

## **VILLAGE OF MAGNETIC SPRINGS MINUTES OF MEETING MAY 21, 2009**

<b>Present -</b>	Martha "Kathy" Cantrell – Mayor Dean Bowsher, Sr. Carol Verity – Council President	Melinda Ritchie – Clerk/Treasurer Richard Murphy Tanya Crist-Knipp
<b>Village Solicitor –</b>	Alison Boggs, Attorney-at-Law	<b>Sheriff Liaison –</b> Adam Haycox
<b>Visitors –</b>	Janette Jones Gary Walters – Rinehart, Walters, Danner Insurance	Karen Iden

### **OPENING:**

This meeting of the Council of the Village of Magnetic Springs was called to order by Mayor "Kathy" Cantrell at 7:19 PM at 30 W. Magnetic St., Magnetic Springs, OH 43036.

### **INSURANCE RENEWAL:**

Mayor Cantrell opened the floor for Gary Walters with Rinehart, Walters, Danner Insurance. Mr. Walters presented council with a proposal for the Village insurance needs. Mr. Walters commented that the Ohio Plan membership is continually growing and currently stand at 650 members. PEP & OML (Ohio Municipal League) offer plans that only cover while enacted, while the Ohio Plan will be fully enacted for any purchased period of coverage. Mr. Walters reminded council the Ohio Plan does reimburse for training purposes. A Certificate of Completion and a copy of the invoice are necessary for reimbursement. There were few changes made to the requested insurance including the addition of a trailer and the removal of certain named drivers. The total premium due for coverage is in the amount of \$3584 less the renewal premium credit of \$279 for an amount due and payable of \$3305. Dean Bowsher, Sr. made a motion to accept the insurance proposal and pay the amount due to effectuate coverage Rick Murphy seconded the motion and all present council members agreed.

### **MINUTES:**

Carol Verity made a motion to wave the reading of the minutes. Dean Bowsher, Sr. seconded the motion and all present council members agreed.

### **WARRANT LISTING:**

Ritchie presented the warrants payable in the amount of \$515.69. Council members requested a check in the amount of \$3305 payable to Rinehart, Walters, Danner Insurance be produced and included in the warrant listing to execute payment of the Village insurance. The addition of this warrant brings the total warrant listing to \$4560.69. Richard Murphy made a motion to accept the warrant listing and pay the bills, Dean Bowsher, Sr. seconded the motion, and all present council members agreed.

### **COMMUNITY EVENTS:**

**Memorial Bricks:** No report on prices for the costs of bricks to be used in the Memorial Park

**Bike Fest 2009:** Alison Boggs reminded council the Bike Fest 2009 is scheduled for July 25, 2009 with the Will Cantrell Memorial Park as a scheduled stop. Council members will continue with the decision on what will be presented for the participants.

**Murals:** Karen Iden was introduced by Alison Boggs. Ms. Iden has agreed to volunteer services to the Village of Magnetic Springs to paint a Mural in a designated location. Discussions among council members result in the Village Hall being nominated as the best location for a Mural. Iden will work on designs with different ideas and present them to council. It is thought that paint for the Mural will be able to be donated thereby reducing any costs that may be associated with the installation of a Mural.

**Visitors & Convention Bureau:** Alison Boggs brought information that was obtained from the Visitor and Convention Bureau about the Village of Magnetic Springs. There was a documentary made and brochures are available from the convention bureau.

## **OLD BUSINESS:**

**EMS Contract:** Dean Bowsher, Sr. spoke to the Leesburg Township Trustees concerning Emergency Squad service. Research into property tax records confirmed information reported from Leesburg Township, that every resident has monetary payments that are due on their property tax bill that is specifically funded to the Leesburg Township Fire Dept. This information is felt to be a confirmation that it is unnecessary for the Village to enter into a contract for service with the Northern Union Fire District for EMS Service.

**RESOLUTION 09-02 2<sup>nd</sup> READING:** Resolution 09-02 for the Drilling of a Well in the Will Cantrell Memorial Park was presented for a second time. Discussions continued concerning the well. The expense of drilling the well will be incurred by Janette Jones. This expense will serve as a credit toward tap in fees as decided by the Village Council. Alison Boggs will draw up the contract to be initiated contingent upon the transfer of ownership of the property at the Will Cantrell Memorial Park back to the Village of Magnetic Springs. A special meeting will be held June 11, 2009 for further actions to move forward with the completion of a contingent contract to enable Mrs. Jones to move forward with the necessary actions to satisfy the EPA.

Alison Boggs reported the Commissioners office is concerned there is a preexisting condition concerning the property at the park. Despite current research no grant paperwork was found. Therefore Boggs will continue to work with the Commissioners office on the deed transfer paperwork.

**Balling Property:** No Report only continued improvement.

**No Parking Signs:** The no parking signs have been installed.

**Drain Tile Work:** The drain tile work was completed. No invoice received as of yet.

**Retention Schedule:** No action has been taken.

**Historic Preservation:** No discussion.

## **NEW BUSINESS:**

**Health & Safety:** Mary Sprague a resident of 101 Rose St. (positioned at the corner of Rose and Catherine) currently has no water due to broken water pipes from winter conditions. This resident shares a well with the neighboring property currently occupied by Rob & Becky Fitch. The Union County Health Dept. has been involved and states Sprague will have to drill a separate well. Ms. Sprague's house covers most of the property. A septic system exists within the backyard thereby eliminating its use as a source of water. Given this condition the well appears to have to be drilled on the Village right-of-way. Rick Murphy stated there is a drain tile by Bob Graham's property within the area. The Health Department states the well must be 50 foot from septic and drain tiles. The impossibility of drilling due to restrictions would allow for an appeal or sustainable action to eliminate the drilling of the well. Boggs stated someone needs to review zoning to see what regulations exist for drilling wells. The next step would be a variance or easement to allow for drilling.

**Ordinance & Zoning:** Alison Boggs would like to remind council that Ohio Revised Code 731.231 stated a complete copy should be kept at the Village Hall and filed with the Union County Law Library.

Ordinance 02-09 establishing a video service provider fee to be paid by any video service provider offering video service in the village; authorizing the Mayor to give notice to the video service provider of the video service provider fee; and declaring an emergency was presented to council. This ordinance will enable the continued collection of the previous cable franchise fees given Time Warner Cable has received it's Video Service Authorization from the Ohio Department of Commerce under Amended Substitute Senate Bill 117. Currently the Village collection a 3% franchise fee. The Video Service Provider Fee cannot exceed 5%. A

discussion occurred concerning the percentage received. So as not to raise the cost of the service currently provided to Village residents by Time Warner Cable, council decided to leave the fee at the current rate of 3%. Given this decision, Dean Bowsher, Sr. made a motion to accept and enact Ordinance 02-09 to effectuate the collection of a 3% Video Service Provider Fee. Richard Murphy seconded the motion, and all present council members agreed.

#### **ADJOURNMENT:**

In agreement that all business had been concluded, Richard Murphy made a motion at 9:10 PM for adjournment of meeting. Dean Bowsher, Sr. seconded the motion to adjourn. All present members agreed to adjourn until Special Meeting June 11, 2009, at 7:00 PM at the Village/Twp Hall at 30 W. Magnetic St., Magnetic Springs, OH 43036.