

**Regular Council Meeting
March 28th, 2012**

The meeting of the March 28th, 2012 Council Meeting was called to order with the Pledge of Allegiance by Mayor Steven Rockwell.

Mayor Rockwell excused Solicitor Vickie B. Ruffing from tonight's meeting as there was no legislation.

Roll call: Barber, Basterash, Fox, Maloney, Weilnau, Wolf-present. Also present-Fiscal Officer Mary Bruno and Acting Administrator Kevin Ackerman.

Motion by Fox, seconded by Wolf to approve the minutes of the March 14th 2012 Council Meeting after correcting Maloney with the motion to adjourn, with Fox seconding the motion. Vote-all yeas, motion carried.

There were no bills to approve as the Fiscal Officer had been on vacation. The bills will be ready by the end of the week, with a member of Council signing off on them.

Citizens Participation

Motion by Barber, seconded by Maloney to allow Edison Elementary to use the new sign donated by the PTO while awaiting a zoning appeal meeting. The set back on the sign is not 10 feet back. Roll call: Basterash-yes, Fox-no, Maloney-yes, Weilnau-no, Wolf-no, Barber-yes. Tie vote with Mayor Rockwell breaking it with an affirmative vote. Motion carried.

Motion by Barber, seconded by Wolf to waive the permit fee of \$153.20 for the school, but collect the variance fee. The variance fee is \$100.00 while \$85.00 of it will go to Huron Township Trustees for fees they will charge in accordance with a variance. Roll call: Fox-yes, Maloney-yes, Weilnau-yes, Wolf-yes, Barber-yes, Basterash-yes, motion carried.

Also in attendance tonight: Victor Mooney, Beth Ackerman, Larry Schell and Aaron Krause.

OLD COMMITTEE BUSINESS

Street, Sidewalks and Storm Sewers-The sanitary sewers on Huron Street and Liberty Street were cameraed for precautionary measures prior to paving.

There was discussion widening Berlin Street if the Village decides to make it one of the 2012 projects.

The generator at the Administration Building is now up and running and now will be tested weekly.

Safety-None

Finance-None

Regional Planning, Building Codes and Inspections-None

Utilities-The Village will host an Open House on Wednesday, June 13th from 4 p.m.-7 p.m. and will be followed by the Regular Council Meeting. The event will be publicized as the date grows nearer.

Civic Contact and Historical Preservation-There was discussion on a residents complaint on ATV's at a prior meeting. The police chief has spoken to the resident and stated there hadn't been any complaints in about 2 months.

Parks and Trees-Roe's Tree Service has been contracted to remove 3 trees in the cemetery, and one on Judson Street.

There was discussion on the sweet gum trees in the Village, and will be turned over to the Tree Commission.

David and Martha Berckmueller of the Tree Commission have generously donated ½ the cost of the most expensive tree to be replaced in the cemetery.

A cost of a bicycle rack for the Administration Building will be looked into.

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers-From now until the October, the first Monday of the month will be brush pickup.

Erie County will be offering a training seminar at the new fire station on trenching and excavating and other similar skills on May 25th.

Safety-Motion by Basterash, seconded by Fox to go forth with making the parking spot in front of the dentist office and hair shop another handicap parking place. The motion also includes signage and symbol painting for the project. Vote-all yeas, motion carried.

The police survey sent out months ago was recently reviewed at Safety Meeting. The survey is available to the public. Another survey may be issued in a year.

The Chief will attend disaster training at EHOVE in the future.

Finance-Motion by Weilnau, seconded by Maloney to reimburse Dennis Benesh \$140.00 toward his insurance, and the cost for vision and dental when open enrollment is available. Benesh is not on the Village plan, and it has saved the Village money. Roll call: Maloney-yes, Weilnau-yes, Wolf-yes, Barber-yes, Basterash-yes, Fox-yes, motion carried.

Ackerman recently negotiated a bill he felt wasn't justified and the bill was reduced about \$2,000.00.

Regional Planning, Building Codes and Inspections-None

Utilities-None

Civic Contact and Historical Preservation-Motion by Wolf, seconded by Fox to allow the Edison Music Department the use of the Village parking lot during the 2012 Melon Festival. Vote-all yeas, motion carried.

The sign directing turnpike traffic to the birthplace of Thomas Edison will be replaced. The township has a tourism fund that may be able to help with the bill.

Parks & Trees-A tree will again be planted for Arbor Day. A tree committee meeting will be scheduled and a chairperson will be elected.

UNFINISHED BUSINESS

Wolf raised concern about the Solicitor not being at all Village Solicitor not being asked to attend all Council meeting. Wolf stated she wished to have her at all meetings, like has been done in the past. She then read an e-mail she sent out to Council members and the Mayor, putting her request in writing. Motion by Wolf, seconded by Maloney to have the Village Solicitor attend all

meetings. The floor was opened up for discussion. The Mayor stated he didn't feel it was financially sound if there was no legislation or legal issues to be discussed. He stated if Council needed a legal opinion, they would ask the Solicitor to do the research and report back at the next meeting. Fox stated he felt she should be at all meetings since at times people in the audience have questions. Wolf said other communities have their Solicitor in attendance at all meetings, and the Mayor stated he has also contacted other communities, and he said they don't. Basterash said she didn't feel the Solicitor was necessary at all meetings, and it was a savings for the Village. Basterash stated since she is on retainer, she is still being paid by the Village. The Mayor brought up discussion from 2005 when there was discussion on who can call the Solicitor, when she is at a fee of \$105.00 hourly. Rockwell stated in the past it was the Mayor, Police Chief, Fiscal Officer and Administrator. Fox said there are times when he needs to call the Solicitor and feels Council has every right to call. The Mayor asked Fox to have the courtesy to clear it with him first. Barber also felt the Village was being fiscally responsible by using the Solicitor when needed. Weilnau stated he felt Council needed to depend on themselves for more answers. He said it is Council's responsibility to carry the meetings, and feels Council has been dependent on the Solicitor with things they should be doing themselves. Weilnau then said he wasn't opposed to every other meeting. Rockwell asked Wolf if she would like to schedule a meeting to discuss a possible compromise and Wolf called for the vote. On the motion and second to have the Solicitor at all Village of Milan Council Meetings, Roll call: Barber-no, Basterash-no, Fox-yes, Maloney-yes, Weilnau-no, Wolf-yes. Tie vote with the Mayor breaking the tie in the negative, motion fails.

Legislation

AN ORDINANCE APPROVING THE 2012 PERMANENT APPROPRIATIONS AND DECLARING AN EMERGENCY. Motion by Wolf, seconded by Fox to suspend the rules for the 2012 Permanent Appropriations. Roll call: Weilnau-yes, Wolf-yes, Barber-yes, Basterash-yes, Fox-yes, Maloney-yes, motion carried. Motion by Weilnau, seconded by Barber to adopt by title only as an emergency. Roll call: Wolf-yes, Barber-yes, Basterash, Fox-yes, Maloney-yes, Weilnau-yes. Motion carried, Ordinance no. 575-03-12.

A Public Hearing for the 2012 Appropriations was held prior to tonight's meeting and the appropriations were discussed. A Motion by Maloney, and a second by Barber closed the Public Meeting. Vote-all yeas, motion carried.

Motion by Barber, seconded by Basterash to adjourn. Vote-all yeas, motion carried.

Steven Rockwell, Mayor

Mary Bruno, Fiscal Officer