

MINUTES OF THE COUNCIL MEETING OF THE VILLAGE OF OTTAWA HILLS,  
OHIO HELD IN THE COUNCIL CHAMBERS ON AUGUST 22, 2011 AT 7:30 P.M.

Mayor Kevin Gilmore called the August 22, 2011, meeting of the Ottawa Hills Village Council to order at 7:33 p.m.

Clerk Treasurer Katherine O'Connell took the roll with Council members Jim Walter, Jeffrey Gibbs, Jack Straub, Norma King and Robert Reichert present.

Also present were Mayor Gilmore, Clerk Treasurer Katherine O'Connell, Village Solicitor Sarah McHugh and Village Manager Marc Thompson.

Mr. Decker was absent from the meeting but was expected momentarily.

Citizens in attendance included Kay Saxby, Yarko Kuk, Melissa Burden, Pete & Elizabeth Shawaker, Todd Kime and Nasrin Afjeh.

Mayor Gilmore then led the Pledge of Allegiance.

Mr. Gibbs made a motion to approve the minutes of the July 11<sup>th</sup> Council meeting. Mr. Reichert seconded the motion which passed unanimously.

Mr. Thompson provided a brief report of the Finance & Future Planning Committee stating that income tax revenues through the month of July were ahead of predictions, estate tax collections were behind the anticipated revenues and that expenditures were about on track.

Council member Rex Decker entered the meeting at this time.

Council member King provided a report of the Human Resources Committee describing the committee meeting which occurred on July 20<sup>th</sup>. After substantial discussion at the committee meeting, the Human Resources Committee elected to provide tuition reimbursement for two members of the Village organization, John Wenzlick and Chris Sargent. Both are pursuing post graduate degrees and the Human Resources Committee voted to authorize a payment up to 6 hours at the University of Toledo undergraduate rate upon successful completion of the course work. The committee felt that encouraging higher education on the part of members of the Ottawa Hills staff was in the best interest of the community.

Mrs. King continued by stating that there will be a second meeting of the Human Resources Committee on August 25<sup>th</sup> at which time the final recommendations of the committee will be formulated regarding the Family Medical Leave Act and the personal information requirements of the State of Ohio. As a result, it is expected that legislation will be on the next agenda modifying the handbook to reflect these changes.

Mrs. King concluded by stating that the annual review of the health insurance provided for Village employees will commence on or about October 1<sup>st</sup>.

Mr. Reichert stated that there would be soil samples taken in the near future on Bonniebrook Rd. where the hillside seems to be moving. Previous work had been done to stabilize the hillside but it appears as if there continues to be some subsurface shifting of soils. In

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order to formulate the best solution to this problem, soil samples will provide a description of the underground situation.

Mr. Straub provided a report of the Equipment, Utilities, Buildings & Grounds Committee stating that Russ Ely of Palmer Conservation Consulting had been meeting with the committee in order to identify steps which might save energy for the municipal building. A preliminary audit has been done and based on those initial reviews, an analysis of lighting, then an analysis of weatherization and then more complex mechanical equipment probably will be the sequence, pending committee approval. Lighting typically has a quicker payback, a smaller capital investment and currently there are some financial incentives offered by First Energy Corporation to encourage improvements in lighting efficiency.

Discussion continued related to a \$75,000 rebate which the First Energy Corporation committed to provide to the Village in return for a longer contract. Initially, the Village Council wished to have the rebate applied as a credit to consumers' bills in Ottawa Hills. That has been extremely difficult to accomplish and as a result, the committee is suggesting that the \$75,000 rebate be used to improve energy efficiency in the municipal building. In this manner, all citizens will benefit indirectly through lower governmental energy costs.

The specific recommendation of the committee was to have the Village enter into a contract with Palmer Conservation Consulting.

Mr. Straub reported that the contract would be based on a cost of 8% of the installation of any improvements that were recommended. Mr. Reichert said that he is familiar with Palmer Conservation Consulting and they are a good company and very well respected in the area.

After brief additional discussion Mr. Straub made a motion to approve the contract with Palmer Conservation Consulting once it had received legal review. Mr. Reichert seconded the motion which passed unanimously.

Mrs. Afjeh asked whether the objective of the effort was to obtain savings or efficiency. Mr. Decker responded stating that the effort came out of the Citizens Energy Task Force which was divided into two groups, consumer savings and governmental savings. He said that the purpose was to reduce overall energy consumption.

Ms. McHugh, under the heading of solicitor's report, stated that Judge Katz has partially lifted the stay and is allowing discovery in the McCloskey lawsuit. The appeal of Officer White's criminal conviction is still pending. She also reported briefly on the lawsuit filed by Mrs. Afjeh in front of Federal Judge Zouhary and stated that there was a brief hearing earlier in the day before Judge McConnell related to a property maintenance issue involving Mrs. Afjeh.

Mr. Thompson reported on the recent sale of surplus bicycles by the Police Department, commented that the 5K run will occur this Sunday and mentioned that the Village Life Parade is scheduled for October 14<sup>th</sup>.

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Discussion then turned to old business particularly related to canopy trees. Previous discussion had been initiated by a member of the community seeking some legislation which would create regulations regarding removal of canopy trees. Mr. Walter commented that his committee had been looking into this at the direction of the Village Council and would be willing to continue further investigation.

Mr. Decker expressed concern about existing gaps in the public right-of-way as it relates to canopy trees. Mr. Reichert expressed concern about the potential liability issues involved as well as the private property rights issues in creating regulations regarding removal of canopy trees. It was the general conclusion that the Village did not want to continue investigation with the future potential of developing legislation.

The next topic under the heading of old business was the Village owned property at Indian and Bancroft. Mr. Straub commented regarding the recent meeting of the Equipment, Utilities, Buildings & Grounds Committee which solidified the understanding that the Ottawa Hills Community Foundation wishes to take the lead on this project. Foundation member Yarko Kuk then described a timeline during which public input would be received regarding potential improvement plans for the area. The Foundation has already received substantial feedback but wants to get more and give every opportunity for public input.

Mr. Straub commented that the committee was very pleased that there would be strong involvement by the Foundation and thought that the efforts by Mr. Kime and Mr. Kuk would help get community support for the overall project. Mr. Kuk stated that a primary goal was to involve as many stakeholders as possible.

Mr. Kuk and Mr. Kime provided a timeframe and a concept drawing for the improvements. Brief discussion followed regarding handicap accessibility as part of the future improvements.

Mr. Straub made a motion to encourage and welcome the involvement of the Foundation as the lead organization on this project. Mr. Reichert seconded the motion which passed unanimously.

Attention then turned to the changes in the State law which would allow a community to withdraw from TARTA based on the popular vote of its citizens.

Brief discussion followed regarding TARTA, what other communities may do and the change in law. Mr. Decker suggested that the topic be referred to the Finance Committee. Mayor Gilmore indicated that it probably should be dealt with both from a financial standpoint and a service standpoint and therefore asked that it be handled by a joint effort of the Finance Committee and the Services & Environment Committee.

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Attention then turned to legislation.

Ordinance 2011-8	To assess a special tax for the planting, maintenance, and removal of shade trees on and along the streets and public rights-of-way of the Village of Ottawa Hills in accordance with Section 727.011 of the Ohio Revised Code, for the year ending December 31, 2011, and declaring an emergency.
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Mr. Decker commented that perhaps this legislation should be modified to reflect a front foot assessment rate in excess of the current \$.05 per front foot. The revenue raised by the assessment does not cover the expenses that the Village incurs related to shade tree and with the loss of other funding sources such as local government funds perhaps there should be an increase in this funding source.

Mr. Walter stated that he believed taxes were going to rise eventually and would be okay with raising the assessment at this time.

Mayor Gilmore thought that this would not be an appropriate time to raise taxes. Mr. Straub commented that perhaps all tax rates should be reviewed in a comprehensive fashion by the Finance Committee.

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

Mr. Straub 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.

Ordinance 2011-9	To assess a special tax to pay the cost and expense of lighting the streets and public ways of the Village of Ottawa Hills, for the year ending December 31, 2011, and declaring an emergency.
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Mr. Straub 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. Straub moved for consideration of the ordinance as an emergency. Mr. Reichert seconded the motion which passed unanimously.

Mr. Straub 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.

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Resolution 2011-8	Approving the Lucas County Solid Waste Management District amended draft Solid Waste Management Plan 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.

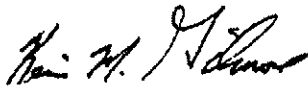
Mr. Straub moved for consideration of the resolution as an emergency. Mr. Reichert seconded the motion which passed unanimously.

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, 1 Nay

Straub, Gibbs, King, Walter and Reichert - Yea, Decker - Nay.

There was no need for an executive session. It was agreed that the next meeting of the Village Council will be on October 3 at 7:30 p.m.

There being no further business the meeting was adjourned at 8:37 pm.



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Kevin Gilmore, Mayor