

## Regular Session of Village Council

November 8, 2016

### **Call to Order**

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

### **Roll Call**

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

Kiley Dane – P

Isaacs-Niemesh – P

Judy Neal – P

John Poe – P

Benjamin Steiner – P

William Thompson – P

### **Approval of Minutes of Previous Meeting**

Council reviewed the minutes of the previous meeting. Motion by Councilwoman Isaacs-Niemesh to approve the minutes of the October 11, 2016 Regular Session with necessary correction; second by Councilman Thompson. All yeas by roll call.

### **Luanne Cain / Attorney Ron Smith**

Mrs. Cain, a resident of 350 east Pike Street in Morrow provided historical information on surrounding property and introduced Attorney Ron Smith. She stated her property was at the corner of Route 123 and Lincoln Street. The alley in question runs from Route 123 in front of the church, behind Jane's Upholstery to the rear of her property. She advised she and her husband maintained the alley since occupying the property. Luanne Cain requested the Village abandon the alley and deed half to her and husband. The Mayor asked about the other half. Cain stated that half could go to the Park. Thompson asked if a Public Meeting was required. Attorney Smith commented when an alley is abandoned adjacent properties take the mid-point. He stated if the other half is not taken they would be happy to take it and deferred to Solicitor Kaspar who responded to Thompson's question. Mrs. Cain provided a drawing of the area in question and explained the current use and dead-in. Councilmembers asked questions about fencing and size of the area. Cain pointed out the Water Plant on drawing. Discussion followed on egress for neighbor and Church. The Mayor posed a question regarding alleys. Attorney Smith stated the one alley behind Cain's property. Isaacs-Niemesh asked what the main concern was at this time. Cain stated the parking lot for Veterans Memorial Park was installed without a building permit or variance. Councilman Steiner asked if there was an alternate route into the park. The lawyer responded it won't affect egress into the park.

Isaacs-Niemesh advised she needed to walk the park in the daylight. Attorney Ron Smith stated Mrs. Cain approached the prior Zoning Inspector and was advised a permit was not required. He also provided reasoning as to why a permit could not be obtained by the Village; he stated the process was not followed with the parking lot. Discussion followed. Thompson wished to discuss the alley separately. Kaspar commented on vacating the alley and requested time to review the matter. He discussed the remedy and practicality of the parking lot issue. He stated there are two matters to review separately. Attorney stated they are two distinct issues; with regard to a remedy, abandonment of the alley is not an A Plus solution but would give the Cain's separation from the parking lot. Discussion followed. Cain stated the parking lot was completed March 30, 2016.

Motion by Isaacs-Niemesh to table the matter to the next meeting for an opportunity for research by Solicitor and viewing of area by Council; second by Councilman Poe. All yeas.

Thompson stated he had no problem with abandonment of the alley; he wanted to follow proper procedure. Discussion followed. Cain stated she wanted a remedy; currently, her property value is affected. Attorney Smith commented on the procedure.

### **Reports / Legislation from Village Officials**

The Mayor reported on *Christmas on Main Street* scheduled for November 26, 2016 at 6pm, discussed refreshments and advised Santa would arrive on a fire truck. Fiscal Officer Nichole Knell stated Pet Smart donated stuffed animals that could be distributed to the

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children at the November event. Mayor Bryant requested input regarding the title for a Saturday, December 10 activity for the community. Council agreed on *Christmas in Morrow Event*. He discussed preparation and logistics with participation from Council and Village staff members. The Mayor advised the event would be free; his son Richard would donate hot dogs, Pat Davidson in Corbin would roast a hog and the vocational school is cooking turkeys.

Mayor Bryant referred to the previous month's discussion regarding Park Board funds. He provided a copy of a cancelled check of a 2012 donation of \$1,000 from *Morrow to Morrow*. Discussion followed.

Thompson discussed Christmas decorations. He advised Barbara Thompson, Cindy Wilmot, Nichole Knell and Bonnie Campbell sorted the stored decorations from the Village garage and devised a plan. Discarded items were donated. Help is needed after Christmas to take the decorations down in the Village.

Poe discussed street lights concerns; he advised a neighbor Odell Bryant had a lamp out and George Bocklett wished his light turned off. The Mayor noted several street lights were out. He stated Poe should take care of the matter and Council would back his decision. Poe also advised after riding on the Bike Trail, Jack Horner appeared ill upon entering his shop some time ago. Mrs. Poe determined help was needed from the Fire Department EMT. Poe read a thank you from Mr. Horner which was accompanied by a \$100 donation to the Village. Poe suggested the donation be earmarked for Christmas candy the Fire Department would distribute. Knell stated the funds will need to be appropriated before donation. Kaspar explained why a Resolution was needed.

Neal on behalf of the Historical Society thanked the Village for storing artifacts at the Village facility. She advised all items were removed except one display cabinet.

### **Public Forum**

Randall Bundy, a new resident of the Village, stated the small town atmosphere of the Village of Morrow was refreshing; he was formerly a big city dweller. Neal commented on his connection with the Randy Osbourne family. The Mayor welcomed and thanked him for his comments Discussion followed.

Bruce Miller stated on Saturday, October 22, there was rusty water throughout the Village. The Mayor advised one pump at the plant was down; he explained the situation and notification of the problem. He stated we operated from one pump; it came back up to normal level within 12 to 15 hours. An 8" steel pipe which burst in the building was repaired. Thompson advised when the pipe burst, water ran backwards causing disruption in pipe line. Miller asked if the alarm was ignored. The Mayor responded no. Bruce Miller asked if overpayment to prior Public Works employee Erwin was repaid and who authorized payment. Solicitor Kaspar advised we cannot comment on litigation.

### **Reports / Legislation from Village Officials Cont'd**

Reports provided to Council included Mayor's Court Report and Bank Reconciliation, Village Fiscal Revenue Status by Fund Summary, Bank Reconciliation and Disbursements. Knell stated estimates on electric bill and other line items were on page 3.

Fiscal Officer Nichole Knell requested appropriations adjustments, increase of \$268 in General Fund for Flood Insurance, move funds for Duke Energy Street Light billing, \$253.46 and \$147.98, \$1800 for electric and gas billing, \$1200 to install a swing set at Penders Park to replace old one with rotted pipe (Public Works Mike Bryant would install.) and \$100 increase in appropriations in Fire & Life Squad Fund.

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Motion by Isaacs-Niemesh to suspend the rules and waive three readings of Resolution #23-16; second by Steiner. Motion by Isaacs-Niemesh to adopt Resolution #23-16, approving adjustments in appropriations as outlined; second by Steiner. All yea by roll call.

Knell explained Appropriation Summary Sheets provided and explained year-to-date column of expenditures in General Fund. She provided overhead projection and explanation of various line items. She stated the overage estimate of \$18,708 includes a new police cruiser and employee raises for 2017. She explained the Village has a fund balance to cover it if the decision is made. Street Fund Receipts were highlighted at \$58,135 as well as Expenditures. Knell stated Morrow Blackhawk Road includes a match of \$20,000. She noted information from Shawn Campbell of Jones Warner Consultants was used to make decisions on Water Operating line items in the preliminary Budget. Isaacs-Niemesh asked where the budget stands now for 2016. Knell stated she would review and send an email on the General Fund. She advised some cost savings will ensure we are close. Thompson asked about the titles for the Bike Trail property. Knell stated we received deed and a check.

Kaspar gave the second reading of Ordinance #3-16, adopting the Personnel Policy Draft. Isaacs-Niemesh questioned highlights for policy changes. Knell responded.

Poe stated the Village Market is closing per the web site; he verified with the owner. He asked if anything had come before the Planning Commission. Knell stated they have not approached the Village.

**Adjournment**

Motion by Isaacs-Niemesh to adjourn; second by Neal. All yea.

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Nichole Knell, Fiscal Officer

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York Bryant, Mayor