

The Regular Meeting of the Apple Creek Council called to order on April 2, 2108 by Mayor Betty Keener with the following council members answering to roll call:

Rick Conrad-present, Mike Harwood-present, Rodney Mackey-present, Robert McCarthy-present, Charlie Lewis-present, and Steve Stoffer-present.

Councilperson Lewis made a motion to approve the minutes of the March 19, 2018 meeting, as always, they are available for the public to review. The motion was seconded by Councilperson Conrad. Roll call was as follows: Councilperson Lewis-yes, Councilperson Harwood-yes, Council President Mackey-yes, Councilperson McCarthy-yes, and Councilperson Stoffer-yes.

VISITORS: Bob and Linda Hartsell were present. Mayor Keener stated we invited them to the meeting tonight. Giving council an update, they have a unique situation in building their home and requesting water from the Village as they are out of the corporation limits. They paid the out of town hook up fee of \$3,500, and because of their situation all the work was done on private property by their contractor they hired. Our solicitor, Jeff Musselman stated that they were not tapping at the road like normal. They are asking for a portion or all of their paid fee to be refunded. They had a \$2400.00 additional cost. Linda stated McKee was recommend to them by the Village. This \$2400.00 was just for the tap in and the line to be run to their house. Mayor Keener reported when Bob and Linda came to the water & sewer meeting we discussed in town rates and out of town rates. We did not know at that time the T connection was on private property. The solicitor stated council has any flexibility they want. They can do zero refund, partial refund, no refund, or bounce it back to water & sewer. Mayor Keener stated the tap in fee isn't just for tap in. The rate was established by former water & sewer committee or the BPA. The tap in fees are also used for water line repair and other things like that. Mike Harwood stated it has always been his take that the tap in fees we charge are to much just for the blessing of having the Villages' water. He is favor of a refund. Mike thinks it would be fair to go from out of town rates to in town rates. Steve Stoffer stated if he was to build a house out at the allotment I would have to pay a tap in fee and I would pay the contractor to put in the line to the house just like everybody else does. If I build a house on Spring Run I would pay a contractor to put the line in and a tap in fee. Everybody out there would have paid the tap in. Rodney Mackey stated that is not the question at this time. Steve Stoffer stated just give them the intown rate.

Councilperson Harwood made a motion to reduce Bob and Linda Hartsell tap in fee from \$3,500 to \$2,500. The motion was Seconded by Robert McCarthy. Roll call was as follows: Councilperson Harwood-yes, Robert McCarthy-yes, Councilperson Conrad-yes, Council President Mackey-yes, Councilperson Lewis-yes, and Councilperson Stoffer-yes. The check will be written on April 16 with the next set of bills.

Joe Rabatin, East Union Twp. Trustee was present to discuss the bridge on Bank St. The discussion was who is to take care of the bridge. The county takes care of the actual bridge, but who is to maintain the approaches. The map that Joe Rabatin brought in shows it is in the Village. The Mayor advised Mr. Rabin that we will do our homework and let the township know.

POLICE: Chief Woodruff was present. Jason gave a recap of what Lexipol does for the Village. Lexipol is for the police department policy and procedures. It does not interfere with any of the Village's Ordinances. It addresses the operation of the police department. Lexipol does give the Village a discount on our insurance premium and this year the insurance will reimburse the Village 30%. Councilperson Stoffer made a motion to approve the Lexipol. The motion was seconded by Councilperson Conrad. The roll call was as follows: Councilperson Stoffer-yes, Councilperson Conrad-yes, Councilperson Harwood-yes, Council President Mackey-yes, Councilman McCarthy-yes, and Councilperson Lewis-yes. Jason reported the Escape is not working correctly. It is acting like it is overheating.

PARK: Councilperson Stoffer reported the Easter Egg hunt was successful. Little muddy but the kids had a great time.

STREETS AND MAINTENANCE: Solicitor Jeff Musselman reported technically the property owner is responsible for the trees in the right of way, but the Village or the utility companies can remove or trim the trees. The general rule is the property owner is maintaining the trees.

Mayor Keener reported we have two residents who are building on Shannon Dr. They don't like their ditches but we have come to a conclusion to allow a specific size rock with geo textile liner. This would keep the weeds out and still let the water runoff. A drawing of the ditches was handed out to show the depths on Shannon Dr. We want to maintain the depth and flow. With the rain and snow we have had there is no standing water. Councilperson Harwood reported there is just a little bit of standing water, as you are looking at his house to left of him. Councilperson Harwood reported there used to be lots of mosquitos and flies. After other houses were built it has gotten better. Once all the building is done on Shannon Drive the whole street will be resurfaced. There is only one open lot on the street. Mayor Keener stated the Ordinance is not exactly what the owners wanted, they wanted to fill in the ditches and we cannot allow that. If they put in rocks and the ditch is seven inches deep then after the rocks are in it still needs to be seven inches deep. They need to maintain the same depth.

**First Reading of Ordinance 2018-5 An Ordinance Permitting Limited Alternation of Storm Water Drainage Ditches on Shannon Drive and Amending Ordinance 1966-10.**

Second reading will be April 16, 2018.

WATER & SEWER: Flushing hydrants April 18<sup>th</sup> and 19<sup>th</sup>.

JEDD#1: Nothing.

JEDD#2: Nothing.

CORRESPONDENCE: Nothing.

UNFINISHED BUSINESS: Bill Bradish, aggregation from Palmer Energy will be at the April 16<sup>th</sup> meeting.

NEW BUSINESS: Transitioning sick time, vacation and comp time to hours instead of days. A trickle-down effect from the Police Department working 4 10 hour days in lieu of 5 8 hour days.

COMMITTEE REPORTS: Councilperson Stoffer had a flyer about doing flowers in the Village for the summer. It would look nice but don't have anyone to take care of them.

FINANCE:

<b>COUNCIL BILLS 4-2-18</b>				
<b>A11A210 POLICE</b>				
A11A233	MCTV	Telephone		\$92.76
A11A243	Dale James Ford	Repairs		\$83.48
A11A243	Gerber Lumber	Wood		\$252.11
A11A212	Wayne Co. Commissioners	Hospitalization		\$2177.86
			<b>TOTAL</b>	<b>\$2,606.21</b>
<b>A17A240 Mayor &amp; AD.</b>				
A17a233	MCTV	Telephone		\$92.76
A17A241	Friendly Wholesale	Cleaning Supplies		\$160.63
A17A43	John Deere Financial	Strips		\$ 7.99
A17A237	Taggart Law Firm	Solicitor		\$470.00
			<b>TOTAL</b>	<b>\$731.38</b>
<b>B16B240 Streets O&amp;M</b>				
B16B233	MCTV	Telephone		\$ 49.39
B16B245	John Deere Financial	Led Tail light kit		\$50.94
B16B243	Mast Lepley	Brace		\$12.56
B16B212	Wayne C. Commissioners	Hospitalization		\$3014.38
			<b>TOTAL</b>	<b>\$3,127.27</b>
<b>B43A240 PARKS</b>				
B43A243	John Deere Financial	White Paint		\$14.99
B43A243	Gerber Lumber	Yellow Pine Wood		\$9.20
B43A243	Mast Lepley	Clevis		\$3.58
			<b>TOTAL</b>	<b>\$27.77</b>
<b>E15A240 WATER</b>				
E15A242	National Lime & Stone	Stone		\$245.62
			<b>TOTAL</b>	<b>\$245.62</b>
<b>E25A240 SEWER</b>				
E25A233	MCTV	Telephone		\$108.28
E25A241	Engineering Assoc.	Engineering		\$29,200.60
E25A243	Hackworth	Zoeller Pump		\$432.60
			<b>TOTAL</b>	<b>\$29,741.48</b>

MOTION TO PAY THE BILLS: by Councilperson Conard. The motion was seconded by Councilperson Harwood. Roll call was as follows: Councilperson Conrad-yes, Councilperson Harwood-yes, Councilperson McCarty-yes, Council President Mackey-yes, Councilperson Lewis-yes, and Councilperson Stoffer-yes.

Councilperson Conrad made a motion to go into executive session section 121.22 (G)(1) for personnel. The motion was seconded by Councilperson Harwood. Roll call was as follows: Councilperson Conrad-

yes, Councilperson Harwood-yes, Councilperson Mackey-yes, Councilperson McCarthy-yes, Councilperson Lewis-yes, and Councilperson Stoffer-yes. At 7:40 pm.

Councilperson Conrad made a motion to come out of executive session at 7:55pm. The motion was seconded by Councilperson Harwood. Roll call was as follows: Councilperson Conrad-yes, Councilperson Harwood-yes, Councilperson Mackey-yes, Councilperson McCarthy-yes, Councilperson Lewis-yes, and Councilperson Stoffer-yes.

No action from executive session.

MOTION TO ADJOURN: by Councilperson Conrad. The motion was seconded by Councilperson Harwood. Roll call was as follows: Councilperson Conrad-yes, Councilperson Harwood-yes, Councilperson Mackey-yes, Councilperson McCarthy-yes, Councilperson Lewis-yes, and Councilperson Stoffer-yes.

Meeting Adjourned at 7:55 pm.

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Betty Keener, Mayor

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Lauretta Busson, Fiscal Officer