

The regular meeting of Council was called to order at 7:30 pm. A prayer was given and Pledge of Allegiance was stated.

Roll Call: Brandt, Barnes, Campbell, Madaras and Miesmer. Others attending were: Solicitor Mike Marsh, Bud Kahler, Russ Eby, Ed Wozniak, Gordon Bowman and Will Malone, Sentinel Tribune Reporter. Chief Molnar came in late at approximately 8:10 pm.

There were a few corrections made on the minutes. Madaras made a motion to approve the minutes with the corrections and Campbell seconded. The minutes were approved unanimously.

Treasurer's Report: Bills amounting to \$7,540.88 were submitted for payment. Barnes moved to pay the bills and Miesmer seconded. The motion passed unanimously.

Ordinance 1400 – 3rd Reading – Ordinance Amending and Adopting Section 94.09(A) of the Codified Ordinances of the Village of Pemberville. Campbell made a motion to pass Ordinance 1400 and Madaras seconded. The motion passed unanimously.

Resolution 689 – 2nd Reading – Resolution Declaring the Amount of Taxes that may be Raised by Levy at the Maximum Rate authorized by Law Without a Vote of the Electors to be Insufficient, and Declaring the Necessity of a Levy in Excess of Such Rate. This must be filed with the Board of Elections on 8/22/07.

Ordinance 1402 - 1st Reading – Ordinance Establishing a Water Capital Improvement Fund. To fund \$25,000 per year to the Water Capital Improvement Fund from the Village Income Tax receipts.

Appointment of Council Seat – Five candidates wrote Council to show their interest in serving as a Council Member. They were: Marge Cox, Larry Bockbrader, Michelle Vajen, Christian King and Gordon Bowman. Marge Cox and Christian King have made plans to run for Council in the November election. Council was reminded that the appointment needed four out of five votes to pass. Madaras asked that the new appointment be given the Tree Commission chair because this position also works closely with the Streets and Sidewalks Committee. Besides being on the Streets and Sidewalks Committee, the new Council person would be chair of Lands and Buildings and the Tree Commission.

Gordon Bowman was present at the meeting and was asked to address Council. He stated that he has lived in Pemberville since 1990 and Pemberville is one of the finest communities to live and work in. His current job gives him some time to give to his community and felt it was a fine opportunity to work for the village.

Campbell made the motion to appoint Larry Bockbrader, but the motion was not seconded.

Campbell then made a motion to appoint Gordon Bowman, and Barnes seconded. Roll call vote: Campbell – Yes, Barnes – Yes, Miesmer – No, Brandt – No, Madaras – No. The Motion did not pass.

Barnes made a motion to appoint Christian King, and Brandt seconded. Roll call vote: Barnes – Yes, Brandt – Yes, Miesmer – No, Madaras – No, and Campbell – Yes. Motion did not pass.

Brandt made a motion to appoint Marge Cox and Miesmer seconded. The motion passed unanimously.

Clerk's Report: The clerk asked Council to approve a transfer of \$15,000 from the General Fund line item to the Swimming Pool Fund. This was in the 2007 Appropriation Ordinance passed in February 2007. Brandt made the motion to approve this transfer and Barnes seconded. The motion passed unanimously.

Further analysis of the Swimming Pool Fund will have to be looked at by the next meeting because the appropriations may have to be amended and increased for the Swimming Pool Fund. Madaras would be getting an estimate on the concrete work on the swimming pool that is being planned for September or October 2007.

Council was asked by the Clerk to revise the insurance coverage that was decided at the last meeting. We needed to keep the coverage with The OML Plan due to missing a 60-day cancellation notice. Any open claims in process with the old plan would not be paid unless we stayed with The OML Plan. There would still be a savings from last year to this year of \$9,130. Madaras made the motion to accept The OML Plan (annual premium of \$25,182) and Miesmer seconded. The motion passed unanimously.

Mayor's Report: AMP-Ohio has invited the Mayor, Council and Board of Public Affairs to a Question and Answer Session meeting on August 30th at 6 pm. This will be at the Community Center, Elmore, Ohio.

A resident wrote a letter to Council complaining of people walking through his yard to go to Oberhouse Park. He would like to have a park entrance sign put up to help with this problem. Madaras said he would contact the Wood County Park District to find out what they do about this kind of problem. It was suggested to run a mulched pathway to help indicate where people should walk.

The Mayor wanted to thank everyone for writing articles for the Newsletter. It will be sent out later this week.

Mayor asked Council to approve closing Vine Street for a block party he was sponsoring on August 25th from 6:30 pm to 10 pm. It was brought up that the sponsor of a block party should sign a waiver of liability. This makes the sponsor liable for the event. Village employees can drop off the barricades before and then pick up the barricades after the event. Brandt made a motion to close Vine Street for this block party and Barnes seconded. The motion passed unanimously.

A letter from John and Carol Bailey (Appendix B attached) was received concerning storm sewer grate at the driveway apron at their Front Street home. There has been an incredible amount of water draining in this low point in the road and a hole in the asphalt. The Apron on their driveway has cracked horizontally across the entire width of the apron and the eastern half has now sunk over eight inches in depth. Another problem is in their yard where there are six to

seven sink holes that run the length of the yard in a straight line from a possible collapsing sewer. Council agreed to have the Board of Public Affairs handle this matter. It was also suggested to wait until after the Free Fair to begin any work.

Committee Reports:

Brandt: No Report.

Barnes: No Report.

Campbell: The Flood Committee met on July 25th with several officials from Wood County, the Army Corp of Engineers, TMACOG, Flood Plain Management, Ohio Emergency Management and U.S. Geological Service. The Army Corp of Engineers determined that the Village did not need to do anything to the river such as cleaning or dredging.

The Army Corp of Engineers were concerned that if the bridges were built too low, they act like a dam. The Engineers felt it was a critical statement when someone pointed out that water was lapping off the Bierley Street bridge during the 2005 flooding. The Bridge Street bridge is 40 plus years old and needs to be replaced. Campbell stated that we need to stay tuned because there will be more meetings to come.

The Army Corp wants to do a Hydrology Study of the river which could take up to 15 years. Three meters would be used at a cost of roughly \$30,000 each to monitor the flooding. It would cost another \$14,000 each per year to maintain and operate the meters. The last hydrology study was done in 2002 and cost \$475,000. For right now, the Village should be concerned with emergency preparedness such as sand bags and plastic coverings. Hirzels have notified the Village that sand bags needed to be ordered. Campbell said he was working on ordering some for emergency preparedness.

Jack Nichols came down on July 21st to explain coffer dams that his company sells. He quoted a price for the Village of \$30,000, down from the regular price of \$40,000. This is an 8 feet high by 400 feet long bag that would be placed along the back of the downtown businesses. This would stop most of the flooding for the business. Nichols will be sending a miniature coffer dam bag to demonstrate how the coffer dams work.

Bob Brandt informed the Council about the Portage River Basin Council meeting that he attended at Schedel's in Elmore. He asked the officials what the Village could do because they plan to clean up the middle and south branches that will bring all the water straight to Pemberville. They said to get a petition started and then it would be evaluated, which would take about three to five years. One official at the meeting suggested that landowners could get together to do their own ditch maintenance. Jim Barnes stated that at the meetings he has attended the landowner maintenance was frowned upon because they like to clean out the entire branch to do a complete job rather than do little portions of a branch.

Utility Department: Storm sewers are in severe condition and needed to be cleaned at Hickory Street. There are about seven catch basins planned to be replaced at a cost of about \$4,000 each. There is also the catch basin at Bailey's that will be worked on soon. Therefore, the total replacement costs of the seven in question on Hickory Street could approach \$28,000. The

Storm Sewer Fund has about \$8,300, currently. Campbell emphasized that this is why we established the Storm Sewer Fund and why there is a \$3 per month charge. He stated that the storm sewers are in horrible disrepair and management. There is also a problem at Beeker's General Store with trash from the ice cream business ending up in that catch basin.

Sidewalks: Eight sidewalks have been completed. There are six sidewalks in transition, 24 in communication and ten no responses from the letter that went out. The Fiscal Officer recommended that any of the sidewalks paid by a tax assessment would have the sidewalk reimbursement deducted from the amount to be assessed.

Streets: Tom Oberhouse wants something done to Kesson Road. Estimates are being received. The Township will help out with the cost of Kesson and East Street.

Ohio Issue I Program has funds available of \$120 million in grants. This is due on August 15th. Steve Darmofal at Feller & Finch will be getting in touch with our Board of Public Affairs. Campbell informed Darmofal of three priorities that we could use grant funds for. They are: 1.) Sewer Plant Project, 2.) Bridge Street Bridge replacement, and 3.) Storm Sewer Capital Improvements. Some of Council felt that item #2 would not be top priority since this would be a county project.

Wood County Solid Waste District awarded the village \$15,000 of grant money to purchase a wood chipper. We may need an additional \$20,000 to buy a new wood chipper. The old wood chipper could be sold to help defray the cost.

Madaras: No report.

Miesmer: No report.

Police Department: Chief Molnar requested Council to approve \$416 for four new tires on the Durango police vehicle. Brandt made a motion to approve this request and Madaras seconded. The motion passed unanimously.

The Police Department just purchased a patrol bicycle. They will use this to get out in the neighborhoods and talk to people one on one. The bike is a good crime deterrent and it will be used periodically for night patrol

It was brought up that bike riding is prohibited on the downtown sidewalks. The police have been telling bikers to please walk their bikes in the downtown area.

There was no other business to discuss so the meeting was adjourned at 9 pm.

217 W Front Street
P.O. Box 568
Pemberville, Ohio 43450
419-287-4848

To the Mayor and Village Council of Pemberville,

Please enter the following letter into the council minutes.

We are writing to inform and record the problems that we are facing on our property. There is a storm sewer grate where our driveway apron meets Front Street that takes an incredible amount of water during storms since it is a low point in the road. Over a year ago we called the village office and informed them of a hole in the asphalt. The next day, Jeff Bourdo and Dave Bruning filled the hole with asphalt.

In the time since that day, the apron of our driveway has cracked horizontally across the entire width of the apron and the eastern half has now sunk over eight inches in depth. There is also considerable cracking of the asphalt approximately 2-3 feet out into Front Street surrounding the storm sewer grate. These appear to be "stress" cracks.

You can now peer down the cracks in the apron of the driveway to a depth of 18-24 inches because the ground surrounding the sewer grate has eroded away to that depth causing the damage to our driveway. It is our guess that there is no dirt or stone in the entire area surrounding that grate, hence the stress cracks in the road. That is problem number one.

Problem number two. In the past year we the yard has developed six to seven "sink holes" running the length of the yard that fall into a straight line from the collapsing sewer at the front of the property all the way to the river.

Recently Brian Heestand had a camera truck and a sewer cleaning truck on this same area of property. When the truck drove over two of the sink holes, they increased in size dramatically to over two foot by two foot and a depth of 18 inches. One can only assume that this would have happened to all of the sink holes had they driven over them.

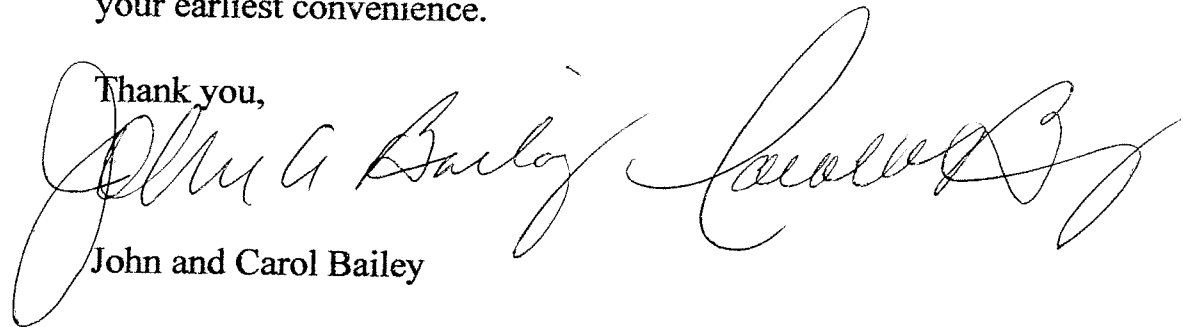
It is our concern that there is an old town sewer line that is now collapsing. It would run down the driveway and on through the yard to the river. We question as to how much more it will continue to collapse over the next several months to year considering the amount of deterioration we have encountered already this year.

Neither of these problem will go away by themselves, nor do we feel that they are our responsibility. They continue to worsen! We are asking Mayor Opelt and the Village Council to move on these situations with speed.

1. The collapsing sewer in the street poses a great risk it because one also never knows when it might completely collapse. It may be a child on a bike, a pedestrian or any vehicle with passengers driving upon it. Secondly we would like to know what is going on in the yard. If there is indeed a sewer line running to the river that through neglect of the village is deteriorating and what the village is planning to do to remedy it.

We stand ready to meet with or discuss these problems with you at your earliest convenience.

Thank you,

A large, stylized handwritten signature in black ink, appearing to read "John and Carol Bailey". The signature is written in a cursive style with large loops and flourishes.

John and Carol Bailey

Encl: pictures

cc: Lafe Tolliver, Attorney at Law

