

Wellston City Council Meeting Minutes

February 20th, 2014

Meeting was called to order by Council President Chris Brenner by asking Council and others in attendance to stand for the Pledge to the Flag. He then called for the roll call.

Councilmen answering the roll call included Dennis Case, Keith Woomul, Tom Clark, Jessica Cox, Nick Rupert, and Chris Barber. City Officials that were present included Mayor Connie Pelletier, Service Director Fred Snider, Law Director Shannon Weber, Engineer Tim Wojdacz, and Auditor Chris Dupree. Representing the Police Department was Police Chief Tim Ackley.

Council President Brenner asked for an approval of absences. Councilman Huston was absent last meeting.

Motion to approve absences was made by Councilman Woomul, second by Councilman Case, and unanimously approved by all.

Motion to approve minutes from February 6th, 2014 was made by Councilman Clark, second by Councilman Case, and unanimously approved by all.

Public Comments:

Representatives from Columbia Gas stated they came to Council today to discuss the Gas Line Replacement Project that they are doing in Wellston. Shane Cartmill will be working on any issues you have. They stated they have been doing these replacement projects since 2008. People are asking how is this going to get paid for. If you look closely there is an infrastructure charge on your bill; that not only pays for projects like this, but it also pays for replacing service lines. That consists of the line from the street to your home, if that shall go bad. They stated you should have received a letter in the mail explaining the project as well as a copy of the map. This project is a 2.3 million dollar investment and is going to benefit 370 customers. We are going to be doing 31,000 feet of pipe replacement. They stated they have broken the project down into 4 separate phases. We are going to be starting on Broadway and then we will move up a little bit North and take care of Minnesota. The next phase will be from Wisconsin to Indiana and will go from D street down to Broadway. The last phase will be starting around Michigan and will hit 8th, 9th, and 10th street on. The project will be coming your way when you start seeing paint marks on the ground and you will see flags to help us locate where the other utilities are. They will be updating from low pressure to medium pressure. When they put a piece of pipe in, they place a wire above it so it can be located at a later time. He stated that they want to be here for our disposal and would appreciate any help. He stated we are going to

be digging up the area, but rest assured that we will put it back to the level it was when when we first got there. He stated all of our contractors will have ID badges so if you see someone working on the street or come to your door, make sure you ask to see their badge. We are moving indoor meters outside. We will work with you on the location dependent on the guidelines that we have. Outdoor meters would be good for the Fire Department because it gives them easy access to the meter during an emergency. There will be a 2 hour window that you will be without service, but we will work with you. Any meters that are moved outside and any service line replacements will be done at no additional cost to the customer. Each phase time varies. OOPS marking will start within the next week. Our goal is to be finished by years end. If a new plastic line has recently been replaced, we can test it and reuse it. The way we determine where we do these projects is we look at areas that have older pipe and areas that have lower pressure. If we do have to tare up a driveway, we will make it right. He stated 307 customers will be affected and there will be zero cost to each person.

Deanna Barney of 1410 S. Ohio Avenue, Wellston stated her water was shut off on January 28th and she went to go pay it on the 10th of February. She said the water department told her she had the final bill because after 10 days it reaches the final bill. She said she went to pay the \$952.56 which was what her bill was and the water department told her she had to pay her final bill. She stated she had to pay \$1,054.66 plus the \$300.00 for the deposit. She stated when she talked to Melissa she said it was a State Ordinance, but when she talked to Malcohm he said it was a City Ordinance. City Clerk Melissa Humphries stated that as we have done in the past, a ten day once they are shut off for nonpayment, they have to pay in full to get the water back on because that service has ended. She stated it is in our procedure manual. Once an account is closed, they have to reissue a deposit and pay an application fee. Councilman Woolum asked how many months has that accumulated to? Mrs. Barney stated that it was 2 months worth of water plus the \$300.00 deposit. Mrs. Barney stated the water has been shut off there before and its been over 2 weeks since it was shut off but yet it was not sent to final bill. Councilman Barber asked Melissa if they came in before they got their final bill? City Clerk Melissa Humphries stated that they came in after ten days. At ten days, we final out that account. Councilman Barber asked Melissa if they offered to pay before they had their final bill? City Clerk Melissa Humphries stated No, the only time she had contact was when they came in that time. Melissa stated the problem is, when their water is shut off, they think that was from that moment on and that they had no usage on that meter and they do. They would have had usage from the prior month because we run a month behind. Councilman Case asked if the ten day thing was an Administrative policy. Melissa stated it is something they have done for a while. Councilman Clark asked if part of that bill was a 10% penalty. Melissa stated yes. Council President Brenner stated it is an Administrative issue and it is between you and them.

Cindy Daniels of 616 West 4th Street, Wellston stated on January 27th she reported a water leak. The water leak was fixed on January 31st by Jeff. She stated Jeff did nothing to protect the meter from bursting. On February 1st we went under my trailer and insulated the pipes because it is my section to upkeep and protect. On February 2nd she noticed another leak from the meter. On February 5th, Jeff replaced the meter for a second time but did nothing to protect the meter which is the water companies responsibility. She went to pay her water bill today, but Malcohm Davis informed me that they were charging me \$300.00 for the second meter. She payed her current charges, but did not pay the \$300.00 for the meter since it is the City's responsibility to maintain and upkeep the meter. She stated she was informed by Malcohm that her work order for her residence was not a priority because some customer's meters which were not working properly were basically getting some free water. She stated the City asking me to pay for a meter that had to be replaced twice because of nonpreventative measures against freezing would be the same as if I had not insulated and taped my pipes and then billing the City to fix it. City Clerk Melissa Humphries stated she did research and went back and the initial meter that was put in was on February 27th of 2001 and that was before she took residence. Since she has took residence, the meter has been changed out three times, which was in 2005, 2009, and the ones we did this year. I found in 2005 on the work order that told customer water was on, please insulate water pit. When the boys went out, there was a heater in it the first time, we had to change this meter out within a week's time. The first one was changed out January 27th, the second one was changed out February 4th. Melissa stated she was told the second time when they went out, that there needed to be something in there. The pit is shallow, but as you know we are under the meter project. If there had been insulation or had something been put in the meter pit, more than likely it would not have froze the second time. Councilman Barber asked if there was water in the pit. Melissa stated they did not tell her if there was. Ms. Daniels stated yes there was water in the pit. She stated the heater that was in it got ruined when the meter busted the second time. Councilman Case stated he is assuming the meters are supposed to be below the freeze line when they are installed. He stated his own particular meter, Jeff changed out. Councilman Case stated he has always kept insulation on it. He stated he does not think our Ordinance covers anything to do with this. He stated he does not know if there is an ORC code out there that states they have to be put in below 36 inches freeze line or not. Councilman Barber stated he knows there was some last year that busted 7 feet deep. Councilman Clark stated he knows when the first meters were put in, they had an insulation jacket that went around the meter. He stated they previously changed out the one at his shop and he said they told him the new meters were insulated, but still there has to be some kind of styrofoam over the top of the meter to keep it from freezing. Councilman Case stated we deal with the Ordinances and what they state and what are able to do that lies within those Ordinances. Council President Brenner stated that it is going to have to be taken up with the water office downstairs because we deal with Legislation.

New Business:

Council President Brenner stated he does have one new order of business that he would like someone to make a motion on.

Motion to amend Council rules laptop computers, ipads, or other electronic devices are prohibited to be used during Council Meetings and during Executive Sessions. Cellphones must be on vibrate. If it is an Emergency, please ask residing officer for permission to be excused. Councilman Case stated he knew we used to have Councilmen that got all of their packet emailed to them. He asked are we making exceptions or is this strict and forward. Council President Brenner stated strict and forward. Motion to amend Council rules to include this was made by Councilman Clark, second by Councilman Rupert with No votes from Councilman Woolum, Councilman Case, Councilwoman Cox, and Councilman Baber. Motion to amend Council rules did not pass with a 4-2 vote.

Committee Reports:

Councilman Rupert stated they had a meeting at 6:30 and they welcomed Mr. Dupree as the new Auditor. We talked about the discrepancy on the wage chart where there was a formula that was wrong. We spoke about progress on 1, 3, 5, 10, 15 year plan that Connie has been working on for projections. We are waiting on a forecast for the budget when it is done from the Auditor's office. The Auditor spoke about the rent on another rent of a building that the City was doing. We reviewed some of the procedures and we adjourned at 6:55 p.m.

Council President Brenner stated with Shawn's resignation, there will have to be another committee list and he will have that at the next meeting.

Mayor Pelletier stated that the State Recording Auditor's are hoping to give us a new forecast within the next 2-3 weeks. Chris, Denise, Kathy, and I are going to go through the budget. We were very pleasantly surprised with the Insurance. We had talked with the insurance company that it was going to be a 15% increase over last year and we talked about our limit being 6%. When we had this last meeting with them, we are now going to have a better insurance plan and it is going to be a 2.9% increase. It is good for our budget because we had budgeted for 6% this year. In the general fund, she had announced before that in 2012 that we had a \$240,000.00 carryover in the general fund alone. As of 2013, that amount is around \$380,000.00 carryover in the general fund. When you have a carryover in the general fund, you cannot appropriate that. You can only appropriate what your revenue is for that year, so that is a carryover that we could maybe come out of fiscal emergency sooner than we anticipated. If we chose to, we could use that to pay off the cemetery. It is something to look at depending on the carryover we have from the end of this year. It is something we all need to be thinking about.

Service Director Snider stated we got our new backhoe the day before yesterday and it does have a GPS locator. We were lucky enough to get 50 more tons of salt in since last Council meeting and of that 50, we have about 40 tons left. We do have a confirmation number on 300 tons of salt coming in. The last two days, we have had some dry holes and we have managed to put 8?????? Tons of cold mix down to start filling in the potholes.

Councilwoman Cox stated she is glad they fixed the pothole at the school.

Service Director Snider stated they have been trying to skip around to the dry ones so they will not waste the material. He said if it looks like somebody missed one, it is because it is wet. We got another 8 tons ordered for tomorrow morning.

Engineer Tim Wojdacz stated we got the notice from EPA. We got the official copy of deficiencies from the Frick Gallagher property so we have sixty days to respond to it. On another EPA note, the problem we are having at the sewer plant with the copper and lead, I had the consultant that we have been working with get back with the EPA so we make sure we are testing correctly. The attempt is going to be to take a number of samples, I think it is going to be two sets of six. The EPA said we could do this. They will go and supervise the take and the hope is if the results come out like we hope they will, we will be able to get our limits boosted up enough so we will not be having those exceedances. Councilman Case asked Engineer Wojdacz if we are using extra amounts of chlorine these last few months because he has had people telling him that the water has seemed to be stronger than normal. Engineer Wojdacz stated Adam is not here to answer that, but if they are he is not aware of it. If we would overadd chlorine, it would more than likely occur in the fall rather than now. Councilman Barber asked Engineer Wojdacz with this extra copper and lead in there, it is still below levels to be drinkable. Engineer Wojdacz stated yes that level is not the drinking water, it is the sewer plant.

Law Director Weber stated at the next meeting there will be at least three pieces of Legislation. The three pieces would be in regard to 1) related to the pick-up Ordinance to the Fire Department Contract, 2) Ordinance related to the ODOT Bridge Inspection Project????, and 3) an Ordinance related to the Criminal Ordinances. Councilman Case stated there was a motion made last meeting about the time clocks and wanted to know where he was at with that. Law Director Weber stated he is still working on that and should have an answer by next meeting.

Auditor Dupree stated he wanted to bring up something we covered last year. It had to do with the rent for some of the buildings water???. The one was adjusted back to \$1,600.00 you guys had set by Ordinance and you set the one for zero. Mr. Dupree said talking to the State Auditors they would prefer in their opinion that it should not have been set to zero and

probably still at the \$1,600.00. If you would keep the water at \$1,600.00, but reinstate for the sanitary sewer department. He stated it would have to be Council because they have to do it through Ordinance. He stated it is not changing anything, just shifting money around.

Councilman Case asked Auditor Dupree how this would benefit us. Auditor Dupree said where things have been shifted around, it transfers to the General Fund. Mayor Pelletier stated the reason she think it was stopped because it got the sewer out of the red sooner, where it would have gotten out of the red by this year anyway. Councilman Clark said that sometimes the State Auditor will give you a citation and may give us a citation because we done it that way.

Councilman Clark stated it does not look good on the City when you get a citation for something like that. Mayor Pelletier stated it is also in the Recovery Plan that it was only done to take the sewer out of the red. Councilman Case asked why does the State Auditor now recommend that it be put back. Mayor Pelletier stated because he recommended in the first place it not be done. Councilman Barber asked if the General Fund needs the money. Mayor Pelletier answered yes and this helps the general fund. Councilman Case asked if the sewer fund is going to sustain for the rest of the year. Mayor Pelletier replied yes. She went on to the the State Auditors can not tell you what to do, they can only make suggestions. Auditor Dupree said again, it has to be revisited with you guys through Ordinance. He stated it is the recommendation through the Auditor, but you can do with it what you want. Auditor Dupree said it is not a detriment to the City. Councilman Case asked Auditor Dupree if this will limit the amount of projects the sewer will be able to do. He asked are our sewer lines in that great of shape. Mayor Pelletier stated it can handle it. Engineer Wojdacz said there are no big projects planned for the sewer lines this year. Deputy Auditor Denise Davis stated what they have done for years is charge the general fund utility office rent \$1,600.00 per month for the rent of their office. That money was transferred from utility to the general fund. She stated it is perfectly legal and has been done for years. What we did was take the \$1,600.00 off the sewer part to get it out of the hole. Once it was financially stable, they recommended that we take that \$1,600.00 and start charging the sewer again for the rent of their office. Councilman Woolum offered to sponsor the Ordinance.

Motion to accept the overtime reports were made by Councilman Clark, second by Councilman Woolum, and unanimously approved by all with the exception of Councilwoman Cox and Councilman Barber.

Motion to enter into Executive Session at 8:11 P.M., to discuss appeal of Fire Chief Position and potential litigation with no action taken and a brief update on labor negotiations was made by Councilman Case, second by Councilman Rupert, and unanimously approved by all.

Motion to leave Executive Session at 8:41 P.M., was made by Councilman Woolum.

Motion to adjourn at 8:41 P.M., was made by Councilman Woolum.

Council Clerk

Council President
