

The Regular Meeting of the Apple Creek Council called to order on July 16, 2018 by Mayor Betty Keener with the following council members answering to roll call:

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

Councilman Conrad made a motion to approve the minutes of the July 2, 2018 meeting, as always, they are available for the public to review. The motion was seconded by Councilman Lewis. Roll call was as follows: Councilman Conrad-yes, Councilman Lewis-yes, Councilman McCarthy-yes, Council President Mackey-yes, and Councilman Stoffer-yes.

STREETS AND MAINTENANCE: Mayor Keener reported last Thursday was the day the village had the CK to video the retention basin on Mr. Arnold's property. The village is absorbing the cost at approximately \$2,000.00. Rodney Mackey and Dale Orr were present during the video process. Dale reported during the video we went down at the retention basin at the Arnold property. Started with the 24-inch pipe, it goes over to the end of the property, then it goes down to a 12-inch pipe at Keith Wellman's property line. It was pretty well clear up the 12-inch point. We found the point the deuteriation of the pipe itself. It has a lot of roots in it and debris. It is a corrugated pipe not a smoothed one. The pipe is not laid in there straight it goes around and up and down. We got down there 250 feet and it was plugged and we could not go any farther. The 250 feet gets you about ½ way down the street between Arnold's basin and the Village's basin at the end of Mill St. This pipe is the higher of the two in the retention basic. The other pipe that is ½ full we could not get down through that one. The pipe towards the stone company no longer goes anywhere. We are looking at just the one pipe coming out of the Arnold's property. Then we went down to where the Village's basin is and tried to go through it from there and they could not. " Mr. Wellman stated basically a 24-inch pipe that went to 12-inch already cut in half so now that's plugged too. It doesn't matter a blockage is blockage. So, the 12-inch pipe was not the right size and blocked now." feels the 12-inch pipe is not going to handle the flow from a 24-inch pipe. Mr. Orr reported the previous land owners put in the pipe not Mr. Arnold and it's behind the fence on private property. Which means it runs on all the property owners on Varnes Dr. which there are 3 owners. Mr. Wellman was this the ditch? Dale- yes, it's the ditch that was filled in by the land owners. The Varnes's did this. President Mackey- this is not a solid pipe, it's pieces where it stopped at 250 feed on the way to that location occasionally you can see where three roots have perfricated and growing inside. That blockage could have happened at 100 feet it just happened to happen at 250 feet. Mayor Keener- that blockage is on private property. Mr. Wellman-not if it's under the road it's not. Mayor Keener-it's not under the road it's on your side of the fence. So, to protect the Village's street, our storm sewer. I just received a quote today to clean that out at \$3,025.00. We need to discuss here and council has to make a motion to absorb the cost so we can keep our Park St. paved. So, we can keep it paved and our storm sewers so we don't get debris and other things and grass clippings from that going into our storm sewer. We will need to speak with our solicitor, need documentation, to come onto private property. In order to do this, we need to some buying in, so to speak, from you three property owners. Maybe not monetary but responsibility maybe in responsibility of making sure three roots don't get in there. If we ae willing to invest almost \$5,000.00 we've got to have support of the three residents at this point in time. At this point in the time, it's the most effective way, and I am just talking about the one issue. We are not talking about the whole flooding, just at that end of town. That is one issue were having to take baby steps. So, we have found its private property, we need to stet up a future meeting in time just for you three residents and our solicitor. So, I am hoping at the next meeting he will be here, which is August 6th. So, I am going to notify our engineers that this quote is not out of the question. I have an acceptance form to sign, but we have some legality's. to put in place. Keith-I will volunteer my time. I had a heavy equipment operator license. If you need me to dig it up across my property. You can have the trees, I hate the leaves. Mayor- there will be no digging, could you explain.

Rodney-they have two pieces of equipment, that's a new version, Dale will you explain. Dale- first one is like a jettier and they come up behind that with a suction tube. Whatever the jettier knocks lose the suction pucks up. They go right up the pipe. So, there's no actual digging. But that's not going to stop your tree roots, this is just to clean it out and get the flow and myself I would like to see it cleaned out once to see if that opening is going to be big enough to handle that flow. Keith-That's my concern. Dale- without spending a whole bunch of money, let's say you put a 24-inch and that 12 would do it, which I don't know. But if we clean it out then we will know if it works or won't Betty-we'll be seeing some solution that's why I was initially willing to spend the money for the video that would tell us abundance of information. There's nothing on records, no easements, no engineering documentation, nothing for what's down there and this would give us some info what's under your property. Keith-did they also run the camera down over on the other side. Remember there are 2-24-inch pipes with one cemented shut and one open. Did they run the camera in that as well? Dale-we tried coming down and come back up through, we could not get up through it because of so much debris. Keith-that's the one that runs toward the back of my property. Dale-that one come up and follows the other one for what we can see. Keith-there's two running another way and they are both cemented shut in the field. That's when Mr. Arnold had that dug up back in August of 2013. When that was dug up I have pictures of it. I walked over in the field to see what if he was fixing the issue. He just put cement in it. One of them was cemented right at the catch basin, you saw it Rodney. One is open here, there was two pipes when they dug that up in the field coming out. Mayor-Keith will you help us inform all the residents of Varnes Drive that we want them to attend a meeting on Monday August 6, 2018 @5:30. Robert Tyler does not feel this will solve the whole issue because it's a temporary fix. Mayor reported this is on private property. Mr. Tyler stated if we dig it up and replace it would it be a permanent solution where this is just temporary.

VISITORS:

Ken Middaugh of 113 High St. was present over water running in his basement. He stated he had \$10,000 dollars' worth of water proofing done to his basement and still has water. There is a catch basin in the back-alley on Telephone alley. Now everybody has their drain pipes running down the back of their houses and it's running to the streets, basically to his back yard. The Village installed the storm sewer a long time ago and everyone is running their down spots to it. The Mayor asked Street Superintendent Dale Orr to take a look at the issue there. Dale will call Mr. Middaugh and get more information and will deal with it later. Also Mr. Middaugh stated he cannot even sit on his porch because of the dirt piles from the stone company. He was advised that is private property.

Robert Tyler was present over the water issue on Mill St. Mayor Keener stated we were told that we did not have an easement but I don't know what that means. Robert Tyler and his wife also stated they don't know what that means.

POLICE: Chief Jason Woodruff was present and handed out his report. He informed council that the dog that bite the individual has been euthanized. Chief read the section of the Ohio Revised Code section 4511.214 and section 4511.215. No person shall operate an under-speed or utility vehicle or a mini-truck upon any street or highway except as follows: Upon a street or highway having an established speed limit not greater than thirty-five miles per hour and only upon such streets or highways where a local authority has granted permission for such operation in accordance with section 4511.215 of the revised code.

PARK: Getting the park ready for Johnny Appleseed days.

WATER & SEWER: Nothing.

JEDD#1: Nothing.

JEDD#2: Council President Mackey reported they had a meeting and discussed the project on Emerson Rd. The commissioners have granted a resource officer to Southeast Local School. Next meetings are Oct 3 and Jan 3, 2019.

CORRESPONDENCE: Nothing.

UNFINISHED BUSINESS: Gas aggregation was updated at a price of 2.99mcf. The contract was signed on Tuesday July 10. Mayor Keener reported that in lieu of a thank you letter to the Methodist church for their efforts in work at Bixler Park that she visited the church during their service and issued a Proclamation to the Apple Creek Methodist Church. She declared July 14 thru 21 as Apple Creek United Methodist Week.

NEW BUSINESS: Ordinance 2018-10 An Ordinance Amending the 2018 Appropriation Ordinance 2017-26 Passed December 18, 2017 and declaring an Emergency.

Councilman Stoffer made a motion to suspend the rules and advance to second and third readings by title only by. The motion was seconded by Council President Mackey. Roll call was as follows: Councilman Stoffer-yes, Council President Mackey-yes, Councilman Conrad-yes, Councilman McCarthy-yes, and Councilman Lewis-yes.

Councilman Stoffer made a motion to pass Ordinance 2018-10. The motion was seconded by Council President Mackey. Roll call was as follows: Councilman Stoffer-yes, Council President Mackey-yes, Councilman Conrad-yes, Councilman McCarthy-yes, and Councilman Lewis-yes.

Ordinance 2018-11 An Ordinance Amending the 2018 Appropriation Ordinance 2017-26 Passed December 18, 2017 and declaring an Emergency.

Councilman Stoffer made a motion to suspend the rules and advance to second and third readings by title only by. The motion was seconded by Council President Mackey. Roll call was as follows: Councilman Stoffer-yes, Council President Mackey-yes, Councilman Conrad-yes, Councilman McCarthy-yes, and Councilman Lewis-yes.

Councilman Stoffer made a motion to pass Ordinance 2018-11. The motion was seconded by Council President Mackey. Roll call was as follows: Councilman Stoffer-yes, Council President Mackey-yes, Councilman Conrad-yes, Councilman McCarthy-yes, and Councilman Lewis-yes.

COMMITTEE REPORTS: Nothing.

FINANCE: Budget hearing in Wooster August 1 @ 11am or August 2 @ 5:30 pm

<u>FUND</u>	<u>REVENUE</u>	<u>EXPENSE</u>
GENERAL	\$472,000.00	\$487,850.00
STREETS	\$162,000.00	\$162,000.00
STATE HIGHWAY	\$5,050.00	4,550.00
PARKS	\$12,300.00	\$12,300.00
MUNICIPAL MT	\$13,650.00	\$13,650.00
LAW ENFORC	\$0.00	\$0.00
DWI	\$100.00	\$100.00
DRUG	\$500.00	\$500.00
POLICE TRAINING	\$750.00	\$750.00
WATER	\$143,500.00	\$110,360.00
SEWER	\$291,900.00	\$290,350.00
SEWER CAPITAL	\$28,500.00	\$27,000.00
SEWER DEBT	\$28,500.00	\$28,500.00
DEPOSIT W & WW	\$800.00	\$800.00
UNCLAI ME FUNDS	\$0.00	\$0.00
PARK AGENCY	\$1,600.00	\$1,600.00
REFUSE AGENCY	\$500.00	\$500.00
COMM AGENCY	\$400.00	\$400.00
TOTAL	\$1,162,050.00	\$1,141,210.00
DIFFERENCE	\$20,440.00	

Council President Mackey made a motion to approve the 2019 Budget. The motion was seconded by Councilman Stoffer. Roll call was as follows: Council President Mackey-yes, Councilman Stoffer-yes, Councilman Conrad-yes, Councilman Lewis-yes, and Councilman Stoffer-yes.

COUNCIL BILLS 7-16-18				
A11A210 POLICE				
A11A212	Wayne County	Hospitalization		\$2177.86
			TOTAL	\$2177.86
A17A240 Mayor & AD.				
A11C230	American Elec. Power	Electric		\$1229.17
A17a231	American Elec. Power	Electric		\$306.35
A17A239	American Legal	Updates		\$42.00
A17A232	Dominion	Gas		\$86.48
A17A236	Whitaker-Myers	Insurance		\$250.00
			TOTAL	\$1,914.00
B16B240 Streets O&M				
B16B231	American Elec. Power	Electric		\$81.35
B16B250	Black Horse	Catch Basin		\$46,650.00
B16B243	Tricor	Supplies		\$48.34
B16B232	Dominion	Gas		\$33.73
B16B212	Wayne County	Hospitalization		\$3014.38
			TOTAL	\$49,827.80
B43A240 PARKS				
B43A231	American Elec. Power	Electric		\$764.17
B43A232	Dominion	Gas		\$29.44
			TOTAL	\$793.61
E15A240 WATER				
E15A231	American Elec. Power	Electric		\$905.61
E15A238	Dean's Backflow	Operation		\$656.40
E15A244	Coshocton	Testing		\$240.00
			TOTAL	\$1,802.01
E25A240 SEWER				
E25A231	American Elec. Power	Electric		\$3947.41
E25A238	Dean's Backflow	Operation		\$3820.60
E25A232	Dominion Gas	Gas		\$74.74
E25A245	Kimble	Trash		\$19.94
E25A244	Coshocton	Testing		\$756.00
E25A243	Tricor	Grease		\$44.45
E25A242	USA Bluebook	Synthetic Oil		\$261.42
E25A243	Wolf Brothers	Flange		\$92.92
			TOTAL	\$9,017.48

MOTION TO PAY THE BILLS: by Councilman Conrad. The motion was seconded by Councilman McCarthy. Roll Call was as follows: Councilman Conrad-yes, Councilman McCarthy-yes, Council President-yes, Council President Mackey-yes, Councilman Lewis-yes, and Councilman Stoffer-yes.

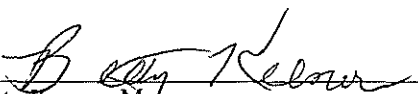
Motion to go into executive session for personnel Section 121.22 (G) (1) by Councilman Conrad. The motion was seconded by Councilman Stoffer. Roll call was as follows: Councilman Conrad-yes, Councilman Stoffer-yes, Council President Mackey-yes, Councilman McCarthy-yes, and Councilman Lewis-yes. At 7:53 pm

No action from executive session.

Motion to come out of executive session at 8:00 pm by Councilman Conrad. The motion was seconded by Councilman Lewis. Roll call was as follows: Councilman Conrad-yes, Councilman Lewis-yes, Council President Mackey-yes, Councilman McCarthy-yes, and Councilman Stoffer-yes.

Motion to adjourn by Councilman Conrad. The motion was seconded by Council Lewis. Roll call was as follows: Councilman Conrad-yes, Councilman Lewis-yes, Council President Mackey-yes, Councilman McCarthy-yes, and Councilman Stoffer-yes.

Meeting Adjourned at 8:00 pm.


Betty Keener, Mayor


Laretta Busson, Fiscal Officer