

PRESIDING OFFICER, THOMAS J. GARDNER, MAYOR

ROLL CALL:

PRESENT: Joe Bourne, Ed Steffek, Brandie Bourne, John Little, Nate Penrod, Steve Adams

ABSENT: N/A

OTHER ATTENDEES: Rick Swiger, DJ Meek, Brandon Bishop

VISITORS: Mike Conaway, Kathy Sullivan, Mark Perlaky

PLEDGE

The meeting was opened with The Pledge of Allegiance led by Mayor Gardner.

PRIOR MEETING MINUTES

**Motion was made by Joe Bourne** and seconded by Ed Steffek to dispense with the reading of the minutes and accept the minutes from regular meeting held November 21, 2023.

Roll call taken as follows: Joe Bourne yay, Steve Adams yay, Nate Penrod yay, Brandie Bourne yay, John Little yay, Ed Steffek yay.

VISITORS,

\*Visitor – Historical Society – Mike Conaway - Conaway questioned Mayor Gardner about the mayor's meeting to be held on December 19<sup>th</sup>. Mayor Gardner explained that each month a mayor's meeting is held at one of the Tuscarawas County Mayor's Entity. Gardner is hosting the December Mayor's Meeting at Port Washington Village Hall. The group will be touring the Historical Society Building during the meeting. The Mayor's meeting will begin at 6pm.

\*Conaway inquired whether the village has a view on the new incoming laws of marijuana dispensaries. Village Solicitor Mike Cochran indicated that the village will have to follow any of the state regulations set forth. However, Cochran indicated that the village had passed a village ordinance previously banning any dispensaries to be located in the corporation of Port Washington.

PAY BILLS

**\*Motion made by Brandie Bourne** and seconded by Joe Bourne to pay bills from respective funds. Roll call as follows: Joe Bourne yay, Ed Steffek yay, Brandie Bourne yay, John Little yay, Nate Penrod yay, Steve Adams yay.

FISCAL OFFICER

\*Heard that F.O. Lute will be on vacation on Dec. 9 through Dec. 13<sup>th</sup>.

POLICE

\*Patrolman Brandon Bishop was present for the police department. Heard that the police department computer is not working properly and is very slow. Also heard that Halls, Inc. will be servicing the camera system. The body camera hasn't been working for some time and now the car camera is not functioning. **Motion was moved by Brandie Bourne and seconded by Steve Adams** to approve repairs for the computer & body and car camera for the police department. If repairs are not possible or costs are excessive for the repairs– purchasing of a new computer and body/car camera is authorized. Roll call as follows: Joe Bourne yay, Steve Adams yay, Nate Penrod yay, Brandie Bourne yay, John Little yay, Ed Steffek yay.

## POLICE – CONT'D

\*Heard that the municipal income tax letters have been delivered. These are letters to village residents who are in noncompliance of the Municipal Income Tax Regulations.

## STREET

\*No Reporting

## ZONING/MAYOR'S ADMINISTRATIVE ASSISTANT

\*DJ Meek reported that the breakers need to be changed at the square on Main Street.

**Motion moved by Brandie Bourne and seconded by Joe Bourne** to approve the expense for any repairs needed for the breaker change out. Roll call taken and all council members present were in favor.

## INCOME TAX ADMINISTRATOR

\*No Reporting - Absent

## MAYOR

\*Mayor Gardner introduced Attorney Mark Perlaky as the candidate to replace Village Solicitor Michael Cochran. Cochran will be retiring effective Dec 31, 2023 after serving 45 years for the village. Perlaky addressed council stating that he appreciates council's consideration for the open position. Perlaky is currently Newcomertown's solicitor and a Guernsey County Prosecutor. With his governmental experience he would fill the position of village solicitor and the village prosecutor. He indicated that he is available 24-7 and will answer during non-business hours when needed. The village solicitor fee will be a salary of \$500 per month and prosecutor hourly wages of \$85 per hour.

**\*Motion was moved by Joe Bourne and seconded by Brandie Bourne** to employ Mark Perlaky with a two year agreement. Roll call taken as follows: Joe Bourne – yay, Steve Adams – yay, Nate Penrod – yay, Brandie Bourne – yay, John Little – yay, Ed Steffek – yay.

\*Gardner presented a quote from Cornerstone Electric, Inc. in the amount of \$11,250.00 for a battery backup system for the square on Main St/St. Rt. 36. This battery backup would keep the traffic light functioning at all times (even when the electric power is out).

Gardner suggested applying for local foundation grants to cover the expense.

**\*Motion made by Steve Adams and seconded by Ed Steffek** to proceed with grant applications to cover the expense of a battery backup system for the traffic light on the square. Roll call taken and all council members present were in favor.

\*Was reported that Mayor Gardner will be hosting the December County Mayor's Meeting at Port Washington on Dec. 19<sup>th</sup> – 6pm. The regular council meeting scheduled for the 19<sup>th</sup> will be rescheduled for Dec. 28<sup>th</sup> at 7pm.

## SOLICITOR – MICHAEL COCHRAN

\*Solicitor Cochran administered the oath of office to Mayor Thomas Gardner. Term effective Jan. 1, 2024

\*Solicitor Cochran administered the oath of office to council members Steve Adams and Joe Bourne. Term effective Jan. 1, 2024.

## JOE BOURNE

- \*Reminder -Dec. 17<sup>th</sup> – Santa at the Fire Dept. from 5-7pm
- \*Expressed gratitude to Solicitor Cochran for his service to the village.
- \*Expressed gratitude to all the volunteers for installing the Christmas Lights for the season.
- \*Expressed gratitude for the voters on approving the tax levies that were on the November Ballot. Renewal – current expense levy & replacement cemetery levy.
- \*November Delaware Fire Dept – 6 calls for the Month of November. There was a total of 60 calls reported for year 2023 that were handled by the fire dept.
- \*Bourne indicated that the Delaware Fire Dept. is looking to bring on fire fighters. The department currently has 11 volunteers – but are in need of more fire fighters.

## STEVE ADAMS

- \*Expressed gratitude for Solicitor Cochran's service to the village.

## NATE PENROD

- \*Expressed gratitude and appreciation for the approval to proceed with resolving a safety issue at the traffic light on the square. Penrod has been adamant in resolving the safety hazard when the traffic light is not functioning. Council agreed to install a battery backup system to keep power to the traffic light at all times.

## BRANDIE BOURNE

- \*Heard that the next Breakfast at the Delaware Fire Dept. will be December 9<sup>th</sup> from 8-11am.
- \*Was reported that approximately \$500 was spent for replacement bulbs and other supplies for the Christmas Street Lights and Christmas Flags. Bourne also indicated that additional holiday flags can be purchases in the future if needed.
- \*Updated CPR/AED Class. The expected cost of \$17 per person was incorrect as earlier stated. The cost per person is \$35 to be certified. Council member Penrod will be donating for the cost of village residents who wish to attend. A class with no certification (Good Samaritan Class) could be held at no charge. A date for the class will be announced in the near future. Anyone interested in attending the class should contact the Delaware Fire Dept.
- \*Bourne noted that the village patrolmen acquired 95 hours for the month of November. She expressed gratitude for the increased hours.

## JOHN LITTLE

- \*No Reporting

## ED STEFFEK

- \*No Reporting

\*\*At the conclusion of the meeting; Mayor Gardner presented Solicitor Michael Cochran with a plaque for 45 years of service.

Meeting Adjourned.

\*\*Next regular scheduled council meeting for Dec. 19<sup>th</sup> at 7pm has been cancelled.

\*\*Next regular meeting to close the books will be December 28, 2023 at 7:00pm.

\_\_\_\_\_  
Thomas J. Gardner, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Darissa R. Lute, Fiscal Officer

\_\_\_\_\_  
Date

**RESOLUTIONS & ORDINANCES**

**Motion moved by Brandie Bourne** and seconded by Joe Bourne for entering into an agreement with Attorney Mark Perlaky as the Village Solicitor and Village Prosecutor on an emergency basis. **(ORDINANCE 2023-06)** Roll call as follows:

Joe Bourne yay, Nate Penrod yay, Brandie Bourne yay, John Little yay, Ed Steffek yay, Steve Adams yay.

**Motion made by Steve Adams** and seconded by Joe Bourne to pass and enact said **ORDINANCE 2023-06**. Roll call as follows: Joe Bourne yay, Nate Penrod yay, Brandie Bourne yay, John Little yay, Ed Steffek yay, Steve Adams yay.