

Council Minutes  
September 23, 2008

Meeting called to order at 6:30 followed by the pledge.

Attendance Mike Bowling, Terry Seibert, John Boroff, Judy Koesters, Kristina Boroff, April Grunden, Janice Clay, Sara Busacca, Darrell Etgen, Greg Lawrence.

Minutes:

There was a motion by Janice with a second by Sara to waive the reading of the August minutes, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea. There was a motion by Mike with a second by April to accept the August minutes, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

Police:

There was a motion by Mike with a second by Janice to accept the August police report, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

Greg Lawrence discussed the pump at the sewer ponds. One will be able to be rebuilt; he has experience with that type of motor and can get all the parts as they are standard. He suggested buying parts one at a time to do repairs as we could afford them.

Street Commissioner:

There was a motion by Sara with a second by Janice to get the \$200 worth of stone on Dutton Street, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea. There was a motion by April with a second by Mike to get estimates on taking down trees, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea. There was a motion by John with a second by April to approve the report, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

Zoning Board:

The Junod trailer on Market Street was discussed. Darrell asked Judy is zoning is law? She said it is. Darrell showed that in the village officer's handbook the Mayor has authority to enforce all laws in the village. Therefore, the Mayor is authorized to revoke a zoning permit. It also states in the zoning book that the zoning inspector is allowed to ask the Mayor for help with zoning issues. Judy said that the zoning inspector should have revoked the permit since he issued it. There was extensive discussion about the timeline for this issue. Mr. Junod called Gary for a permit; Gary looked at the yard and said that the measurements were not correct, so he went to the Mayor. The Mayor advised that a newer trailer could be moved in where an old one is moved out. Gary issued the permit within a couple days of Mr. June's request. In the meantime, someone called the Mayor and reported that Mr. Junod was moving a trailer in. Then neighbors started complaining and then a council meeting was held. Council reviewed the situation. Mr. Junod pulled out the old trailer. Council decided that the permit had been issued in

error and proceeded to revoke the permit. The Mayor called Mr. Junod right after the council meeting and left a message that the permit had been revoked. Mr. Junod called him back and the Mayor advised him to file an appeal with the zoning board, Mr. Junod wanted to know why the permit was being revoked and why he couldn't move in the newer trailer. The following Sunday, Mr. Junod moved in the trailer anyway. The Mayor put a note in the door of the newer trailer stating again that the permit had been revoked.

There was a motion by Mike with a second by Terry to go into executive session to discuss pending litigation on the trailer issue, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

There was a motion by Terry with a second by John to exit executive session, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

Action will be taken after general discussion about the trailer on Market Street. There was a motion by Terry with a second by April not to accept the counteroffer of Mr. Junod of \$6000 or leaving the trailer on the lot for ten years, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea. There were mixed emotions on how to proceed. Council all felt that \$6000 was too much. Terry would be willing to up our original offer of \$2000 and if he declines this offer we will take the next step. Mike feels the same; Janice doesn't want to offer any more money. Terry would offer more money to offset any losses to the village that might occur by going to court. Judy feels that Mr. Junod is making a living off the village with his rental properties so why doesn't he keep up his properties and be a better neighbor? No such offer was given by Mr. Junod. Darrell feels that Mr. Junod would want to have a zoning book and know the rules and procedures for keeping properties in the village. There was a motion by Janice with a second by John to offer \$3000 to be paid half up front and the other half after the trailer is gone, give 30 days to remove the trailer, this is our final offer and Mr. Junod has 10 days to make a decision, roll call: John – yea, Mike – yea, Sara – nay, Janice – yea, April - yea and Terry – nay. Darrell said that we have given Mr. Junod so many chances already on utility bills, etc., on his rental properties and legislation had been changed because of him.

The Mayor appointed Darrell to the zoning board; council gave their okay. There was some discussion about making zoning more user friendly and procedures for issuing zoning permits. This issue was tabled for now.

#### New Business:

The park name was discussed briefly; some council members felt that we should move on from the idea of Pirate. Other options were discussed, but the issue was tabled.

Trick or treat was set for Saturday October 25 from 4:00 to 6:00 with costume judging at the fire department.

#### Old Business;

We would like to see a cost estimate on the flags for Main Street.

There is \$8000 in next year's budget that could go towards the purchase of a dump truck. The Board will discuss what kind is needed at their next meeting.

Legislation:

There was a motion by Sara with a second by April to approve resolution 2008-05, the Mercer County solid waste management plan, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

There was a motion by Mike with a second by John to vote on emergency resolution 2008-06, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea. There was a motion by Terry with a second by Mike to vote on passage of resolution 2008-06 accepting the local government amounts and rates, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

There was a motion by Janice with a second by Mike to approve resolution 2008-07, accepting the amounts and rates and certifying the necessary tax levies, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

There was a motion by Terry with a second by April to approve the August checks roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

There was a motion by April with a second by Terry to approve the clerk's mileage for August, roll call: John – yea, Mike – yea, Sara – yea, Janice – yea, April - yea and Terry – yea.

There was a motion by Mike with a second by Sara to adjourn.

---

Sara Busacca – Council President

---

John Siano – Mayor

---

Kristina Boroff