the Boice family has made an appeal of the recent court decision regarding their property on Westchester Rd. She provided a brief update regarding legal actions involving Thomas White.

Mr. Thompson reported that Shred Day will be on October 10 and that the Community Life Parade will occur on October 9. He also mentioned the leaf pickup would be starting soon and that the flowering baskets will have been taken down for the winter.

Attention then turned to Resolution 2009-19.

Resolution 2009-19	Accepting the amounts and rates determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency.
--------------------	---

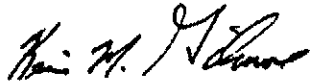
Mr. Decker moved to dispense with the rule requiring a resolution be fully and distinctly read on three different days. Mr. Reichert seconded the motion which passed unanimously.

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: 5 Yeas, 0 Nays.

There was no need for an executive session and the meeting was adjourned at 9:14 p.m.

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA
HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON OCTOBER 5, 2009 AT 7:30
P.M.



Kevin Gilmore, Mayor