# VILLAGE OF MOSCOW REGULAR SESSION OF COUNCIL

## September 7, 2021

Regular Council meeting called to order, pledge of allegiance at 6:09pm by Mayor Suter,<br/>with roll call by Bill GilpinEnglish - PresentForbes - PresentRoark – PresentTurner - PresentGorth - PresentCaudill - PresentMayor Suter – PresentAndrew Gephardt, Administrator - PresentBill Gilpin, Fiscal Officer – PresentEmily Supinger, Solicitor – Present

Also present – Deputy Brown, Rick Beasley, Lisa Nichols, Joe DaGiau, Mickey Hanselman, Tracey Suter, Mike Klenda of Carmeuse, Washington Township Trustee Dennis Cooper, Rick Bee, Tony Koester

*Motion to accept the minutes of the August 2, 2021 meeting by Gorth, seconded by Caudill			
English – yea	Forbes – yea	Roark - yea	
Turner - yea	Gorth - yea	Caudill - yea	MC
*Motion to pay bills by Gorth, seconded by Forbes			
English – yea	Forbes – yea	Roark - yea	
Turner - yea	Gorth - yea	Caudill - yea	MC

# **GUEST SPEAKER:**

Michael Klenda of Carmeuse spoke to council about ATV trespassing problems on their mining property adjacent to the village; all trespassers will be prosecuted. Phil Turner asked if farming is being done on the property; answer was yes there is a farming lease on the property. Phil Turner asked if the property was fenced; answer was yes but it has been knocked down in places; new trespassing signs and trail cameras will be installed soon. Michael Klenda noted that any complaints should be directed to him. The complaints will be verified and reported to the county sheriff's office. Rick Bee added that no crop damage has occurred but you can see where riders have been in the low-lying areas of the property.

Dennis Cooper noted that the county is hosting a tire amnesty program on September 24 and 25 in Jackson Township. Mayor Suter asked Dennis Cooper if Washington Township has had any communication with the owners of the Zimmer Plant; response was no. Mayor Suter noted that he has sent emails that have gone unanswered.

## ADMINISTRATOR REPORT: Andrew Gephardt reports:

- Utility Fees: Website updated, drop box to be installed; web payment option may be delayed
- **Drinking Fountain/Maintenance:** New fountain to be installed soon, stump grinding currently going on
- **Playground:** First phase complete
- Boat Ramp Grant Denied:
- Retaining Wall: Work should start in early October
- Ice Cream Social: September 26

The second phase of playground equipment will cost between \$50k and \$60k; removal of the obsolete equipment in the old playground area will occur soon. Joe DaGiau has procured many of the items needed for the ice cream social; Joe DaGiau asked to committee to review the list of items currently procured in case additional items are needed.

## FISCAL OFFICER'S REPORT: Bill Gilpin reports:

Reported that the 2022 amounts and rates resolution needs to be passed this evening; the owners of the Zimmer Station have appealed their 2020 tax bill and short paid it by \$31k pending the appeal. The finance committee met with Sheila DuFau and amended the independent contract to be consider during legislation later in the meeting.

## **SOLICITOR'S REPORT:** Emily Supinger reports:

Reported on the ATV issue: the Ohio Revised Code has several provisions on prohibition

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and allowable uses of ATV's in municipalities; local municipalities have the ability to regulate the use of or ban ATV's. Emily Supinger suggested the village pass legislation to regulate the use of ATV's on village roads; feels that banning them would exceed the village's police powers. Deputy Brown reported that the county prosecutor feels that ATV drivers must be licensed or accompanied by a licensed driver.

The consensus of council was to ban ATV's on village roadways and impose the other state statutes regulating them.

Phil Turner asked if the village will continue to allow riding on village owned property. Mayor Suter noted that would be up to council. Phil Turner also asked if the village needs to take any action since Carmeuse in stepping up trespassing enforcement on their property. The consensus was to move forward with regulating legislation to control the current situation in future years.

Emily Supinger noted that any infraction of ATV regulations would require citing them to municipal court that would result in expenses for the village. It was also noted that go-karts and golf carts fall under a different class of regulations.

Mayor Suter asked if council wanted to make a motion on the issue.

\*Motion to instruct Emily Supinger to draft legislation regulating ATV use by Turner, seconded by Gorth

English – no	Forbes – yea	Roark - yea	
Turner - yea	Gorth – yea	Caudill - yea	MC

### MAYOR'S REPORT: Mayor Suter reports:

Reported that he has received a request to hold trick or treating on Saturday October 30 this year rather than Sunday evening.

*Motion to hold trick	or treat on October 30	from 6 to 8pm by English, seconded by	y Caudill
English – yea	Forbes – yea	Roark - yea	
Turner - yea	Gorth – yea	Caudill - yea	MC

# **READING OF ORDINANCES AND RESOLUTIONS:**

RESOLUTION 2021-24 – A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AN INDEPENDENT CONTRACTOR AGREEMENT WITH SHEILA DUFAU

*Motion to waive the	e readings of Resolutio	n 2021-24 by Gorth, seconded by Forbe	es
English – yea	Forbes – yea	Roark - yea	
Turner - yea	Gorth – yea	Caudill – yea	MC

*Motion to adopt Resolution 2021-24 by English, seconded by Gorth			
English – yea	Forbes – yea	Roark - yea	
Turner - yea	Gorth – yea	Caudill - yea	MC

RESOLUTION 2021-25 – A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CDBG SUBRECIPIENT GRANT AGREEMENT WITH THE BOARD OF COMMISSIONERS OF CLERMONT COUNTY

*Motion to waive the	e readings of Resolutio	n 2021-25 by Forbes, seconded by Engl	ish
English – yea	Forbes – yea	Roark - yea	
Turner - yea	Gorth – yea	Caudill – yea	MC
*Motion to adopt Resolution 2021-25 by Gorth, seconded by Caudill			
Motion to adopt Re	solution 2021-25 by O	onn, seconded by Caudin	
English – yea	Forbes – yea	Roark - yea	

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## RESOLUTION 2021-26 - A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

*Motion to waive the readings of Resolution 2021-26 by Gorth, seconded by Caudill				
English – yea	Forbes – yea	Roark - yea		
Turner - yea	Gorth – yea	Caudill – yea	MC	
*Motion to adopt Resolution 2021-26 by Caudill, seconded by Gorth				
English – yea	Forbes – yea	Roark - yea		
Turner - yea	Gorth – yea	Caudill - yea	MC	

# OLD BUSINESS:

Tim Forbes asked about the street light project; Andrew Gephardt noted that the location assessment is ongoing.

Todd English asked if a crosswalk could be installed on Wells Street near the new playground equipment. Phil Turner asked for a price on a flashing crosswalk sign.

#### **NEW BUSINESS:**

Deputy Brown reported a rash of car thefts and vandalism in the Eastgate area. Rick Beasley reported his neighbor's car was vandalized over the weekend.

## PUBLIC INPUT: None

*Motion to adjourn at 7:20 pm made by Gorth, seconded by Forbes				
English – yea	Forbes -yea	Roark - yea		
Turner - yea	Gorth – yea	Caudill - yea		

MC

APPROVED BY:\_

TIM SUTER, MAYOR

ATTESTED BY:\_\_\_

BILL GILPIN, FISCAL OFFICER