

NEW LONDON VILLAGE COUNCIL
Regular Meeting – Monday, September 25, 2017 @ 7 p.m.

Mayor John Martin called the meeting to order. He then gave the invocation followed by the Pledge of Allegiance.

Roll call was then taken with the following members present: Curtis, Myers, Willis, Paramore, Cooke and Winslow.

Also present: Chief Marko, Shawn Pickworth, Marvin McCallister, Eddie Shaver, Don Patton, Lynn Phillips, Ellen Simmons, Joe Thomas, Jayne Carroll, Cathy Carpenter, John Benci III, Dawn Hess, Emory Bateson, Bill Thomas, Wendy Kidd, Bernadette Fannin, Michelle Collins, Rodney Collins, Sheri Thomas, Robert Thomas, Sandra Sword, Russel Sword, Chris Rowland, Sally Staschke, Mark Roeder, Susan Miller, Mark Chase, Mike Crabbs, John Chapin, Scott Carroll and Kenneth Fannin.

John Martin then asked for approval of the agenda. Paramore made a motion to approve the agenda. Winslow seconded the motion. Roll call - All ayes; no one opposed.

The minutes from the September 11, 2017 regular meeting were then presented for approval.

Russel Sword questioned whether the minutes should be read.

Bill Curtis stated that they could waive the reading of the minutes because they are online.

Mr. Sword stated he wanted to know exactly what was voted on when council had voted on the zoning ordinance.

Bill Curtis stated he would be able to ask that during the public questions portion of the meeting. He then made a motion to waive the reading of the minutes. Winslow seconded the motion.

Mr. Bond stated that council never reads the minutes so there was no need to make a motion to waive the reading. They just needed to make a motion to approve the minutes as proposed.

Curtis made a motion to approve the minutes. Winslow seconded the motion. Roll call – All ayes; no one opposed.

John Martin asked for any public questions or statements.

Joe Thomas stood and asked for everyone to bear with him. He stated it might take him a couple minutes and then he read the following statement. “My name is Joe Thomas and I am a lifelong resident of New London. After attending New London High School, I attended the University of Rio Grande for four years. After college, I worked in the construction field as a mason for Bob Wilson, RWW Masonry, for 11 years. In 2011 the job with the New London Parks as the recreation director came available so I applied.”

John Martin stated “Excuse me for a second Joe.” He stated he didn’t mean to interrupt but at that time he wanted to get a motion to move into executive session.

Joe Thomas asked “don’t I get my three minutes?”

John Martin stated that he was sorry but he would like a motion to move into executive session to discuss personnel and disciplinary proceedings.

Several people in the audience opposed John Martin's request. People responded with things like "He gets his three minutes." "You can't do that. Council has to do that. You can't do that."

Mayor John Martin stated he was asking for a motion. He was not making a motion.

Mark Roeder stated "you can't do that because you have already seen him and offered him his three minutes of speech."

John Martin replied that he would turn that over to his legal counsel.

Mr. Bond answered that Mayor John Martin had asked for a motion whether there would be a motion would be up to council.

Joe Thomas addressed council and stated he had nothing bad to say so he asked for permission to continue.

Council made no motion.

John Martin stated that since there was no motion Joe could go ahead and continue.

Joe Thomas stated that he needed to find his spot and then he continued reading..."I was so excited when I got the job. So many things went through my head...what I could do to improve our parks, what other events can we put on at either park."

At that time someone's cell phone began ringing. Joe jokingly said "hello" which caused some laughter. Joe then continued reading once again. "Since I have taken over the parks, we have put on a successful gun raffle every year, we have hosted Rockin' the Rez which was a huge success this year with over 1,200 attending. We gained the Huron County Farm Show. We brought back the fishing tournament. We have a winter corn hole league. We have added new playground equipment at the reservoir and at the recreation park. We have also done many improvements to the Hileman Building. We are trying our first country concert this Saturday. We went from having 60 seasonal campers at the reservoir to 90 this year and some of my favorite things to host are all the pancake breakfasts which means I actually dress up as Santa's helper, the Easter Bunny's helper and go around to the school and hand out fliers. I put my heart and my soul into this job every day. I love this town and everything about it and that is why I do what I do. But there does come a time when a person can only take so much and I am at that point. Thank you."

John Martin thanked Joe and asked if there were any other public questions and statements.

Russel Sword stood and stated he had a couple questions. Mr. Sword showed council a blueprint of a design they had made of their property as a housing development. Mr. Sword continued by saying, "This isn't something we did last week. This was done in 1999. Now why hasn't anything happened since 1999? There is no need to build houses because no one wants them." Mr. Sword continued by stating, "We've been looking at this for 20 years and we haven't found an economical way to develop that property. A couple questions that I have is if you go ahead and make the change which I totally disagree with you making a change. The idea of buying this property was when we sold to the school we had talked at that time about making it a residential property. Our attorney, accountant and the prosecutor all said keep it industrial. That gives you the opportunity to do whatever you want with it. By keeping it industrial, and it's not M1 or M2, it's industrial which is total industrial. We have never been told it has been changed. We have never been asked about a change. So, it gives us the opportunity to hopefully at some point in time do something, okay, so the other thing is the people that signed this petition. Most of you guys know us and we know number

one, I coached Little League for 14 years. I did 16 coaching 4-H Club. I taught high school for two years. Sandy has been a Registered Nurse for 45 years – 35 years at Norwalk Hospital and she has taken care of many of you guys and some guys she has saved their life. I mean we aren't the kind of people that are gonna destroy the school. It is just the other way around. You know we give a thousand pumpkins away a year to school kids. We don't charge a dime for them. I may sell 12,000 pumpkins and make \$500 for the year. That's not what I do that for. My question is what is your intent on changing my vegetable and sweetcorn stand for pumpkins and sweet corn and other vegetables? Is there any intent to do anything about that? I've been doing it since 1983. How about...do you have any intent on stopping the way I farm on this land? I mean now you think you can come in and tell me what I can do. Now are you going to tell me I can't farm? I've got to raise soybeans; I can't spray vegetables or do something else on that farm? And then are we going to do anything about littering, trespassing? Chief, can you take care of littering and trespassing?"

Chief Marko responded that they do their best.

Mr. Sword asked, "O.k. how about encroachment? Can you take care of encroachment?"

Chief Marko answered that they do their best.

Mr. Sword then stated that they would probably have their land surveyed again and they are going to make some changes because right now they have a lot of property that is being utilized by others and they are going to take it back.

Sandra Sword then stood and explained some research she had done on petitions. She wasn't sure about one petition but in her research it said, "Many cases are brought by neighbors get no further than the challenge to standing. Simply because upset with zoning changes does not give a neighbor standing to bring a challenge in most cases. First the petitioner must determine a precise nature of the zoning act being challenged. If the plaintiff merely wishes to challenge a use that isn't consistent with an existing zoning ordinance, the standing threshold is null. Any citizen should be entitled to depletory judgment and the adjunctive relief that use is not committed by existing zoning classification. In other words, you have to be specific and as far as...one of them was traffic increase. If you look at that map that is 70 units. Do you think you are going to see traffic increase? I mean come on and also I haven't heard from the village. Could you support 70 units?"

Shawn Pickworth stated that absolutely they could.

Mrs. Sword then asked, "You really could?"

Shawn Pickworth replied, "Yep."

Mrs. Sword continued, "Okay this is the deal. I was in Lorain County and I stopped at my sister's street which is in Columbia Station. Stopped at a garage sale. Got to talking to this lady and she goes I used to live in New London for 17 years. Well why did you move to New London? Well we lived in Wellington and my mom wanted to buy a house and New London is more affordable than anywhere in Lorain County. So residential?" Mrs. Sword went on to say that they could sell their property and someone could develop it into a low housing community. She then asked if that was what residents wanted in their back yard. She also stated that she wanted them to know that also in their backyard is a transmission line which is under extreme pressure. If those blow their houses are in trouble. She stated that she thought they should concentrate on that. Mrs. Sword asked Shawn Pickworth if the village had gone anywhere with that.

Shawn Pickworth asked if she was talking about the transmission.

Mrs. Sword replied, "Yes, with getting that cleaned up."

Shawn Pickworth stated, "That's not mine to clean up."

Russel Sword stated, "That is a high pressure gas line and that is to serve the whole town of New London."

Shawn Pickworth replied that it was the gas company's responsibility.

Mrs. Sword stated, "It's in your village. It's your people that are dealing with it."

Shawn Pickworth replied that it is not the village's right of way.

Mrs. Sword stated, "I've been told that all the time 'It's not my problem. It's between the owners.' Well, what is your problem?"

Shawn Pickworth answered that it is the gas company's problem.

Mrs. Sword asked Shawn to try to get the gas company out here to clean it out because it is totally a mess.

Russel Sword added, "What I am saying is that gas line does serve the town of New London. It's on that farm. It's been there since 1954." The danger has existed for a long time.

Eddie Shaver then stated, "If I could say something real quick Russel. I think you will find that that gas line is on a 15 foot right of way for an alley that the city has from Park Avenue all the way to East Street."

Mr. Sword stated that there is a lease on his property and it is written on his deed. It is 25 feet from the center each way and he knows the village owns the 15 foot right of way.

Eddie Shaver then responded by saying it was his understanding that they had vacated it from Park Avenue up as far as Fairhome. He thought that was back in 1983 but he thought they wouldn't vacate it the rest of the way because of the gas line. He stated that he didn't want to step on anybody's toes he just wanted Mr. Sword to be aware.

Mr. Sword replied, "The survey will tell us and that is what we are going to do is get a survey. By having that farm there, a lot of the houses on New London Avenue were bought off that farm and to have people come along now after... it's been zoned since the 70's as industrial. So many things have happened there and to have the engineer make a comment that 'well when the school was built it now changes'" Mr. Sword stated it was bull**** and that it doesn't happen that way. The people that run this town should make that decision and to let the state come in and say "if you don't have a map, you can't have zoning". He asked, "Do you think you are going to have zoning when you finish this? Number one, you did not call the people on the zoning commission to set the thing up. The zoning commission... I don't know who plans the zoning, but the three members of the zoning commission were not even invited to the meeting. They happened to find out at the last meeting and your vote from the Zoning Commission was to approve it without the two exceptions and I think you have changed it along the way." He said according to the map it had been changed. He stated that they had heard rumors that they were going to change the zoning.

Sandra Sword then said, "I got a phone call from the mayor and he said 'We missed you at the last meeting.' I went what meeting? He goes, 'well didn't you get notified?' and I'm like no. So how can I go to a meeting I don't even know about?"

Mr. Sword stated it wasn't just Sandra that hadn't been notified.

Mrs. Sword replied that Cheri Raphael had not been notified either.

Mr. Sword continued by saying at one point he had heard a rumor that they were going to change the zoning. He said nobody had said anything to him. He said Sandy asked Shawn and John and they said that they weren't going to do anything with it. He said he happened to run into them a couple weeks later and asked if they were changing his zoning. Mr. Sword said they both told him nothing was happening and then a month later he says they told him they were changing it. "What kind of deal are we doing here guys? You know, let's be real. This property that we bought, it was open to everyone to buy. Anyone could buy it but we bought it and we didn't try to steal it. We gave everyone the opportunity but no one wanted to buy it so we ended up buying the lot next to our house. That's all we wanted. We ended up buying the property. I knew the school was looking for a place. It just happened to... it all fell into place that Harold Kirkpatrick had some land. I sent them there and they needed land from me to do that." Mr. Sword stated they weren't out to get the school and everyone should know them better than that. He then stated that he was going to get his land back so look out for it."

Sandra Sword stated that she had one more question. When Mike Hansford owned the house next door to them he extended the garage and just recently they questioned that he was awful close to their lot line. She stated that the zoning inspector came out and said he was okay, maybe a foot. They were okay with just a foot. She then stated that Mr. Sword had taken a taut wire from both pins. That wire lays on the house. Who is responsible for that? They got the okay to build it. Mrs. Sword continued by saying they had questioned it and it's there. Now there is new owners. Who is liable for that? Mrs. Sword replied, "I know, it's between the property owners. So why do we have a zoning inspector? That's my question. I mean let's take care of business as it comes up. It's just like, really? It's just landing all over me. It's like we just want to live life peaceful but all of sudden everybody wants to change the rules and anyone who bought there should have investigated to see what was that lot. What was it zoned, not just who's next door?" Mrs. Sword ended by saying that now it was her and Russel's problem and it shouldn't be because they have owned it much longer than most people would have.

Mr. Sword then concluded by saying he hopes council would give it some serious thought before they make a decision because he thinks it is something that could have repercussions farther down the road.

John Martin thanked the Swords for their input and he said he was sure council would take it into consideration.

Mr. Sword thanked Mayor John Martin for allowing them to talk.

John Martin asked if there were any other questions or statements.

Mark Roeder spoke and stated he had one question. Mr. Roeder began by saying, "My question is to the whole council. Joe said he was fed up. Do you guys know why he is fed up? Have you talked to him? Do you know what's going on? You guys are the ones that hired him. Why wouldn't you be talking to him to try and find out what's going on, what he needs help with. If you don't want him, tell him you don't want him. He is your man you know. You guys are the ones who got him. If you don't want him, let him know. That's all there is to it. I mean he is fed up. Find out why."

Sandra Sword stated that she thinks Joe does a great job.

John Martin thanked Mark Roeder and asked if there were any other questions or comments at this time.

Susan Miller stood and stated she isn't used to talking in public. "I am a six-month resident. I live at the campgrounds six months out of the year. I am handicapped. Joe is my guy. I have a problem, I call Joe. I want to gripe, I want to complain, I call Joe." Ms. Miller then looked at Shawn Pickworth and said, "Sorry Shawn." She then continued and said, "But Joe's been my guy since he got there. You lose Joe, you lose my campsite." She stated that she probably wasn't the only one either. Joe has added to the campground. He has

brought the campground back to life after when it was run into the ground. "How dare anybody walk on him. How dare anybody. That man has done all good." She asked council to look at the campground and to look at how many people were in there camping. She stated the only problem she has is where the office is located but she said that was beside the point. It's all the walkers you get sneaking into the swimming area. She stated that was okay and it would get fixed someday if he can get it fixed. "And if he can't get it fixed, who are you to walk up and see if he is going to fix it? I would like to see it." She stated they would lose her and also someone else she knows that has been camping there for 29 years. She stated they need to help Joe and not hinder him. Don't make it harder on him. God says he gives us all a job to do on earth. Joe has found his calling. Joe has come to help and he is there for every single one of us night or day. She asked council if they were going to answer their phone calls if the electric is out? "Am I gonna call you at home and say hey Janice come over something is wrong with the camper and I know it's coming out of the box. It's smoking. Or am I going to call John. Am I going to say the neighbors are peeing on the lawn again. They're not using the receptacles. Come out and fix it because no disrespect for the police department but if they don't see them, they don't have them. And that's their job. If they see it, they fix it. I can call him night or day. He's there. Are you? Think about it."

John Martin thanked Ms. Miller and asked if there were any more questions or statements. There were none.

John Martin then called for a report from the Administrator.

Shawn reported the following.

Water

- Water Plant Improvement Project – John Chapin, Don Patton and I met with engineers from Poggemeyer Design Group on Friday, September 15, 2017. The engineers needed additional information about our chemical feed systems to submit to the OEPA.
- Crew watched a video required by the OEPA on contingency plans.
- New water service installed on Butler Road.

Wastewater

- Had Blake's Sanitation camera an area of sanitary sewer on East Main Street. We have a hole forming in the road that we thought might have been a failed sewer line. Found nothing. Now we believe we have a failed storm sewer that will require the road being cut for repair.
- Crews installed new sewers in the police garage.
- Crew identified and repaired an area of concern on Grove Street. An exposed sewer that runs along the waterway was damaged while cleaning some brush away. We might go ahead with plans to replace a section of that sewer.
- Sludge beds cleaned and repoured.

Sanitation

- No major issues.

Street

- Crews repaired road areas on Williams Street, Village Offices. Pot holes around town repaired.

- Crews cleaning along the bridges on East Main Street, Grove Street.

Parks

- Gun Raffle Tickets – on sale now at the Village Office. The gun raffle will be held on November 4, 2017 at the Hileman Building starting at 12 noon. Doors will open at 11 AM.
- Country Roads Music Fest – September 30, 2017 at the New London Reservoir Park & Campgrounds. For any camping information please call 419-929-8609. Fireworks will be after the last band.
- End of the Year Picnic, cooked 200 chicken halves. Everyone seemed to have a good time. Thanks, Don Patton, Steve Roeder, Bob Deppen for your help with the cooking. Thanks to everyone who attended and brought food to share.
- Joe Thomas asked about permission to sell beer at the park Gun Raffle. Shawn said there was time to ask and it could be done at the next council meeting.

Other

- Water and Sewer crew is working with an engineering firm hired by Columbia Gas for a project that they are planning for on the NW side of the Village.
- Cement work has been completed on the Police Garage. Electrical Panel installed. Village crews working on parking lot today. Garage doors are scheduled to be installed this week.
- Vicky Missler met with village employees last week informing them of the changes to our health insurance. Thank You, Vicky.
- Worked with Paul Tecpanecatl from Poggemeyer Design Group making sure the property list and zoning map was correct for tonight's meeting.
- New Billing Software – October is the month we plan on moving to our new software Muni – Link. This is new for all of us and I am sure there will be some unforeseen hiccups. Please be patient, the ladies in the office and John Chapin have been working on this for a year now trying to make this transition as smooth as possible.

John Martin asked if there were any questions for the administrator. There were none. John Martin thanked Shawn Pickworth.

John Martin then asked for a report from the Police Chief. Chief Marko stated he had nothing to report.

John Martin then asked for a report from the Fire Chief. Chief John Chapin reported they got their new gear a couple weeks ago. They had a grant for part of it for \$7,450.00. They ended up borrowing \$40,000.00. For an investment of over \$47,000 they got 27 sets of gear – coats, pants, six pair of boots and 22 helmets. He then thanked council for letting them get it. Their gear is good for 10 years. After that, they have to replace it regardless of condition and that is why they had to replace it all this time around.

John Martin then asked for a report from the Ambulance. Bill Curtis stated he would have report at the next meeting.

John Martin then asked for a report from Zoning. Bob James absent.

John Martin then presented Ordinance 2017-22 An Ordinance Rezoning Various Properties Throughout the Village of New London. Third Reading.

Mr. Bond spoke and stated that five yes votes would be needed to pass the ordinance.

Bill Curtis made a motion to approve the third reading on Ordinance 2017-22. Myers seconded the motion. Roll call: Winslow, Yes; Curtis, Yes; Cooke, Yes; Myers, Yes; Willis, Yes; Paramore, Yes.

John Martin then presented Ordinance 2017-24 An Ordinance Amending the Employee Handbook and Personnel Policies Relative to Adopt a New Policy on Social Media. Second Reading. Myers made a motion to approve the second reading. Curtis seconded the motion. Roll call – all ayes; No one opposed.

John Martin then presented Ordinance 2017-25 An Ordinance Advancing Funds for Operations at the Country Music Festival, and Declaring an Emergency. Emergency Reading. Curtis made a motion to suspend the rules to allow Ordinance 2017-25 to be passed on an emergency measure. Myers seconded the motion. Roll call: Winslow, Yes; Curtis, Yes; Cooke, Yes; Myers, Yes; Willis, Yes; Paramore, Yes. Paramore made a motion to approve the emergency reading. Willis seconded the motion. Roll call – all ayes; No one opposed.

John Martin then called for Old Business.

John Martin said speaking of CSX and West Main Street road crossing, he sent an email to John Blanton at CSX that morning. He returned stating he apologized for not getting back to the mayor because he thought his reports had already contacted him. They had not so they are supposed to contact the mayor within the week. That is all the mayor had on West Main Street.

Bill Curtis stated he knew the two were tied now. It's not just West Main. It's also North Main too.

John Martin stated yes North Main and West Main Street are both on the list and also to try to install the two-way sign to go in permanently – not temporarily.

Shawn Pickworth stated that he had received a call and probably tomorrow they were going to shut down the Walnut Street crossing to redo the crossing and open back up five days later. They have been saying that for two weeks though.

John Martin then stated he had another conversation with ODOT concerning the striping on West Main Street. They told him that they did not have any incidents within the last three years and they felt that there were no further actions they could take for West Main Street. Unless council can come up with something pertinent that they can present to ODOT, they are finished. They have lined it and done what they could on it.

John Martin then called for New Business. There was none.

John Martin then presented the monthly bills for approval under Schedule A. Myers made a motion to approve the bills as presented. Winslow seconded the motion. Roll call - All ayes; No one opposed.

John Martin then presented the monthly bills for approval under Schedule B-Then and Now. Winslow made a motion to approve Schedule B. Willis seconded the motion. Roll call: Paramore – yes; Winslow – yes; Willis – yes; Curtis – yes; Cooke – abstain; Myers – yes.

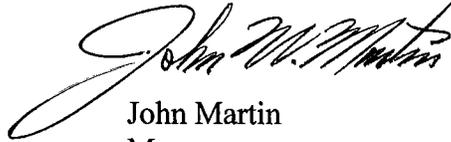
John Martin then asked for a motion to enter into Executive Session to consider the compensation of a village employee or official. Curtis made a motion to enter into executive session. Cooke seconded the motion. Roll call: Winslow, Yes; Curtis, Yes; Cooke, Yes; Myers, Yes; Willis, Yes; Paramore, Yes.

John Martin then asked for a motion to return to regular session. Cooke made a motion to return to regular session. Myers seconded the motion. Roll call: Winslow, Yes; Curtis, Yes; Cooke, Yes; Myers, Yes; Willis, Yes; Paramore, Yes.

Curtis made a motion to adjourn. Cooke seconded the motion. Roll call - All ayes; no one opposed.



Nancy Howell
Fiscal Officer



John Martin
Mayor