

Nelsonville City Council met in regular session Monday, February 14, 2011, at 7 PM in Council Chambers. Mr. Dotson called the meeting to order. Mr. VanBibber offered the opening prayer. All present stood and recited the Pledge of Allegiance. **ROLL CALL:** All Council members were present. Mr. Joe Scherer, City Manager, and Mr. Garry Hunter, City Attorney, were also present.

Mr. Hall made a motion to accept the minutes of the last regular meeting as presented. Mr. VanBibber seconded the motion. **ROLL CALL:** All Council members voted yea.

CITIZEN'S COMMENTS

Paul Davis, Poplar Street, asked about the removal of the handicapped parking space on Columbus Street beside the Dew House. There are 12 handicapped residents in that facility. Mr. Scherer said there is one handicapped space on the square which meets the handicapped parking regulations. He also understands spaces in the parking lot across the street are were made available. Mr. Davis noticed there was no mention of the I and I money in the Auditor's Report. The Auditor told him the money is in the Capital Improvement Fund. John and Rhonda Parker with the Ohio Plan which provides property and casualty coverage to small and mid size government entities were present to ask that they be considered the next time the City's renewal came up. Their company is the largest writer of government entities in the State of Ohio according to premium volumes.

COMMITTEE DISCUSSION

Mr. Holmes reported on the **Police and Fire Committee** meeting held January 12. After an extended discussion the committee decided to keep all the meters in the downtown except the meters on residential streets which will be removed. There will be a three hour parking limit in all parking areas, the fines will be raised to \$10 for meter violations and \$25 for a three hour parking violation. Chief Russell informed the committee that the Fire Department received a \$5,000 grant to fight forest fires. He also advised them that one of the fire engines is 19 years old and they will more than likely want to replace it next year. Both the Fire and Police Departments are having a problem with false alarms. There are businesses abusing the false alarm system. The departments want to implement a business program regarding the alarms which will probably involve the Knox Box. Both departments will be keeping track of the number of alarms and they hope to place the responsibility back on the businesses. The Fire Chief informed them that the City Hall Building needs both smoke and CO detectors. Chief Wallace updated the committee on some of the training he and his officers have received. They have finished the work on the City ordinances. The ATV is almost completely outfitted and the Police Department has applied for a cruiser grant. They will also apply for a \$15,000 grant to upgrade the computer in the department which will include a new server and related hardware. The Chief wants to upgrade the DVD recording system and also have one officer trained as a fire arms instructor. Mr. Smith asked Mr. Hunter if legislation would be needed to take out the residential parking meters. Mr. Hunter said it was not necessary. Mr. Smith made a motion to request the City Manager to remove the parking meters in the residential sections. Mr. Hall seconded the motion. There was no public comment or Council discussion. **ROLL CALL:** All Council members voted yea. **Motion passed.** Mr. Smith asked if we can get started on parking enforcement and bring in legislation to increase the fines. Mr. Scherer said the position was not funded. The Auditor said the funding would have to be moved from the General Fund.

Mr. Holmes announced a **Police and Fire Committee** meeting for February 22 at 6 PM.

CITY MANAGER'S REPORT

Mr. Scherer reported that the Street Department has begun pothole repairs on Route 33 and other major potholes in town. They will continue as long as the weather permits.

The structure at 247 Adams Street has been removed and most of the debris has been hauled away. The basement still needs to be filled in.

The Nature Works Grant application was submitted. Mr. Scherer has found that the City of Athens also made application this year. He does not know when the grants will be awarded.

City offices will be closed Monday, January 21, in observance of President's Day.

GOOD OF THE ORDER

Mr. Theisen has distributed copies of two articles from The Columbus Dispatch, one concerning problems in the disposal of sludge and water with reverse osmosis treatment plants. The EPA is now saying the byproduct of these systems may be bad enough to kill all the fish in the streams and entities around Columbus are spending between one and two million dollars to build a transfer line to the treatment plant. The other article concerns the salt brine from wells in ion exchange systems which the City's new ion treatment plant will have. There is concern this will also kill the fish in the river. He asked if we pump it straight into the treatment line will it kill the bacteria reaction at the plant. Mr. Hall said the brine in an ion exchange system is expelled through a very small pump. The brine goes into a retention basin, which normally has a vinyl bottom, and over the course of several hours it is pumped out. Mr. Theisen said in both methods there is a 20% loss of treated water. That is a lot of water. He asked if we should have our engineer investigate this a give us a letter that says he has EPA approval to continue with the plant? We need to be absolutely sure we have EPA approval for how we plan to dispose of the salt brine. Mr. Hall believes that if the EPA approved our plans they would have taken that into consideration. Mr. Scherer said he would look into it but he understands the plans call for the brine to go into a holding tank where it is treated and then slowly disbursed into the river. The latest EPA guidelines indicate that is how it should be done. As long as you meet the MPDES requirement you are good to go. Mr. Smith agreed that it should be checked on but he doesn't believe this is a new issue for EPA. The PTI has been issued on our set of plans with lagoons. Mr. Hall pointed out that reverse osmosis plants treat surface water and the plants in the Columbus area are large enough that they are probably treating surface water. Mr. Theisen said brine is something to be concerned about because they are getting into drilling wells in Marcellus and Utica shale and environmentalists are raising cane to try to rile the public. He hopes we can avoid getting stuck spending a million dollars or a big maintenance problem every year.

Mr. Hall asked the City Manager for an update with the prosecutor and the brewery. Mr. Scherer said the prosecutor got in touch with the client's attorney who assured us a security fence would be put up within two weeks, which has not happened. He has left a message for the prosecutor to contact him. Another court date is supposed to be set along with the \$10,000 warrant. Mr. Theisen said this is about a two week clean up if they would just do it. We need leverage. We cannot let people come in and tell us what to do in our town. Mr. Hunter said we are exercising our leverage through the criminal route we are taking. We can condemn the property, clean it up and put the cost on the taxes. Mr. Theisen said he is concerned about the clean up because the building was full of asbestos. Mr. Smith said he is getting complaints every day and we are to the point where we have to do something. Mr. Taylor feels we are setting a bad precedent in tearing down properties that should be taken care of the by the property owner. We should continue the process we are taking now.

Mr. Holmes said Council recently raised the salary of the City Auditor and he feels the position should be an appointed position instead of an elected one. He

asked that the issue be sent to the Judiciary Committee for review and recommendation. Mr. Theisen said he brought it up at the last meeting but he will have a meeting. It will take a Charter revision.

Mr. Dotson made a motion to go into executive session under O.R.C. 121.22 (g) for personnel and legal matters. Mr. Holmes seconded the motion. Mr. Scherer and Mr. Hunter were invited to attend. **ROLL CALL:** All Council members voted yea.

Mr. Dotson made a motion to return to open session. Mr. Smith seconded the motion. **ROLL CALL:** All Council members voted yea.

Mr. Scherer recommended Adam Puhl be approved by Council to become a full-time firefighter with the Nelsonville Fire Department. Mr. Smith made a motion to approve Mr. Scherer's recommendation. Mr. VanBibber seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea. **Motion passed.**

Mr. Scherer recommended Matt Cantrell, Sarah Morgan and Rick Smart be removed from the volunteer firefighter program. Mr. Smith made a motion to approve Mr. Scherer's recommendation. Mr. Taylor seconded the motion. Mr. Smith said this is not because there was a problem. They withdrew. He thanked them for their service. There was no further discussion. **ROLL CALL:** All Council members voted yea. **Motion passed.**

Mr. Scherer recommended the appointment of Jordan Caldwell, Greg Huffman, Tyler Johnson, Tyler Schroeder and Brian Studer to the volunteer firefighter program. Mr. Smith made a motion to approve Mr. Scherer's recommendation. Mr. Hall seconded the motion. There was no discussion. **ROLL CALL:** All Council members voted yea. **Motion passed.**

Mr. Taylor made a motion to adjourn. Mr. VanBibber seconded the motion. **ROLL CALL:** All Council members voted yea.

NELSONVILLE CITY COUNCIL

President of Council

Clerk of Council