

**RECORD OF PROCEEDINGS  
MINUTES OF THE REGULAR MEETING OF THE  
SHERWOOD VILLAGE COUNCIL  
MAY 15, 2017**

Mayor Cary Mallett called the meeting to order with council members Robyn Crites, Wes Hall, Jim Hohenberger, Scott Rohrs, Chris Skinner and Michael Sudholtz present. Also present were Dawn Buskirk, John Buskirk, Steve Hubbard, Brian Miller and Sherri Ramey

The issue which was tabled at April's council meeting concerning the purchase of the retention pond located beside the Village Food Emporium was discussed. The consensus of the council was that we do not want to purchase the retention pond.

Resolution 17-05-01, a resolution providing for the transfer of funds from the General Fund into the Refuse Fund was presented.

S. Rohrs made a motion to suspend the rules, waive the three readings pass Resolution 17-05-01 as an emergency. C. Skinner seconded the motion. A roll call vote was taken. S. Rohrs voted yea, C. Skinner voted yea, W. Hall voted yea, R. Crites voted yea, M. Sudholtz voted yea and J. Hohenberger voted yea.

Resolution 17-05-02, an emergency resolution authorizing the village to apply for a Natureworks Grant from the Ohio Department of Natural Resources to buy and install outside lighting on Sherwood Forest Park, Crystal Fountain Property was presented.

C. Skinner made a motion to pass emergency Resolution 17-05-02. W. Hall seconded the motion. A roll call vote was taken. C. Skinner voted yea, W. Hall voted yea, R. Crites voted yea, S. Rohrs voted yea, M. Sudholtz voted yea and J. Hohenberger voted yea.

The council was informed that much of the work for the Crystal Fountain Property lighting project will come from volunteers donating their time, but the village maintenance workers time can be paid from grant funds.

Village Administrator, Sherri Ramey presented her report for the month. She stated that the upper part of lagoons is gated and locked; citizens need to be reminded that lagoons are not a trash dump. This is a burn pile only and we only accept limbs, leaves and shrubs, not in trash bags. Cameras are being used for surveillance and violators will be fined. If we cannot contain the situation we will have to close the burn pile off because the EPA is not pleased with trash being dumped there. Ramey informed the council that persons from CCNO will be in the village on Thursday, May 18<sup>th</sup> to help clean up at parks and spread mulch. We can utilize these people for raking, cleaning parks, painting, etc. and plan to do so more in the future. The Parks Clean-Up Day has been rescheduled to this Saturday, May 20<sup>th</sup> from 8 AM until noon.

S. Ramey reported that utility bills are due today and shut off notices will be delivered Wednesday. She informed council that we have utilized the back of utility bills with things of interest around the village. She stated that there are 31 billing information sheets which have not been turned in, she has discussed the issue with our village solicitor and we can charge for 8 people if the billing information sheets are not turned in because we posted this and gave residents ample time to turn these in. She reported that the next big project will be the water tower and we need to start considering if we want to rebuild in the same spot or move the location. Ramey stated that we need to get some catch basins replaced and she is getting quotes from Baughman Tile. We have contacted Instant Sewer Solutions and would like to vacuum 51 on the south side and 67 on the north side. This would cost \$40 a piece for a cost of \$4720.

Ramey informed the council that we have received a CDBG Grant towards purchase of replacement SCBA's, but the Commissioners have asked if we can contribute an additional \$3,430 towards them because funds are running lower than expected. We have requested \$37,000 from CDBG and the Fire Department already will be contributing \$1070. If we do not contribute the additional amount we will only be able to get 5 SCBA's instead of 6.

The council decided that we should contribute the extra so that the Fire Department can get 6 replacement SCBA's. D. Buskirk will prepare a Resolution for the General Fund to transfer the additional amount to the Fire Fund to help with this additional amount.

Ramey reported that concerning library landscaping, we discussed the issue with Judy Hasch and have come up with a compromise. We need to get the area leveled, have a section by the wall for plants and the rest will be grass or stone. We are talking with a high school student about painting a mural on the back wall. Also, we need a sign for the front of the community room showing it is the Justin F. Coressel Community Room. Ramey will check with the library to see whether they may be willing to pay for half of the sign. Ramey thanked all the council members who helped with the recent Village Clean-Up day held on May 6<sup>th</sup>. We filled 3 trash dumpsters and 1 metal dumpster. Ramey informed the council that we recently sold the utility trailer for \$3,103.55 and the 1979 Ford fire engine for \$1,575. We have informed SBCS Properties, Ltd. that we no longer need the storage space for the fire engine. We have located a used trailer for the lawnmower for under \$1,000 on Craig's list. Ramey stated that we would like to purchase another vehicle, such as a Polaris, for the maintenance crew to use for short trips around the village. A 2017 clearance Polaris is available for \$7,500. The council discussed the pros and cons of a Polaris versus another small truck. They would like Ramey to get quotes on another used truck for next month's meeting.

S. Rohrs asked whether the village has an ordinance concerning vehicles like a Polaris or golf cart. Ramey answered that according to Ohio Revised Code vehicles such as this can be used if they are licensed and have lights, turn signals, etc.

The council discussed whether to have R.I.T.A. send letters at no cost or subpoenas at a cost of \$8.00 per each subpoena mailed. There are 185 delinquent accounts. We need to make a decision by June 1<sup>st</sup>. The council decided to have R.I.T.A. send letters. Ramey informed the council that the next Revitalization grant meeting will be held on Thursday, May 18 at 7:00 PM in the Community Room. She reminded the council that the Sherwood Spring Fling will be this Thursday and Friday, May 18 & 19 from 9 AM – 5 PM in the Community Room.

Ramey informed the council that we were recently informed that we have been approved for a half million Small Government Grant from Ohio Public Works for the lagoon project. She stated that we need to find a person to clean the Crystal Fountain Auditorium after rentals. The last person hired to clean the building was paid \$25 per cleaning. The council agreed that the Park Board could have authority to hire a person to clean the Crystal Fountain Auditorium.

There was no Zoning Board meeting this month.

S. Ramey informed the council that Rob Bailey spoke with Mike Lucas about the possibility of getting a grant to demolish his building.

Brian Miller, representing the Park Board gave the highlights of what happened at their recent meeting held on May 11, 2017. He stated that they focused mostly on the Homecoming which will be on July 22, 2017. They approved Da Mix Productions to be the DJ for the event for \$600 and have finished the signup sheet for volunteers and the parade. Chad Kruse will provide 4 bounce houses and 2 tents for \$1600 and we will have bracelets for the bounce houses for \$10 for all night. Miller stated that we have already secured 3 food vendors for the Homecoming and maybe there will be a 4<sup>th</sup>. They are also looking into having a dunk tank again and possibly mini golf. We are ordering T-Shirts for the Homecoming again this year and we need to come up with a design. Staff and volunteers will have a T-Shirt that has STAFF on the back. A traveling trophy has been ordered for the parade for \$50 and it will have room for 15 plaques. B. Miller stated that the Park Board needs 3 judges for the parade and would like to have a Grand Marshal. He asked council for recommendations of who might be willing to be Grand Marshal. He stated that the Homecoming banner needs to be replaced because it is too small and is falling apart. The village administrator will contact the distribution center for possible donations again and SMTA has been asked to donate door prizes. Defiance Environmental Services will be donating 55 gallon drums for trash at the Homecoming and the VFW will be selling beer in cans.

The council was informed the Fire/EMS just went on a run so Darrel will not be here for a report.

Ramey informed council that we have been approved for a Fire Safety Grant for \$159,000.

W. Hall commented that we need to make sure that the Fire chief is aware of correct procedures to obtain grants, engineering, etc. and that he does the bidding process correctly. Also, the village needs to make sure that a large centralized joint Fire Department with other municipalities is not feasible in the near future.

The financial reports for April 2017 were presented.

C. Skinner made a motion to accept the financial reports for April 2017. R. Crites seconded the motion. A roll call vote was taken. C. Skinner voted yea, R. Crites voted yea, W. Hall voted yea, S. Rohrs voted yea, M. Sudholtz voted yea and J. Hohenberger voted yea.

The minutes of the regular meeting of the Sherwood Village Council held on April 24, 2017 were presented.

W. Hall made a motion to accept the minutes of the regular meeting of the Sherwood Village Council held on April 24, 2017. R. Crites seconded the motion. A roll call vote was taken. W. Hall voted yea, R. Crites voted yea, C. Skinner voted yea, S. Rohrs voted yea, M. Sudholtz voted yea and J. Hohenberger voted yea.

The Employee Committee did not meet this month.

Village solicitor S. Hubbard gave his legal advice concerning the water line situation with Dollar General. The plans were presented by Dollar General to the Zoning Inspector for approval. The Zoning Inspector, the Village Administrator and the Mayor were not aware of the BPA Legislation approved back in 1996 which states that water line in new construction needs to extend to farthest line of property.

S. Hubbard stated that it was an oversight that the plans presented by Dollar General were approved since they do not follow 1996 BPA guidelines which are still in effect, but the village cannot force Dollar General to follow the 1996 guidelines and extend the line. The best option is to inform Dollar General of those guidelines and try to work with them to resolve the issue.

S. Ramey stated that Dollar General has been informed of the oversight and she had a good discussion with them. She is looking into local persons who could bore the line and is hopeful that the Village and Dollar General could work together and possibly split the cost.

J. Hohenberger stated that it was common knowledge and most people knew about the BPA guidelines.

C. Mallett stated that he researched Village Resolutions and Ordinances and did not even know that separate BPA Resolutions and Ordinances were in existence until after the plans for Dollar General were approved by the Zoning Inspector in October of 2016.

Ramey informed the council that the Village does have an easement across the back of the Dollar General's property.

J. Hohenberger left.

S. Hubbard stated that other people who did construction in the past cannot be reimbursed for expenses they incurred at the time because they legally agreed to those expenses.

Mayor Mallet stated that Dollar General is behind schedule in their construction and that we need to wait until they complete it before we will know exactly how the water will flow.

S. Ramey informed the council that ODOT is also about 2 weeks behind schedule on the culvert replacement.

J. Hohenberger reentered.

S. Rohrs expressed concern that the council did not see the plans for Dollar General before they were approved. He remembers seeing plans for construction which was done in the past.

S. Ramey stated that now that we know about the BPA Resolutions concerning extending water lines to the farthest line of the property this situation will never happen again.

John Wirth entered.

J. Wirth expressed concern that Dollar General is not being forced to follow BPA guidelines.

S. Hubbard stated that if J. Wirth wanted to argue about the situation he could come to his office and not do so in a public meeting.

Mayor Mallett stated that this situation was an oversight and he will take the blame for not being aware of the 1996 Resolutions.

S. Hubbard again stated that his legal advice is that the village cannot legally force Dollar General to extend the water line and we need to try to work with them to resolve the issue. He stated that the Village can seek outside council if they so choose and if they do not want to listen to his legal advice he will resign.

W. Hall stated that once again this is a situation where lack of communication plays a huge part in the problems.

J. Wirth and S. Hubbard left.

Mayor Mallett informed the council that the car on Brian Core's property which was discussed at the last meeting is technically not parked in the alley, but on Core's, so it is okay.

S. Ramey asked for clarification on whether it is a new or used truck that she is supposed to get quotes for the next meeting. The council agreed that she should look for quotes for a small used truck.

Village Administrator S. Ramey presented all Village Councilpersons, the Mayor and Village Fiscal Officer with a copy of the Ohio Ethics Law and Related Statutes and asked that they read it, understand it and return the verification form to her within 30 days.

Mayor Mallett requested that the meeting go into executive session. He invited J. Buskirk and B. Miller to remain during the executive session.

Mayor Mallett ended the executive session.

W. Hall made a motion that payment of all bills for the month be approved. R. Crites seconded the motion. A roll call vote was taken. W. Hall voted yea, R. Crites voted yea, C. Skinner voted yea, S. Rohrs voted yea, M. Sudholtz voted yea and J. Hohenberger voted yea.

S. Ramey informed the council that she received a quote from Gustwiller Electric Supply for electrical work at Moats Park and the Baseball field. She asked who is responsible for this and stated that we need a policy stating clearly how much the village is willing to provide for groups such as the Ball Association, the Archery Club, etc. That way we will all be on the same page and know what expectations are.

W. Hall made a motion to adjourn the meeting. R. Crites seconded the motion. All voted yea.

  
Dawn Buskirk, Fiscal Officer

  
Cary C. Mallett, Mayor