

UHRICHSVILLE CITY COUNCIL
Monday, November 25, 2013

President Mick Donato called the meeting to order at 7:00 PM.

ROLL CALL showed the following members present: Mrs. Cottis, Mrs. Davis, Mrs. Mick, Mr. Peterson, Mr. Stewart, Mr. Gyurko and Mr. Haney.

The Pledge Allegiance was led by Council Clerk Amy Myers.

MINUTES: of the last meeting, November 14, 2013, were accepted as presented on a motion by Mr. Gyurko and a 2nd by Mrs. Cottis; ROLL CALL: Mrs. Cottis-yes; Mrs. Davis-yes; Mrs. Mick-yes; Mr. Peterson-yes; Mr. Stewart-yes; Mr. Gyurko-yes; Mr. Haney-yes.

VISITORS:

Bob Baker; everything moving forward for the Tree Lighting Ceremony, December 8th @ 7:00 p.m. at Mako's Market.

Glen, Ashley and Cindy Vickers Owners of Freight Station/Oven Works; were presented a Certificate of Recognition for Business of the Month for November by Council Linda Davis and Gayle Mick.

The Freight Station -Oven Works is owned and operated by the Vickers Family, 401 N. Main Street; Tom & Cindy Vickers raised four wonderful children in the Twin Cities and are happy to give back to the community. The Freight Station has a full menu and is open Tuesday through Thursday 4-9; Friday and Saturday -10; Congratulations to the Freight Station.

Don Quicksall, W.E. Quicksall and Associates; presented the general engineering agreement for the 2014 year; they have been contracted since 2004; last year the budget was for \$10,000 but only spent a little over \$2800; President Donato asked what they billed us for and Mr. Quicksall thought it was funding application work; Mr. Peterson asked if the same people would be working with us, Mr. Quicksall said yes; President Donato asked if we needed a Storm Sewer Meeting next month, Mr. Quicksall said the Storm Sewer is done and the Mayor added yes; Mr. Haney walked Eastport Avenue with some Quicksall people and it is too late for ODOT funding for this year; Mr. Gyurko added he is really happy with work and they are always available for questions; Law Director Brett Hillyer would like to review the contract.

ADMINISTRATIVE REPORTS:

Mayor Culbertson

- He and the Auditor Mrs. Dunlap went to a hearing at Southern District Court, met with the lady from RITA, their legal counsel; need to set up a meeting with her to discuss pursuing criminal action against those that owe back city taxes. The Mayor said he did have a couple come in and pay \$12,000.00.
- Haverfield Memorial Service will be December 7 @ 7:55 a.m.; Darryl Hicks who is a Vietnam Vet he is paying for flags which is \$300 per year; Mayor talked to Elk Trustees and they will pay for new flags every other year.
- There is an ordinance in the books about hiring police office up to the age of 72; needs to be looked at; there is a young lady staring tomorrow; Officer Doug Hines is off again and is very sick.
- Ribbon cutting ceremony for the Trail at noon, will be in the middle of the bridge along with Dennison Mayor and Santa Clause will be cutting the ribbon; same day as parade.
- Police car 11 (newest) there is a knock in the engine; asking council to approve spending \$1500 to allow switching engines from the 09 police cruiser.
- The resolution about bridges needs to be passed tonight; Dennison already passed theirs; we need to get this to the county commissioners by next week; Mr. Stewart asked if the commissioners have taken a stand-Mayor said they will have an opinion but didn't tell which way; Mr. Peterson did some research and spoke to Mr. Bachman; (Mr. Peterson's questions are in bold italic; Mr. Bachman's answers are in italic only)

Why and when did the county start doing the inspections on the bridges of Uhrichsville?

He didn't know why or when they started but they were being done when he became county engineer.

Why are you going to stop doing the inspections and start having the city do them?

Because of all the cuts that have taken place in the budget and the fact that the bridges do not belong to the county; 22 total will no longer be inspected.

When did you start to think about not doing the inspections?

2 or 3 years ago I was informed by ODOT that the shared bridges (between Uhrichsville and Dennison) did not belong to the state. Also the bridges completely in the Uhrichsville city limits definitely belong exclusively to the city.

Do other cities take care of their own bridges?

Yes, New Philadelphia and Dover take care of their own.

Who inspects bridges for the county?

He has certified worker who does it and he also hires a consultant who does them. They switch back and forth on the bridges that they do, so that they get two opinions on the bridges every other year.

What is your cost to do a bridge?

He can get an annual inspection done for under \$500.00; The 5 year inspections are more expensive. If a super truck is available from ODOT he can get it done cheaper but if not, he has to rent a super truck from Orrville for about \$2000.00 per day.

If the city doesn't want you to stop inspecting the bridges, what happens then?

He contacted his legal department and turned it over to them; but according to ORC the entity that owns the bridges is responsible for the inspection and maintenance of their bridges. They will forward the information to the state and they will handle it.

Is there any chance or scenario that could come about that the county would keep doing at least the inspections?

No, he has alot of roads and bridges that he is responsible for and cannot keep doing jobs that are not the counties responsibility. Plus if the maintenance is not going to be done.

The Mayor doesn't think it s right just to drop it on us like this; Law Director Mr. Hillyer sat down with Kerry Metzger; if the bridges touched or intercepted a highway but doesn't have any statute if they were former highways; Mr. Haney had the same conversation with Mr. Bachman; Mr. Gyurko said he will vote for the resolution to be passed and more than year from now will we be going to court and someone will be injured on one of these bridges and the city will be sued;

City Services Director, Mr. Bollon;

- Wants to welcome new Law Director Brett Hillyer who was sworn in last week;
- Starting in January he will be meeting twice a month with department heads.
- Happy Thanksgiving to everyone.

Law Director, Mr. Hillyer; gave council clerk his Oath of Office and election results. He will be pursuing the bridge issue and there are two attorneys in his office working on this, himself and Dennison Law Director J.J. Ong.

- Met with Mayor and Mr. Bollon and discussed the delinquent tax issue; will be prosecuting about 15 tax cases a week. Mr. Stewart asked if the how much of that money does the city get to keep; Mr. Hillyer explained we get all of it and the court keeps their court costs;
- Introduced Travis Collins, Assistant Law Director; lives in Dennison and has an office in Cadiz; Mr. Collins is staying until end of January; Mr. Collins also coaches the Claymont Mock Trial team.

Jody Dunlap, there is a resolution to transfer money from the Finance Committee.

Susan Peters, absent.

Correspondence, Council has been invited to the Trinity Twin City Hospital Wreath Extravaganza.

Committee Reports:

Mrs. Cottis; nothing.

Mrs. Davis; nothing.

Mrs. Mick; nothing.

Mr. Peterson; nothing.

Mr. Stewart, Finance Committee met this evening prior to council and has an ordinance to transfer money.

Mr. Gyurko, wasn't there supposed to be a meeting with Barry Williams? The Mayor said he had to reschedule because of the Finance Committee meeting, it has been changed to December 19. The Mayor also said we need to appoint 3 new members to the Zoning Board for next year.

Mr. Haney, asked if the Mayor made a motion to approve the expense for the police cruiser? The Mayor said yes he needs that passed tonight;

1st Motion was made by Mr. Haney to approve the expense of \$1600 to repair the police cruiser; 2nd made by Mr. Stewart; ROLL CALL: Mrs. Cottis-yes; Mrs. Davis-yes; Mrs. Mick-yes; Mr. Peterson-yes; Mr. Stewart-yes; Mr. Gyurko-yes; Mr. Haney-yes.

Old Business:

Mrs. Cottis; nothing.

Mrs. Davis; nothing.

Mrs. Mick; the recycle bins behind the Freight Station is a mess; the Mayor said there are two options keep them or get rid of them; Mr. Bollon says we can temporarily remove them or put where there is a fence.

Mr. Peterson; your gonna get some calls about removing the recycling bins there are people that are doing it the right way; also there will be a free Thanksgiving Dinner on Thanksgiving beginning at noon and they deliver.

Mr. Stewart; nothing.

Mr. Gyurko, agrees with Joel, you don't reward the good we punish them.

Mr. Haney, we had this same discussion about 2-3 years ago and people keep abusing it.

NEW BUSINESS:

Mrs. Cottis; December 7 @ 7:55 a.m., program has Les Roth, Pearl Harbor Survivor and there will be a breakfast afterwards at the First United Methodist Church.

Mrs. Davis; nothing.

Mrs. Mick; nothing.

Mr. Peterson, nothing.

Mr. Stewart, nothing.

Mr. Gyurko, nothing.

Mr. Haney, he walked the trail it is very nice, it's 1.1 miles..

ORDINANCES/RESOLUTIONS:

ORDINANCE 1705

A RESOLUTION OPPOSING THE LEGAL POSITION OF THE TUSCARAWAS COUNTY ENGINEER THAT THE RESPONSIBILITY TO INSPECT AND REPAIR BRIDGES LOCATED WITHIN THE CITY OF UHRICHSVILLE, OHIO IS NO LONGER HELD BY THE TUSCARAWAS COUNTY ENGINEER'S OFFICE.

1st Motion to Suspend made by Mrs. Cottis; 2nd by Mrs. Davis;

ROLL CALL: Mrs. Cottis-yes; Mrs. Davis-yes; Mrs. Mick-yes; Mr. Peterson-yes; Mr. Stewart-yes; Mr. Gyurko-yes; Mr. Haney-yes.

1st Motion to Adopt made by Mrs. Cottis; 2nd by Mrs. Davis;

ROLL CALL: Mrs. Cottis-yes; Mrs. Davis-yes; Mrs. Mick-yes; Mr. Peterson-yes; Mr. Stewart-yes; Mr. Gyurko-yes; Mr. Haney-yes.

ORDINANCE 1706

A RESOLUTION AUTHORIZING THE CITY AUDITOR TO PERFORM AN INTER-FUND CASH ADVANCE TO TEMPORARILY ALLEVIATE THE BOND RETIREMENT FUND BY RANSFERRING MONEY FROM THE STORM SEWER ASSESSMENT FUND TO THE BOND RETIREMENT FUND WITH REPAYMENT TO OCCUR BEFORE THE FIRST OF JULY, 2014.

1st Motion to Suspend made by Mrs. Cottis; 2nd by Mrs. Davis;

ROLL CALL: Mrs. Davis-yes; Mrs. Cottis-yes; Mrs. Mick-yes; Mr. Peterson-yes; Mr. Stewart-yes; Mr. Gyurko-yes; Mr. Haney-yes. .

1st Motion to Adopt made by Mrs. Cottis; 2nd by Mrs. Davis;

ROLL CALL: Mrs. Cottis-yes; Mrs. Mick-yes; Mrs. Mick-yes; Mr. Peterson-yes; Mr. Stewart-yes; Mr. Gyurko-yes; Mr. Haney-yes.

COMMITTEE ASSIGNMENTS: The ordinance for next year's engineering contract to the Ordinance Committee; which needs to be passed at the next December 12 meeting.

OTHER DISCUSSION:

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Meeting adjourned: 8:04 p.m.

Amy L. Myers
Clerk of Council

Mick Donato
President of Council