

LEESBURG VILLAGE COUNCIL

August 12, 2009

Mayor Jim Cook, Presiding

Mayor Jim Cook called the regular July session of the Leesburg Village Council to order on Wednesday, August 12, 2009 at 6:45 P.M. in the Leesburg Municipal Building. Pastor John Fitzgerald gave the invocation and led all present in the Pledge of Allegiance to the Flag.

ROLL CALL:

Present: Council Members Mr. Robert Barrett Jr., Mr. Danny Daulton, Mr. Pat Hagen, Mr. Mark Henson, Mr. George Phillips, and Mrs. Bernease Priest.

Also present: Fiscal Officer Tracy Evans, Administrator Freddie Snyder, Police Chief Tim Tyree and Solicitor Fred Beery.

Also attending: Mr. Roger Downs – resident.

I. CONSENT CALENDAR:

a. Minutes for the July 15, 2009 regular session were motioned for approval by Danny Daulton. Motion was seconded by Bernease Priest. Roll call vote 6-0. Motion passed.

b. Council reviewed all bills paid in July 2009. Motion to approve bills paid was made by Robert Barrett. Motion was seconded by Pat Hagen. Roll call vote 6-0. Motion passed.

II. PRIVILEGE OF THE FLOOR:

Mr. Roger Downs informed Council he was representing Debbie Powell who owns the property located at 153 Locust Street. According to Mr. Downs, there is an uncapped drain pipe that forces a lot of excess rain to drain on Ms. Powell's property which is causing erosion. Mr. Downs asked Council if there was anyway to re-route the pipe to flow in to a storm sewer drain. Mr. Downs said the drain pipe causing the damage was coming from the Church of Christ parking lot. Councilman Pat Hagen stated he would discuss this with the Church of Christ Board at their next meeting. Mayor Cook asked Administrator Snyder to follow up with Councilman Hagen after the board meeting. Solicitor Beery stated this is a private property matter and it is between the property owner and the Church of Christ to settle.

III. LEGISLATION:

ORDINANCE NO. 09-08

AN ORDINANCE TO ESTABLISH TRASH SERVICE IN THE VILLAGE OF LEESBURG.

1st reading.

ORDINANCE NO. 09-09

AN ORDINANCE TO IMPLEMENT THE PROVISIONS OF OHIO REVISED CODE SECTION AND DIVISION 2925.03(F)

Motion to suspend the three reading rule was made by Pat Hagen. Motion was seconded by George Phillips. Roll call vote 6-0. Motion passed.

Motion to adopt Ordinance No. 09-09 was made by Pat Hagen. Motion was seconded by George Phillips. Roll call vote 6-0. Motion passed.

IV. COMMITTEE REPORTS:

None given

V. REPORT OF CITY OFFICIALS:
Report of Police Chief Tim Tyree:
Monthly Council Report
Month of July 2009

Calls for service 336

Hours worked – 6/14/2009 – 7/11/2009

1301-Tyree 128 1302-Bussey 156 1303-Nolley 144 1304- Boris- 0

Overtime 17.5 18.5 10.5

1305- Holliday 120.25 1306- Sharp 43

Traffic Crash Reports 1

Offense Incident Reports 34

Type of Report

Burglary – reported 400 block Miller Street
 reported 100 block Elm St.

Disorderly Conduct –

Internet Fraud – reported 300 block Miller Street
 – reported W. Main Street

Breaking & Entering

Theft – reported 50 block of S. Fairfield Street
 400 block Market Street

Burglary – reported

Domestic Dispute reported 200 block of S. Fairfield Street
 reported W. Main Street

Disorderly Conduct –

Theft – reported 300 block Grace Lane
 reported 200 block Eastern Ave.

Unclean Habitation –

Unruly Juvenile – reported 100 block of Forest Avenue
 reported 300 block Miller Street

Disorderly Conduct –

Theft – reported 300 block of Eastern Avenue
 100 block Market Street

Bad Check – reported

Possession of Fireworks – reported 300 block W. Main St.
 reported 100 block Middle St.

Disorderly Conduct –

Harassment – reported 200 block of Eastern Avenue
 Street

Warrant – 100 block Middle

Drug Abuse – reported 200 block of South Street
 W. Main Street

Theft – reported 400 block

Loud Music – reported 100 block Middle Street
 block E. Main Street

Theft – reported 200

Curfew Violation – 300 block w. Main Street
 100 block Elm Street

Abandon Vehicle –

Possession of Drugs – 300 block W. Main Street
 Main Street

Assault – reported E.

Found Property – 50 block S. Fairfield St.
 block Elm Street

Voyeurism – reported 100

Unruly Juvenile – reported 400 block Market Street
 Street

Warrant – 100 block Middle

Theft – reported 300 block W. Main Street
 Street

Burglary – 100 block Church

Theft- reported 100 block South Street
 Main Street

Theft – 300 block W.

Arrest Information

Arrest/Reports 4

Traffic Citations / violations: 6

Speed – 4 Fail to Register – 2

Warning Citations: 28

Speed – 3 Equipment – 20 Traffic Control – 2 Display of Plate – 1

Cracking Exhaust-1

Fail to Register -1

Police Vehicle Information and Maintenance:

U-1-2005 Crown Vic. Miles driven: 1,505

U-2 1998 Chevy Lumina Miles driven: 347 Repair brakes \$563.95

U-3 2008 Crown Vic. Miles driven: 1,097 Repair & replace tires \$411.68

Training:

Training Cost:

Additional Information: The Police Department currently has 77 active case reports and at the end of July we have received the same number of reports as we did for last year, a total of 183, unfortunately our felony reports are up 8%.

The department has received a response from the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) that they were only able to fund 14% of the CHRP grant requested and unfortunately Leesburg was not selected. The application has not been denied and will remain in a “pending” status and under consideration for possible future funding.

The funding selections for this announcement were based upon a variety of factors, including (but not limited to) statutory mandates as well as each applicant’s fiscal health, UCR-reported crime and community policing plans.

The department has cleared 17 out of 39 felony reports that we have received so far this year which is approximately 47%, which is excellent considering that the department does not have a fulltime investigator to work these types of cases.

Report of Income Tax:

Mayor Cook read Mrs. Vance’s monthly written report given to Council in their packets and reported \$30,443.21 was collected for the month of June 2009.

Report of Administrator Freddie Snyder:

Swift’s Lift Station was hit by heavy lightening and heavy damage was done to the control panel. In the process of getting quotes for repairs.

The foundation was poured for the salt bin and we are in the process of framing it up.

EPA inspection for July was postponed until August 19, 2009.

Administrator Snyder informed Council the tornado siren on the roof of the city building is very old. The siren is a 10 HP, pulls 60 amps, 14,000KW to run on a 220 double breaker. There is no guarantee how long it will last. The siren is currently activated through Hillsboro 911. According to the Police Department, we need the siren hooked up to a back up generator so if the electricity goes out during a storm, our warning system is still in tact. The generator would cost around \$6,000.00 and be very difficult to hook up. Dave from Environmental Engineering is checking on a speaker siren that would be more efficient. We are unable to move the old siren to the roof of the new fire station because of the weight.

Report of Fiscal Officer Tracy Evans:

Passed around the monthly signature page for Council to sign off on.

Requested a meeting with the Finance Committee to discuss what to do with the funds from Highland. The Finance Committee is made up of Robert Barrett, Pat Hagen and Mark Henson. Mark Henson will not be available during the month of August. Robert Barrett, Pat Hagen and Mayor Cook decided on Thursday, August 27th at 6:30 P.M.

Discussed with Council the possibility of setting up a "Welcome Committee" to add to our current committees. The Welcome Committee would be responsible to go around to the new business owners and welcome them to our Village.

Fiscal Officer Tracy Evans requested Council discuss the possibility of paying the Veterans Memorial Committee a lump sum check instead of paying them \$1,000.00 a month for the next 11 months. We currently have the funds to do so and it would be much easier instead of trying to remember every month to do a PO and cut a check.

George Phillips motioned to pay the Veterans Memorial Committee a lump sum of \$11,000.00. Robert Barrett seconded the motion. Roll call vote 6-0. Motion passed.

Report from Mayor Jim D. Cook:

Mayor Cook informed Council he was contacted by Ms. Terri Hafer on Kennedy Blvd regarding the water that stands in front of her house due to excessive rain. According to Ms. Hafer the rain runs down from North Kennedy and stands in her yard because there is no storm sewer drain. Councilman Mark Henson was also contacted by Ms. Hafer and after investigating her complaint he stated there is not a storm sewer drain accessible to her property and that Ms. Hafer lived in this house before the sub-division of North Kennedy was added and that Ms. Hafer has no place to run the water off to. Ms. Hafer said it was the Village's responsibility to correct this problem because we annexed in the sub-division and should have put in a storm sewer drain at that time. Councilman Henson stated this problem is different from the problem we had earlier in the meeting with the Church of Christ due to the fact that the church does currently have a storm sewer drain. According to Administrator Snyder the only thing the Village can do is to extend the storm sewer system which would be expensive because currently, it is not deep enough. However, even if we do extend it the system gets clogged with sand and gravel. Solicitor Beery stated the "Fair Use Doctrine" allows you to dump water on your neighbor's property and this situation is a tough call for the Village because we would be getting in to a private battle. Councilman Mark Henson recommended Administrator Snyder look in to this matter further to see if the Village could install a catch basin.

MISCELLANEOUS:

Administrator Snyder requested Council review the Sewer Connection Fee for Highland and approve it. According to the document, the connection fee for Highland would be \$1,100 with the house lateral remaining the responsibility of the property owner. Per Solicitor Beery, no Ordinance is needed, just a motion to pass.

Bernease Priest motioned to accept the "Sewer Connection Fees" for Highland. Robert Barrett seconded the motion. Roll call vote 6-0. Motion passed.

Councilman Danny Daulton asked if the Leesburg Market approached Administrator Snyder, Mayor Cook or any Council member regarding the concrete structure that is in the middle of the sidewalk. According to the Administrator and the Mayor they were not contacted regarding a Building Permit for the structure, in addition, none of the council members were contacted. Solicitor Beery stated we can say no to the structure and

advised the Village to do so even though the structure has already been built. If the Village says no and someone would get hurt on the structure it would be their problem because it is encroaching on our property. According to Solicitor Beery, no Building Permit is needed because they are a commercial property; however, they are not allowed to block the sidewalk.

Motion to adjourn was made by George Phillips. Motion was seconded by Mark Henson. Roll call vote 6-0. Meeting adjourned.