

Village Council met in regular session on Monday, January 4th, 2021 at 7:00 p.m. Council present: Karon Lane, Karen Noward, John Pupos and Cindi Pawlaczyk with Cathy Mossing and John Pupos attending through Zoom.

Other officials present: Mayor Richard Sauerlender, VFO Susan Clendenin and Fiscal Consultant Angela Smith.

Guests: Rebecca Miller with the Village Reporter, Cheryl Geer and Gary Loar

Mayor Sauerlender opened the meeting with the Pledge of Allegiance.

Election of 2021 Council President- By majority vote, Karon Lane elected president for 2021.

Minutes - John Pupos moved to approve minutes of December 28, 2020 council meeting as written. Second of motion by Cathy Mossing and approved by all council.

Bills – Reading of the bills.

1/5/2021	24569	Sue Clendenin	Wages 12/17/20 - 12/30/20	735.00
1/5/2021	24570	Steve Venia	Wages 12/17/20 - 12/30/20	1,600.00
1/5/2021	24571	Elizabeth Ryan	Wages 12/17/20 - 12/30/20	658.00
				2,993.00
		CHECKS:		
1/5/2021	24572	Petty Cash	Supplies, Postage	97.94
1/5/2021	24573	Fulton Cnty Emergency Mgmt	2021 Annual Assessment	344.85
1/5/2021	24574	Fulton Cnty Regional Planning	2021 Annual Assessment	313.50
1/5/2021	24575	Jones & Henry	Sewer sample analysis	15.00
1/5/2021	24576	McMunn Brothers	269 Maple Sewer Excavation	2,000.00
1/5/2021	24577	Mikes Repair	Starter for Red Truck	275.00
1/5/2021	24578	Government Accting Solutions	2020 Annual Report Prep Fee	500.00
1/5/2021	24579	Treasurer of State	2020 Annual Discharge Fee	200.00
				3,746.29
		ACH PAYMENTS		
12/31/2021	EFTPS	EFTPS	Village match for social security & medicare	575.72
		CARE ACT ACCOUNT		
1/5/2021	100024	Angela Smith	Admin. Services Nov. 2020	1,260.00
			TOTAL	8,575.01

Karen Noward motioned to pay the bills as presented. Second of motion by Cindi Pawlaczyk and approved by all council.

Solicitor's Report – Discussed liability issues with Village employees clearing snow off sidewalks in front of downtown businesses. Unlike maintaining village owned sidewalks where we have some immunity,

clearing for other does increase village liability risk. In Ohio, it is hard to collect from slip and fall claims but does not mean we would not get sued. Village insurance does cover these types of claims, having just a few small claims does risk an increase in our premium. Alan said if we decide to enter into a contract with the postal Service for sidewalk maintenance, it should include "hold harmless" language. Alan suggested we ask for this hold-harmless waiver even if we clear free of charge. John Pupos said for the past few years the village has removed snow off the downtown side-walks, does this set a precedent that obligates us to continue? Alan said it does not mean the village is liable to continue forever. Cathy Mossing asked what other municipalities do and if their ordinance pertaining to snow removal on sidewalks has a distinction between private property and business? The Village of Lyons mandates it is the responsibility of the owner of the real estate abutting sidewalks to keep sidewalks free and clear of snow and ice. Cathy Mossing asked if other municipalities snow ordinances include time periods to have walks cleared? John Pupos read Swanton's Snow Ordinance it does not specify a time limit. It reads: Failure to keep sidewalks in repair and free from snow, ice and other obstructions would be declared a nuisance. Current Village Code obligates those owning property abutting sidewalks to maintain them, whether private or commercially owned. No time limit noted in the Code to have walks cleared. Cindi Pawlaczyk said it is a nice perk to provide this service to downtown businesses. The Post Office has asked if the village is willing to be contracted to clear Postal walkways and driveway. John Pupos suggested the Post Office speak with Mike Wells to see who he uses at the Well's Apartment. Well's clear walkways on both sides of the Post Office sidewalk. The village will continue to clear sidewalks this winter, at no cost to downtown businesses. Revisit in the spring, meanwhile find out what other villages do.

Old Business – Refer Electric Aggregation agreements to Lands & Buildings for recommendation. A representative from Energy Harbor has been asked to zoom in on the next L&B meeting Jan.20.

New Business – John Pupos asked Steve to schedule removal of holiday decorations and lights off the tree.

Fiscal Officer's Report – Jeff Pawlaczyk agreed to help snowplow again this season, his 22-year-old son Payton is also willing to help when needed. Sue suggested increasing the hourly rate of pay for back -up snow plowers. We are now paying \$15 an hour and have been for years. Karon Lane motioned to hire both Jeff and Payton Pawlaczyk as backup snow plowing help at a rate of \$16 an hour. Second of motion by Karen Noward and approved by all council with Cindi Pawlaczyk abstaining. CDL not required.

Prior to 2016 the Village awarded Advanced Sanitation an exclusive franchise agreement for refuse service in the village. Since 2016, we have entered into annual contracts with Advanced to provide refuse service. Advanced submitted a one -year residential refuse collection proposal beginning January 1, 2021 through December 31, 2021. Advance Sanitation Owner-operator Patrick Dorr agrees to hold current 2020 rates during the duration of the agreement beginning January 1, 2021 through December 31, 2021. The agreement also includes free of charge one 3-yrd dumpster for the park, to be delivered the first week of April and removed October 31. Council agreed Advanced does a very nice job for the residents and prices are reasonable. Karon Lane moved to enter into a one-year refuse contract with Advanced Sanitation beginning January 1, 2021 through December 31, 2021. Second of motion by Cathy Mossing and approved by all council.

Mayor's Report – Mayor Sauerlender announced 2021 committee members: John Pupos, Cindi Pawlaczyk and John Hudik will sit on the Land & Buildings Committee, with Cathy Mossing, Karon Lane and Karen Noward on the Personnel & Finance Committee.

Read the Sheriff's report for November 2020. Officer's handled three complaints.

The mayor received a request from a council member to revisit Ordinance 1043, Establishing Employee Compensation for 2021. At 7:38 p.m. John Hudik moved to enter into executive session to discuss personnel issues. Second of motion by John Pupos and approved by all council. At 7:55 p.m. John Pupos moved to exit executive session. Second of motion by John Hudik and approved by all council. John Pupos moved to suspend the rules on Ordinance 1045, amending Ord. 1043; Section 1 and Section 3 to reflect a 1.5% hourly increase for village employees Susan Clendenin and Steve Venia, effective January 1, 2021. Second of motion by Karon Lane with a roll call vote taken: Hudik-yes, Mossing-yes, Pupos-yes, Pawlaczyk-yes, Lane-yes and Noward- yes. John Pupos moved to pass Ordinance 1045 under emergency measure. Second of motion by Karon Lane with a roll call vote taken: Hudik-yes, Mossing-yes, Pupos-yes, Pawlaczyk-yes, Lane-yes and Noward-yes. **Ord. #1045 passed.**

Adjournment- John Pupos moved to adjourn at 8:00 p.m. Second of motion by Karen Noward and approved by all council.

Mayor – Richard O. Sauerlender

VFO – Susan Clendenin