



**Minutes of the Village Council Meeting
August 27, 2007**

On Monday August 27, 2007 the Village of Galena Council meeting was called to order at 7:07 p.m. in Council Chambers of the Municipal Building, 9 W. Columbus St., by Mayor Tom Hopper.

Roll Call

Present

Tom Hopper, Mayor
David Simmons, Council President
Roberta Miller, Council Member
Marty Mazzie, Fiscal Officer

Chris Underwood, Council Member
Ed Karn, Council Member
Nancy Feole, Council Member

Also Present

Kenneth Molnar, Village Solicitor
Michelle Dearth, Assistant Fiscal Officer
Dave LaValle, Public Service Director
Jerry Gardner, Neighborhood Mechanic
Mark Brooks, Galena Resident
Don Davis, Berkshire Lake Campground
Joseph Schmansky, Rich, Crites, & Ditmar, LLC
Marc Hogenbirk, Immediate Urgent Care Centers

Scott Jamison, WWTP
Bob Jablonski, PDG Consultant
Pamela Hamilton, Maintenance
Lori Geschel, R.I.T.A.
Libby Clark, Potential Council Member
Derek Owens, Berkshire Lake Campground
Jeanna Burrell, Administrative Assistant
Charles Chandler, Sunbury Police

Dave Simmons made a motion to appoint Libby Clark to fill Jim Slifko's vacated position on Council to finish his term through 2009. Ed Karn seconded the motion and the motion passed unanimously in a 5-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes

Swearing in of New Council Member

Mayor Hopper administered the Oath of Office to Libby Clark and Council members welcomed her to her seat. She will be serving on the Village's Annexation and Security committees.

Meeting Minutes

Dave Simmons made a motion to approve the minutes of July 23, 2007 as corrected. Nancy Feole seconded the motion and the motion passed unanimously in 6-0 voice vote to adopt July 23, 2007 minutes.

Police Report

Charles Chandler reported that there were complaints of dogs barking after midnight and before 7:30 in the morning. He presented a copy of the General Offenses Code 505.09 indicating owners allowing animals to disturb the peace and quiet are guilty of a minor misdemeanor.

Guest

Marc Hogenbirk, Director of Operations Immediate Urgent Care Centers

He shared with Council and residents the services offered at the Sunbury facility. In addition to urgent care services, sports and work physicals are available.

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Lori Gischel, Regional Income Tax Agency

Ms Gischel spoke about the agency's services to the Village and its residents. By representing nearly 140 communities, R.I.T.A. is able to offer services that each community could not. They offer e-file and e-payment as well as 24-hour access to account information. Gischel reported that she recently canvassed businesses in Galena. R.I.T.A. has worked out a sharing agreement with the IRS.

Mark Brooks:

Mr. Brooks submitted a proposal to the Galena Village Council for a long term lease of the property owned by the Village directly west and adjacent to 38 Holmes Street. Brooks wants to add a u-shaped driveway.

Solicitor Molnar explained that Council would have to determine that the Village has no use for the land before bidding it out for lease or sale. The property contains water, sewer, and gas lines so it would not be suitable for building. The Village will investigate appraisal and legal costs before proceeding.

Jerry Gardner, Your Neighborhood Mechanic

Mr. Gardner expressed concern over RITA's attempt to collect income tax from his business. Solicitor Ken Molnar suggested that he ask his accountant to contact RITA and work out the details.

Don Davis, Berkshire Lake Campground

Mr. Davis greeted Council and said he was looking forward to meeting with them to consider the proposed Sanitary Sewer Agreement between the Village of Galena and the Berkshire Lake Campground.

Payment of Invoices for August

Ed Karn made a motion to pay the invoices for August and Roberta Miller seconded the motion. All said Aye in a 6-0 voice vote.

Fiscal Officers Report

Fiscal Officer, Marty Mazzie, presented information on a potential sewer rate increase. She recommended a 6% increase for all residential and commercial customers in order to cover expenses. Galena's annual wastewater treatment plant operating expenses exceed \$155,000. Six percent would equal \$2 a month or \$6 per quarter for residential customers. Mazzie pointed out that since sewer service started in the Village in 1995, there have been no rate increases. Since Galena took over operation of its plant in March 2005, Delaware County sewer customers have had two rate increases that would have cost Galena residents \$9 per quarter. She also explained that Galena is carrying nearly \$17,000 in customer delinquencies (excluding the more than \$100,000 owed by Berkshire Lake Campground over several years). Council directed Village Solicitor Ken Molnar to draft a rate increase ordinance.

Resolution No. 2007-08 (3rd Reading)

A Resolution Authorizing the Adoption of a Personnel Policy Manual for the Village of Galena.

Dave Simmons made a motion to adopt Resolution No. 2007-08. Roberta Miller seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Resolution No. 2007-10 (3rd Reading)

A Resolution Ratifying a Road Improvement Agreement Regarding Portions of Joe Walker Road.

Ed Karn made a motion to adopt Resolution 2007-10. Nancy Feole seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

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Resolution No. 2007-16 (1st Reading, Emergency)

A Resolution Authorizing the Mayor/and or the Public Service Director of the Village of Galena (1) To Prepare, Submit, Execute and File an Application, (2) To Execute Contract Agreements, (3) To Perform All Acts and Execute All Documents and Contracts Necessary to Fulfill the Obligations of the Village Under Said Application, and (4) to Provide Assurances and Additional Information as May be Required, on behalf of the Village with the State of Ohio and the Ohio Public Works Commission; and/or Local Transportation Improvement Programs(s) as Required and Declaring an Emergency.

Dave Simmons made a motion to suspend the rules for the second and third reading and Chris Underwood seconded the motion. The motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Nancy Feole made a motion to adopt Resolution No. 2007-16 declaring an emergency. Roberta Miller seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Resolution No. 2007-17 (1st Reading)

A Resolution Creating a Tax Collection Account.

Dave Simmons made a motion to suspend the rules for the second and third reading and Roberta Miller seconded the motion. The motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Ed Karn made a motion to adopt Resolution No. 2007-17 declaring an emergency. Chris Underwood seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Resolution No. 2007-18 (1st Reading)

A Resolution Authorizing the Transfer of Funds from Capital Outlay 1000-800-590 Account to the Tax Collection Account.

Dave Simmons made a motion to suspend the rules for the second and third reading and Roberta Miller seconded the motion. The motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Ed Karn made a motion to adopt Resolution No. 2007-18 declaring an emergency. Libby Clark seconded the motion and the motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Ordinance No. 2007-15 (1st Reading)

An Ordinance Accepting the Annexation of 69.380 Acres, More or Less to the Village of Galena.

Ed Karn made a motion to suspend the rules for the second and third reading and Dave Simmons seconded the motion. The motion passed unanimously in a 6-0 roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

Nancy Feole made a motion to adopt Ordinance No. 2007-15 declaring an emergency. Chris Underwood seconded the motion and the motion passed unanimously in a roll call vote:

Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes

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Ordinance No. 2007-16 (1st Reading)

An Ordinance Amending the Income Tax Code for the Village of Galena Requiring Mandatory Disclosure of Rental Occupants.

It was noted the fiscal officer needs to supply a list of landlords.

Sewer Plant Design

Bob Jablonski from PDG reported they are still exploring alternate membrane suppliers. The waste water treatment plant is built around the type of membrane bioreactors used so building plans are on hold until this is resolved. The new membrane being considered will reduce the overall cost of the new WWTP.

Wastewater Treatment Report

Scott Jamison reported that he is working with the Village of Sunbury on storm water system problems. He recommended that Galena set up a storm water utility to fund future repairs. Council directed staff to investigate this further.

Public Service Director's Report

Dave LaValle submitted a report. (Attached)

Delaware County Regional Planning Commission (DCRPC)

Tom Hopper had nothing to report.

BST&G Fire Board Report

Nancy Feole reported the board discussed the purchase of new equipment.

Parks & Recreation Committee Report

Michelle Parsons was not present to report.

Special Events Committee Report

Karin Underwood was not present to report. A question was asked about the date of Halloween "trick or treat" night in the Village which is October 31st.

Zoning and Planning Commission Report

Mayor Hopper reported there was an informal discussion on the Miller Farm. A formal re-zoning application was turned in. There will be two hearings, the first one being scheduled for September 12, 2007, the second before council likely in October 2007. Sambuccas Green House conditional use and the new real estate business (the former toy shop on the square) change of occupancy will be on the agenda for the zoning meeting on September 12, 2007.

Eastern Delaware County Joint Recreation District

Roberta Miller reported the committee appreciated the letter of support that was sent by the Village Council. They are making plans to survey the community to know what is desired in the way of a recreation facility and what kind of fund raiser would provide the money needed.

Facilities Committee Report

Dave Simmons had nothing to report. The next meeting will be on September 11, 2007 at 7:00 p.m. at the Galena United Methodist Church/Municipal Building.

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New Committee Assignments:

Zoning and Planning - Nancy Feole
BSTG - Ed Karn
Security and Annexation – Libby Clark

Dave Simmons made a motion to accept the appointments to the committees to fill vacancies left with the resignation of Jim Slifko. Roberta Miller seconded the motion and the motion passed unanimously with a 6-0 voice vote.

Executive Session

Nancy Feole made a motion to adjourn to Executive Session for the purpose of discussing ongoing litigation. Dave Simmons seconded the motion and the motion passed unanimously with a roll call vote: Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes
Dave Simmons made a motion to reconvene and Ed Karn seconded the motion. The motion passed unanimously with a roll call vote:
Miller-Yes Karn-Yes Underwood-Yes Simmons-Yes Feole-Yes Clark-Yes
Council returned to regular session at 9:54 p.m.

Council agreed to call a special meeting on Monday, September 17, 2007 to consider the proposed Sanitary Sewer Agreement between the Village of Galena and the Berkshire Lake Campground.

Adjournment

Libby Clark made a motion to adjourn. Ed Karn seconded the motion and it passed unanimously in a 6-0 voice vote. The meeting was adjourned at 9:55 p.m.

Next Meeting

The next Council meeting is scheduled for September 24, 2007, 7 p.m., in Council Chambers at the Village Municipal Building.

Respectfully submitted, Marty Mazzie, Fiscal Officer

Fiscal Officer

Mayor