

MINUTES OF THE MEETING OF THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, OHIO HELD IN THE COUNCIL CHAMBERS ON MARCH 2, 2009 AT 7:30 P.M.

Mayor Kevin Gilmore called the March 2 meeting of the Ottawa Hills Village Council to order at 7:30 p.m. Roll was taken with Council members Norma King, Jeff Gibbs, Jim 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. Council member Rex Decker was absent from the meeting and not expected.

Members of the audience included Nasrin Afjeh and Corey Hupp.

Mayor Gilmore then led everyone in the Pledge of Allegiance.

Mayor Gilmore called on Cory Hupp to address the Council under the citizens' comments portion of the meeting.

Mr. Hupp said that his initial reaction to the proposed Joint Recreation Board was not positive although since then he has become more comfortable now that he has learned some of the details. In fact, he suggested that the authority of the recreation board should go further in assuring access to facilities. He had recently met with Katharine Hurst, Tim Erickson and Dorothy Figy, all of the Ottawa Hills school district, regarding access to facilities. Mr. Hupp expressed concern that community sports activities take a backseat to school related sports.

Mr. Hupp continued describing the difficulty that exists in gaining fair access for the many organizations vying for limited space. He suggested that it may be appropriate to look at some type of fee structure as well as establishing opportunities for all organizations to have access to facilities. Other items that the Recreation Board will consider such as training for coaches, background checks for volunteer coaches, etc. should improve the situation and relieve some of the burden from the school representatives and Mrs. Gottlieb who also schedules activities.

Mr. Hupp reminded the Council of the substantial amount of money that the Village has provided in support of school facility improvements over the last few years and informed the Council that there are over 100 children in the youth baseball program. He expressed displeasure that his organization has been blocked from using the gymnasium even when the gymnasium was empty. He commented that the youth baseball organization has one coach for every six participants so there is a very substantial amount of adult supervision and that the program is very safe.

Mr. Hupp encouraged the Council to make certain that the recreation board was approached properly and has the goal of providing access to as many community organizations as possible. He stated that he was willing to help and is already volunteering in his capacity as commissioner of the youth baseball.

Mayor Gilmore said that he became aware of the problem recently and wanted to be on the record as being very concerned about access problems. He stated that his son is in the baseball program and had to practice from 6:00 p.m. to 8:00 p.m. on Saturday night and

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agreed that the community has invested a great deal of money in school facilities. He is very concerned that youth activities were prohibited from being in the facility when it was not being used.

Mr. Walter commented that due to the large demand and the limited space it is not possible to give everyone good times to practice. He said the system is set up to be as fair as possible.

Mayor Gilmore stated that he is aware that the facilities are often available during preferred times, but not being scheduled. Mr. Hupp stated that often school related coaches, particularly varsity coaches will block out much more time than needed. Therefore, at times when the schedule shows the gym being in use it is not always being used. He asked that if a varsity coach decided not to use the facility that that opened time should be available.

Mr. Walter agreed that coaches get first pick of times but there is often no follow-up if the facility is not being used. Frequently coaches do not tell anyone of the change in plans.

Mr. Hupp expressed hope that the recreation board would have the ability to do what needs to be done in order to address this problem. He expressed concern that the board might become a rubber stamp for policies of the Board of Education. Mr. Walter commented that rules addressing this very issue would be one of the first goals of the recreation board.

Mr. Hupp commented that he did not want another layer of bureaucracy and that he wants the board to have a positive impact on the community.

Mayor Gilmore thanked Mr. Hupp for coming to the meeting and making his concerns known to the Council.

Mr. Reichert made a motion to approve the minutes from the February 2, 2009 meeting of the Village Council. Mr. Straub seconded the motion which passed unanimously.

Mr. Walter commented that the second reading of legislation prohibiting feeding of deer was on the agenda for consideration at the meeting this evening. He also reminded Council that the Services & Environment Committee is planning on meeting again to look at other aspects of the deer problems in the community. He said if necessary the committee would meet on March 4 to review the proposals related to the bulk pickup program.

Mr. Thompson provided additional review of the bids received for the bulk pickup program. Mr. Walter made a motion to establish a fee of \$40 for participation in the bulk pickup program. This is consistent with the program from 2008. Mrs. King seconded the motion which passed unanimously.

Mr. Walter concluded by stating there had been no opposition to the deer feeding prohibition. Mrs. King commented that one or more persons are placing food on the bike

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trail to feed deer. Mr. Gibbs confirmed that he also had seen food at various locations along the bike trail.

Mr. Reichert commented that there would be a Street Committee meeting occurring in the near future.

Mr. Straub informed the Council that there is legislation on the agenda amending the agreement with First Energy Solutions. The proposed amendment would continue to have First Energy Solutions aid the Village in maintaining its status as a governmental aggregator. In return, the Village would be agreeing to allow First Energy Solutions to match any future offer from another provider of electrical services.

Mr. Straub continued stating that specific efforts were being made recently in the Citation Rd. area to deal with the flooding issues and that the county sanitary engineer has been involved and has expressed a desire to resolve these issues as quickly as possible.

Solicitor Sarah McHugh informed the Council that there were a couple items for review in executive session.

Mr. Thompson mentioned that the final amounts for the Pembroke Rd. project had been established. He also stated that the grant application for improvements to the Ottawa River near Secor Rd. had been submitted.

After brief additional discussion Mr. Reichert made a motion to approve the final payment for the Pembroke Rd. project. This project included Pembroke Rd. and the side streets off of Pembroke in addition to Hawthorne Rd. Mr. Gibbs seconded the motion which passed unanimously.

Mayor Gilmore asked about the procedure for evictions based on an eviction which occurred recently on Manchester Rd. The nature in which the eviction was handled by the county legal authorities created some confusion on the part of nearby citizens.

Attention then turned to legislation.

Ordinance 2009-2 (Second reading)	An ordinance enacting Section 90.26 of the Ohio Basic Code to restrict the feeding of deer within the Village of Ottawa Hills.
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Mr. Walter moved to approve the ordinance second reading. Mr. Reichert seconded the motion which passed unanimously.

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

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

Mr. Gibbs moved for final passage of the Ordinance as an emergency measure and Mr. Straub seconded, the roll being called the vote thereon was as follows: 5 Yeas, 0 Nays.

Resolution 2009-1 (Third reading)	Establishing a Joint Recreation Board for the Village of Ottawa Hills and establishing purpose for such joint recreation board.
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Mr. Walter moved to adopt the legislation. The roll being called the vote on the motion was as follows: 5 Yeas, 0 Nays.

Resolution 2009-4	Authorizing a contract with the Ohio Department of Transportation for salt for the 2009/2010 winter, and declaring an emergency.
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Mr. Gibbs moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Straub seconded the motion which passed unanimously.

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

Mr. Gibbs 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.

Resolution 2009-5	Authorizing the purchase of property, casualty, and liability insurance for the Village of Ottawa Hills, and declaring an emergency.
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Mr. Gibbs 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. Gibbs moved for consideration of the Resolution as an emergency. Mr. Reichert seconded the motion which passed unanimously.

Mr. Gibbs 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.

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Resolution 2009-6	Authorizing the transfer of \$2,535,000 from the income tax fund of the Village of Ottawa Hills, with \$1,500,000 to the general fund, \$110,000 to the recycling fund, \$475,000 to the capital projects fund, \$190,000 to the capital financed fund, \$70,000 to the shade tree fund, \$100,000 to the police pension fund, and \$90,000 to the fire pension fund, and declaring an emergency.
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Mr. Gibbs moved to dispense with the rule requiring a Resolution be fully and distinctly read on three different days. Mr. Straub seconded the motion which passed unanimously.

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

Mr. Gibbs moved for final passage of the Resolution as an emergency measure and Mr. Straub seconded, the roll being called the vote thereon was as follows: 5 Yeas, 0 Nays.

Resolution 2009-7	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. Reichert seconded the motion which passed unanimously.

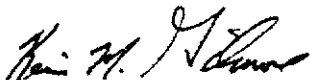
Mr. Straub moved for consideration of the Resolution as an emergency. Mr. Reichert seconded the motion which passed unanimously.

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.

Mr. Gibbs made a motion to move into executive session for the purposes of reviewing pending and imminent litigation. Mr. Walter seconded the motion which passed unanimously.

Council returned to regular session at 8:40 p.m. and agreed that the next meeting of the Village Council would be on April 6, 2009 at 7:30 p.m. if Mr. Decker was available. If not a subsequent date would be established.

There being no further business the meeting was adjourned at 8:45 p.m.



Kevin Gilmore, Mayor