

Call to Order

The Regular Session of Council was called to order by Mayor Mike Erwin. The meeting was opened with the Pledge of Allegiance.

Roll Call

Roll Call was completed by Clerk of Council. The following members were present.

Terry Erwin – P

Judy Neal – P

Rebecca Isaacs-Niemesh – P

William Thompson – P

Mike McKeehan – P

Paul Zorn – P

Approval of Minutes of Previous Meeting

Council reviewed the minutes of the previous meetings. Motion by Councilwoman Neal to approve the minutes of January 10, 2012 and January 23, 2011; second by Councilman Zorn. All yeas.

Old/New Business & Reports from Village Officials & Committees

Councilwoman Isaacs-Niemesh provided a letter from Robert Hostetter at 309 Welch Road. She advised, due to heavy rains, the yards in the area were flooding and there was water in the crawl space of an addition to the home. Isaacs-Niemesh stated Mike Hannah investigated and advised the storm sewer pipe was broken under Welch Road. She reported the owner stated the pipe was previously cut and never replaced when the sanitation sewers were installed; he wanted to know when the repair would be made. The Mayor responded it was a terrible problem and 105 Patterson was experiencing the same problem. The Mayor advised the pipe was scheduled for replacement in Phase I of the project for next year. He stated the road needed to be cut and a temporary pipe installed across the street as soon as the weather dries. The Mayor stated the street was being pumped regularly.

Isaacs-Niemesh addressed the recording device used to tape Village meetings. She suggested replacement of the current recorder, discussing glitches and noted the machine did not belong to the Village of Morrow. She requested Council approve the purchase of a new recorder, one that is audio capable and has a USB flash drive that could be loaded to the web site for citizens to listen to the meetings. The Mayor concurred with the idea and agreed that one should be purchased. He said it should cost around \$500.

Isaacs-Niemesh referred to the communication concerning the Village of Morrow web site and asked if the site would be up and running the following day. The Mayor advised it would be the same domain and stated he learned it would take 24 hours for the company to boot the new site. She asked about the very old site that was yet posted. The Mayor stated the private individual, John Best, who posted the site wanted \$300 to remove it. He acknowledged Zorn stopped by the office previously to discuss the site in question. Isaacs-Niemesh requested the phone number for John Best. She also inquired about the grocery store for the Village. The Mayor responded he would not discuss details in the public meeting that evening.

Isaacs-Niemesh inquired asked about the status of the Interim Village Administrator position and how everything was working. She asked if the position was posted. The Mayor advised the job was not posted. He stated he was doing clean-up work and would need about two weeks or so. Isaacs-Niemesh asked if it was possible to have a committee formed with someone from Council, the community, maybe a business person to fill the position. Councilman McKeehan advised the Mayor is the one who would do the hiring for the Village Administrator. Isaacs-Niemesh stated the Village Administrator is a huge position, the backbone of the community, trying to make sure things run smoothly; the Administrator is paid with our tax dollars and gave an example of how other groups use committees in the hiring process. Neal stated she thought it was just

semantics; the Mayor has the authority to select someone of his choosing and Council would approve after he selects. The Mayor stated he could appoint someone with the approval of Council. McKeehan stated there are six seated Council members; why would we need to appoint a committee. Isaacs-Niemesh asked where would the position be advertised and how will we plan to do that. Zorn stated Warren County has a link where positions are posted; he suggested posting on the web as an advertisement. He advised the Mayor would know the right timing on that.

Zorn reported the Neighborhood Watch meeting would be held on February 21, 2012 at 7pm at the Municipal Building. He advised flyers were placed at the Post Office and Library. The next subsequent meeting would be April 13, 2012, a class on Cyber Bullying. Zorn stated it would very educational and asked those present to spread the word. Councilman Terry Erwin stated employees would post the notice on the sign across the road near the salt bin. Zorn discussed the farmer's market. He stated he joined a free web site, pick-a-pepper.com. The site tells where markets are located and you can place an order. He stated the village could have a farmer's market. He advised he would pursue it further and provide additional information. He also asked if the police cruiser was listed for sale. The Mayor advised a Resolution would need to be passed that evening to place the car for sale on Gov Deals. Zorn stated he would report on the Building Committee the next month.

Councilman Thompson discussed direction for the Beautification Committee. He asked the Mayor if he planned to serve on behalf of the Zoning Inspector who was the third member on the Beautification Committee. The Mayor stated as soon as Council finds someone or someone is appointed for Zoning, that individual would serve on the committee. In the interim, Thompson stated he would forward an email to the Mayor along with Neal, advising of the committee meetings. Thompson stated he is getting input from citizens regarding what they would like to see in the way of beautification. The suggestions included plantings at the Point and bridge painting. He advised he would research Village minutes regarding prior bridge painting efforts. Thompson reported Neal discussed a professional mural, previously proposed by Bruce Miller on the exposed side of Blanchester Lumber's storage shed. He stated it might cost as much as \$25K; Thompson advised he planned to look into obtaining a grant. Thompson wishes to paint a mural on Pike Street in a high traffic area. He reported Little Miami High School, Salem Township, two Council members, two businesses and citizens have expressed interest. Fund raising may be required; he has five potential student volunteers. Thompson plans to meet with the students, have a committee meeting within a month and provide more information. McKeehan inquired about the businesses interested in the mural. Thompson stated Mike Tober was one of the businesses.

Neal stated she was excited about the mural project. She asked Isaacs-Niemesh about the status of the Duke Energy account changes. Isaacs-Niemesh advised she gave the information to the former Village Administrator prior to her retirement and was not positive about the status of the Ordinance. Solicitor Oda advised the Ordinance passed; the minutes are the official record. He stated he forwarded the Ordinance to the Clerk of Council. The Mayor stated he would check on the Duke Energy status the following day.

Neal welcomed the new florist shop in town at 240 Main Street, Flowers from the Rafters. She advised she attended a Parks Committee meeting and reported the World Choir Games would be held in Cincinnati, the first time in the U.S. She solicited volunteers in all areas, interpreters, etc. and advised the Little Miami Women's Choir would be participating. The World Choir Games will be held July 4th to 14th, 2012. Neal also reported regarding the Police Committee; she stated she spoke with one citizen concerning a citation and resolved it.

McKeehan discussed the 2011 Food Drive, *March to Feed Those in Need*. He advised Terry Erwin and Paul Zorn worked with him last year; pick-ups were made on Sunday afternoon. McKeehan stated Terry Erwin would help again and asked if anyone else was interested, he welcomed their help. He advised, due to the success in 2011, he would like to continue it on a regular basis. He also advised he thought he had a person for but the individual accepted another position. He stated he thought Jesse McKeehan might be a good candidate as well; he is a co-owner of Timberline Builders and is a Chamber of Commerce member.

T. Erwin reported on the Parks Committee meetings. He stated they wished to renovate Phegley Park, landscape, clean it up and paint. He acknowledged Morrow to Morrow's previous help with the park. A representative from Duke Energy would do a walk through at the park on Wednesday; he stated he was hopeful a donation would be forthcoming. He advised more information would be provided. Terry Erwin also stated he liked the idea that Isaacs-Niemesh proposed on the Code of Ethics, adopting the same code the police and employees currently have. Isaacs-Niemesh commented and stated she thought that was where Council should start. Terry Erwin asked if the Council and Village were exposed as indicated on the letter he and others received from Thompson and subject to be sued. Oda explained legal ramifications. He stated our elected officials are not held personally liable for decisions they make as Council members when acting in the ordinary course and scope of their position. He gave details of the law.

Mayor Erwin reported he spoke with the County regarding a Comprehensive Plan for the Village which has been discussed over the last year. He advised he met with Stan Williams. He stated the Village was a member of the Regional Planning Commission and would pay no more than \$5,000, mostly for the materials for the development of a plan; the County would take care of most of the cost. He asked Chief Kilburn for comment. Kilburn advised Council to take a look at Harlan County's progress on their Comprehensive Plan which is coming along well; he felt both entities should work together. Kilburn stated he would advise Morrow Council of the next open public meeting for Harlan Township to discuss Comprehensive Plan; anyone can attend. Kilburn stated Harlan Township brought several people in; they toured Salem Township and Morrow. They liked what they saw and spoke highly of Morrow. The Mayor advised there were dollars available. He stated the original plan was written in 1979 and discussed the area and need for an up-to-date plan. The Mayor stated Morrow was a tourism and *bedroom* community. He advised the entire town could have input on the plan. Discussion followed. The Mayor stated a Resolution was needed to move forward. McKeehan stated Council needed to move forward on the plan. Oda provided the verbiage for the Resolution

Motion by McKeehan to adopt Resolution #2-12, authorizing the Mayor to enter into contract with Warren County, not to exceed \$5,000 to revise and update the Comprehensive Plan for Village of Morrow; second by Neal. Oda explained the requirements and stipulations regarding three readings or emergency passage. He stated a Resolution or Ordinance goes into effect thirty days after passage. If passed on an emergency basis, the Resolution or Ordinance goes into effect immediately. McKeehan stated he did not feel it was necessary to suspend the rules. Discussion followed regarding the time line for the plan preparation. The Mayor stated work on the plan by the County would start May 13, 2012. Neal noted in this case, the passage would not occur until the end of May. Isaacs-Niemesh asked what fund the money would be taken from to pay for the plan. McKeehan asked if everyone felt it was important to update the Comprehensive Plan. All responded yes.

Motion by Terry Erwin to suspend the rules and waive three readings of Resolution #2-12; second by Zorn. Motion failed, four yea, two nay, Thompson and Isaacs-Niemesh. First Reading of Resolution #2-12 was completed.

Mayor Erwin advised the Village Water Plant requires a Class I Operations License for operation of the plant. He stated former Administrator Wade recommended an individual to fill the Water Plant operating requirements, work she previously performed. He stated an Ordinance was needed to enter into contract with Phil Kauffman who is performing the work now. The Mayor stated, by law, the Village is required to have someone here 3 ½ hours. He advised Mike Hannah is doing the daily operation. Sixty percent of Ward's salary was for the water plant. Discussion followed. The Mayor stated Ward spoke with several people before making the recommendation. Isaacs-Niemesh asked if Ward got any other quotes. The Mayor advised the gentleman would work 3 ½ hours a week which is the minimum by law. He would receive \$750; it would be a month-to-month agreement. Oda recommended Council pass it on an emergency basis.

Motion by Zorn to suspend the rules and waive three readings for Ordinance# 2-12; second by Neal. All yea. Motion by Neal to adopt Ordinance #2-12, to enter into contract with Phil Couffman to provide water services for \$750; second by Zorn. All yea.

The Mayor advised the Police requested an impound lot. He asked Oda to look into the requirements for setting up an impound lot for the Village of Morrow. Authorization was also requested to list one police cruiser taken out of service on Gov Deals for sale. Oda advised a Resolution was not required to sell Village property under \$10,000.

Motion by Terry Erwin; second by McKeehan to list the cruiser for sale on Gov Deals. All yea.

Mayor Mike Erwin discussed the feasibility of an emergency water connection at the west end of town with Western Water to protect the Village's ability to provide water in an emergency situation. He stated Western Water has the pit and master metering valve; there would not be a charge for connection. The valve would go in both directions. The Village's third well could be brought on line and the Village sell to Western Water by way of an agreement between the two entities. McKeehan explained. Yorkie Bryant requested to address the matter; he stated the Village does not want to lose its system. He provided information, stating when the Village hooks into Western Water, it may be setting itself up for problems and higher costs. Bryant stated he was afraid the Village would be taken over by them. Discussion followed. The Mayor asked Bryant if he would be willing to pay a utility to get the Village Water Plant's third well up to code. The Mayor advised the Village did not have the money to upgrade and rebuild the system we own. He stated he would like to upgrade the plant; that's a cash cow. There is the potential of earning \$30,000 a month. The Mayor advised the Village has lost income tax revenue. He stated without the water, we have nothing; we can't get rid of the water. Mr. Bryant stated he would not want to get rid of the water. Zorn advised he looked at this as plan B, an emergency only back-up system. He stated a Resolution or Ordinance should be enacted. Isaacs-Niemesh asked to table it. Oda stated Western Water has engaged in scorched earth litigation with municipalities and used federal litigation to void other contracts. The Mayor advised there is an option if the residents will pay for upgrades on the system.

Water increases were discussed. Isaacs-Niemesh and McKeehan gave statistics and historical information. Isaacs-Niemesh advised water rates had only been increased fifty cents in thirteen years. McKeehan stated in six years, several recommendations to raise water rates have been made to Council. The Mayor stated we will look into this a little further. We need to upgrade and not have EPA shut us down in the future.

The Mayor stated we have 2 million gallons of water unaccounted for on the system and if the Village purchased the water, the Village would pay for the 2 million gallons of water. He advised the Village would see improvements; the new operator is finding water system problems. Residents pay for upgrades, we could sell more water and bank that money. Mr. Gilbert commented that previously, the pit was run across the road,

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blocking the Village from going out. Zorn asked if Council could have someone from Western Water come in to speak. Bryant stated Western's water is clean, but the cost is higher; Morrow water has some lime. The Mayor advised within ten years, the plant must be replaced.

Oda advised bonds needed to be switched out for Nathaniel Development for The Woodlands for erosion control, sidewalks and streets. He stated the development was moving the Surety Bond from Merchant's to PNC Bank; bonds are irrevocable letters of credit. He stated an Ordinance was needed, authorizing the bond substitution for sidewalks, etc. Discussion followed. Oda advised there was no impact to the Village.

Motion by Neal to suspend the rules and waive three readings of Ordinance# 3-12; second by Terry Erwin. All yea. Motion by Neal to adopt Ordinance# 3-12, authorizing Surety Bond substitution for The Woodlands of Morrow for irrevocable letter of credit for erosion, sidewalks and streets; second by Terry Erwin. All yea.

Mayor Erwin stated a new credit card was needed to replace a Sam's Credit Card, formerly held by the previous Administrator Rhonda Ward. The Mayor advised inadvertently Ward was actually responsible for the card used to purchase Village supplies and that needed to be corrected. Fiscal Officer Kathie Koehler stated a new application would need to be submitted to First National in Morrow. Neal asked if the card was paid every month. Koehler responded yes. Oda stated an Ordinance was needed to enter into agreement with First National Bank for a credit card.

Motion by McKeehan to suspend the rules and waive the rules for Ordinance # 4-12; second by Neal. All yea. Motion by McKeehan to adopt Ordinance# 4-12, authorizing Mayor to enter into contract with First National Bank for a credit card for Morrow Village; second by Neal. All yea. (Zorn was excused from the meeting prior to the vote.)

Koehler requested a Resolution to increase appropriations in the Fire Fund for \$1,250. She stated it was necessary to purchase a radio for the siren on top of the building. Thompson asked for clarification, The Mayor explained the siren alarms the first Wednesday each month; it is operated by radio. The radio is broken and needs to be replaced; emergency alert is required. The cost would be around \$250. A Resolution is needed, authorizing the Mayor to purchase a radio for the siren, adjusting line item 2401.

Motion by McKeehan to suspend the rules and waive three readings of Resolution# 3-12; second by Neal. All yea. Motion by McKeehan to adopt Resolution# 3-12, authorizing the Mayor to purchase a radio for the emergency alert siren, adjusting fund line #2401; second by Neal. All yea.

Koehler requested an Ordinance to decrease appropriations fund 4202 by \$89,553.94 for OPWC Well #3 to \$0. Oda gave explanation. He stated Morrow has an appointed Fiscal Officer which requires approval by Council to increase or decrease or adjust appropriations.

Motion by Isaacs-Niemesh to suspend the rules and waive three readings for Ordinance# 5-12; second by Terry Erwin. All yea. Motion by Isaacs-Niemesh to adopt Ordinance # 5-12, decreasing annual appropriation fund from \$89,553.94 to \$0; second by Terry Erwin. All yea.

Koehler requests approval to renew \$50,000 Certificate of Deposit currently earning 4.17%, expiring February 16, 2012 for one year only for 1% interest. Motion by McKeehan to approve renewal. All yea.

Standard Bank Reconciliation Reports by Fund and Fund Summary were provided from January 1, 2012 to February 5, 2012.

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Koehler also reported the audit by Millhuff-Stang was completed in four days. McKeehan stated that was a testament to Koehler's work. He applauded her efforts.

Approval of Disbursements

Motion by Isaacs-Niemesh to pay the bills; second by Neal. All yea.

Oda completed the third reading of Resolutions #25-11 for Comdoc copier services agreement. Motion by Isaacs-Niemesh to adopt; second by Neal. All yea.

Public Forum

The Mayor opened the floor to the public. Mr. Bryant reported on Morrow of Tomorrow. He stated he wanted to thank the Village; they have been a big help to Morrow of Tomorrow. He advised Merilene Skaags worked with him to arrange for the Morrow to Morrow building, monies and land be granted to the Village of Morrow if anything should happen to Morrow of Tomorrow, such as it goes broke or other. He stated the arrangements were changed through an attorney. He stated he believed the Mayor, Council members, Police and all Village personnel are doing a good job. Mr. Bryant stated there was good activity on Main Street. A new flower shop is in town; he stated he purchased two bouquets and they were very nice. He also advised a lady rented another section of that building on Main Street for business.

Bryant reported the Circus is coming to town on May 5, 2012. He stated the school is 99% sure Morrow of Tomorrow can use Welch Road behind the football field for the circus. He advised that the County offered the Park, but parking is a problem. He also stated if Morrow to Morrow has a carnival in 2012, it will be in September. He advised Morrow of Tomorrow always had a festival and solicited Council's help. Bryant stated each year Morrow of Tomorrow provides a scholarship. Merilene Skaggs stated she hopes the school band will perform. The Mayor expressed his appreciation to them for granting the Village of Morrow the rights to Morrow of Tomorrow. He stated it is really significant. He also applauded their efforts in the community. The Mayor stated he wants to strengthen the bond with Morrow of Tomorrow.

Adjournment

Motion by Terry Erwin to adjourn; second by Neal.

Kathie Koehler, Fiscal Officer

Mike Erwin, Mayor