

Village of Climax

Regular Meeting
February 15, 2005

Present: Bill Rogers, Terry Strong, Salli Thompson, Bill Twiss, Tricia Willis, Bradley J. Wyant.

Absent: None. One vacant trustee seat.

Also Present: Tom Jones, Marcia Lewis, Bob Soltis, Wally Haley, Bill Sackrider, Deb Wyant.

(Twiss/Wyant) Motion to approve the minutes of February 1, 2005 without exception. Unanimously approved.

Guests: Wally Haley, representing Nextel, and Bob Soltis, Village Attorney, met with the Council to answer questions on the lease agreement allowing Nextel to place antennas on the water tower. The term of the lease will be 20 years (four 5 year renewals). The amount will be \$1000.00 per month with a 3% yearly increase. An added provision regarding the construction of the Nextel facility is to be approved by the Council and final drawing be attached to lease agreement.

(Strong/Wyant) Motion to proceed with the agreement to allow Nextel to install antennas on the water tower for a period of 20 years (four 5 year renewals) at a yearly rental of \$1000.00 with a 3% year increase and to authorize the Village Attorney to finalize the lease agreement with Nextel and present to the Council. Unanimously approved.

Discussed with Attorney Soltis the C-1 commercial zoning on Main Street. With homes located within the commercial zone a non-conforming issue results. If 50% or more damage occurs to a residential home in the C-1 zone, the home cannot be re-built. The Council discussed the potential of having an increased business presence in the C-1 zone and looked at options to address the current issue. Climax Township had a similar situation with residential home in Scotts and a text amendment was made to their current zoning. Members of the Council reviewed this text amendment. A text amendment to allow homes to co-exist in a commercial district appears to be a sensible solution.

(Strong/Wyant) Motion to amend the C-1 zoning districts to allow residential homes and authorize the Village Attorney to prepare a text amendment change to the C-1 zoning. Unanimously approved.

The Ordinance committee has been working on updating public nuisances ordinances. The Council has received several complaints of barking dogs and the County's refusal to address the problems. A call to the County Animal Control discovered that barking dogs must be handled by individual municipality ordinances. However, loose dogs are covered under County ordinances and an animal control officer will be dispatched. Attorney Soltis informed the Council that ordinance violations relating to peace and public safety do carry a misdemeanor penalty. If the offending parties do not correct the problem on their own, Sheriff Department can ticket them. Ordinances need to be copied and distributed to the Sheriff Deputies to help them ticket according to village ordinance.

The Ordinance committee will work on updating the language in the current ordinances. Also the Clerk will forward the current land use plan to attorney.

(Willis/Thompson) Motion to approve the February 2005 Bill Package totaling \$11,011.89. Roll call vote: Unanimously approved.

(Twiss/Strong) Motion to approve the January 31, 2005 Treasurer's Report. Major Streets = \$165,345.87; Local Streets = \$18,283.72; General Fund = \$264,213.86; Water Fund = \$122,283.36, Perpetual Care Fund = \$11,406.63; Totals = \$581,533.44. Roll Call Vote: Unanimously approved.

Communications: None

Public Works:

- 1) Peerless Midwest performed the annual well & pump testing. All are in good condition and need no maintenance this year.
- 2) Bid requests have been sent out to various engineering firms for water tank maintenance work.
- 3) The water building will be cleaned up and the office used to store village records.
- 4) There are trees that need trimming along the southwest end of the park. Property owners will be contacted.
- 5) Two bids have been received on electrical work for the hall.

Administration:

- 1) President Rogers appointed Tom Jones to fill the vacant Trustee seat. The Trustee seat has a term of four years and expires in November 2008, however, since Mr. Jones was appointed, he must run for election in November 2006.
- 2) (Wyant/Strong) Motion to accept budget amendments as listed. Roll call vote: Unanimously approved.
- 3) (Wyant/Strong) Motion to raise employee's wages by 3%. Roll call vote: Ayes - Twiss, Strong, Wyant, Rogers. Nays - Thompson, Willis. Motion carried 4 to 2. Discussion of the wage increase topic centered on the percentage increase. The Council is very happy with the good work they do and would like to compensate them more. However, as state revenues are decreasing and with ever increasing expenses, it is difficult to compensate the employees for what they deserve. Trustees Thompson and Willis felt a 3% increase was excessive.
- 4) (Strong/Twiss) Motion to set budget hearing and Truth in Taxation hearing for March 15, 2005. Unanimously approved.

President Rogers reported on Council of Governments (COG) February meeting. With most townships and other county agencies attending, there was discussion of splitting the county up into zones to have a single waste hauler in each zone. The topic was placed into committee for further study.

Old Business: None.

New Business: None

The meeting was adjourned at 10:10 p.m. (Willis/Twiss)
Scott A. Torrance - Village Clerk