



# MEETING MINUTES

## GRAND RAPIDS COUNCIL

### REGULAR SESSION



Held: April 25, 2022

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The Council of The Village of Grand Rapids convened in regular session from 7:00 P.M. to 7:53 P.M. in the Old Fire Hall. Mayor John Berry called the meeting to order with the following members and visitors present:

Rachel Smith – Present      Martha Frantz - Present  
Rick Tolles – Present      Lynn Sylvain – Present  
Jody Donsbach – Present      Bob Krabill – Present

**EMPLOYEES:** Chad Beyer and Kristel Beyer

**VISITORS:** Darin Pogan, Margo Deidrick, David Fowler

**MINUTES:**

Smith made a motion, seconded by Donsbach to approve the minutes of the regular meeting held on April 11, 2022.

Sylvain stated since we brought up the structural assessment for the Town Hall, quotes provided between \$4,000 - \$8,500 and council tabled it last time. She believes this increases are potential negligence if we do nothing. Mayor stated we will discuss that in unfinished business.

Votes were:      Sylvain – yes      Donsbach – yes      Frantz – yes  
                         Tolles – yes      Smith – yes      Krabill – yes

**MOTION APPROVED**

**BILLS:**

Donsbach made a motion, seconded by Krabill to approve the bills from April 8 – April 21, 2022 in the amount of \$28,829.39.

Sylvain question the \$1,000 for Albert Potter. Kristel stated it is a prosecutor service fee for people that get criminal charges within the Village limits. Sylvain also questioned Perrysburg Pipe \$1,286. Chad stated this is for inventory. Sylvain asked about the \$803 USA Bluebook is this an annual cost. Chad stated no it was for hoses for outback and testing supplies.

Votes were:      Donsbach – yes      Frantz – yes      Tolles – yes  
                         Smith – yes      Krabill - yes      Sylvain – yes

**MOTION APPROVED**

Mayor Berry stated approval of bills have passed.

**INTRODUCTION OF VISITORS APPEARING BEFORE COUNCIL:**

Mayor stated Darin Pogan and Margo Deidrick are present to discuss the application for the Applebutter Fest for the Grand Rapids Little League. Mayor said last year there was an area that was wet near the fire hydrant, he hopes we don't run into that again this year. Darin stated their intent is the same as last year since it was wet. They will be keeping vehicles off the grass areas as much as possible whether the area is wet or not since they can use the parking lot area. Darin stated what ever we damage we will repair. Donsbach asked what the difference for a normal year versus last year. Margo

stated we had 80 vendors last year which we usually have 125 to 130. Darin stated it varies year to year.

Donsbach made a motion seconded by Frantz to approve the application for use of public property for the Grand Rapids Little League for the Applebutter Festival 2022. Martha asked if they changed their name? She remembered them being Grand Rapids Youth Baseball/Softball League. Darin stated we are still this name or GRYBS. Margo stated it is all the same.

Votes were: Frantz – yes Tolles – yes Smith – yes  
Krabill – yes Sylvain – yes Donsbach – yes

**MOTION APPROVED**

Mayor stated David Fowler is here to discuss Town Hall Rental Application. David said he did contact the Health Department and as long as they are not selling anything there is no licensing/permitting required. David stated any donations received they want to go towards maintenance and repair of the Town Hall. David asked if Council was making a Town Hall Fund. Mayor stated yes. Krabill made a motion seconded by Tolles to approve the Town Hall Rental Agreement for the 5 dates from 5/28/22 to 9/24/22 as amended with the fees being waived and that we allow popcorn & bottled and canned soda submitted by David Fowler.

Donsbach asked if this should be subject to be revisited with the popcorn/soda if things do not get cleaned properly. Mayor stated item 8 on the application states after the initial cleaning the lessee will be responsible for any cleaning before the performance and the lessee will leave the facility as it was found.

Votes were: Smith – yes Krabill – yes Sylvain – yes  
Donsbach – yes Frantz – yes Tolles – yes

**MOTION APPROVED**

**SHERIFF'S REPORT:** None

**MAYOR'S REPORT:** Mayor stated we have a guest tonight our Village Solicitor Mr. Ryan Rothenbuhler. Sylvain asked if anyone else on Council introduced themselves to him other than herself. Ryan stated yes. Sylvain asked Ryan so you have four years experience as an attorney? Ryan stated yes as of May 2018 and he has worked in a law office as of 2011. Sylvain asked if he has worked for Mike Marsh that whole time. Ryan stated yes. Sylvain stated when we met in January you had really high praise for Mike Marsh, right? Ryan stated he still does. Sylvain stated if he made a ruling on something would you find him correct most of the time. Ryan stated he would look at the circumstances, he is not a yes man. He does have a fond opinion of him but he wouldn't let that cloud his judgement. Sylvain asked if Ryan is aware that Marsh wrote a letter at the last time Mr. Hoffman retired saying that if he retires again he would only be entitled to 30 days pay. Ryan was not aware of that. Sylvain asked if that changes his opinion on the \$70,000 that council paid him. Ryan stated he would have to look at the facts again to make his opinion. Sylvain stated she would share the letter with him. Frantz asked if she would also be sharing it with Council. Sylvain stated its public record so she will share with Ryan and Ryan can copy all of you on it. Sylvain stated an issue on the employee handbook came up that it is out of date and we were starting to revise it. They were going to approach you and ask if he had a recommendation on it. Ryan stated after talking to the Mayor, there are a lot of outside institutions that look at these items. If Council wants to look at it and revise or revamp there are a lot of

companies that do that. Sylvain asked if he will be recommending a company. Ryan stated he can do that. Sylvain stated it was her position that Council should draft the employee handbook and then have a legal review. Sylvain stated they made a comment that they felt they weren't qualified to write the employee handbook and to ask for a recommendation. Sylvain stated we also had a question on donations. Sylvain said there was a question on donations if we should setup three accounts, one for Town Hall, one for general donations and one for the pool. Kristel stated she had contacted Ryan on these items. The Town Hall fund is on the agenda for the donations we could receive from the Town Hall Rental from David Fowler. General donations this could be created, Council would need to amend our current appropriations to include this account if they wanted. As for the pool fund it was the Solicitors opinion that this is a bad idea. There is a pool board that raises money and fully self supports the pool and other towns in our area use the same model for their operations. Monica Thompson stated the pool is a 501C3 non-profit it is best for people to donate directly to the pool, they have an account at the bank and people are more than welcome to go make donations at the bank. If they make the donations directly to the pool than she gives them a receipt which they can then use for tax purposes. Monica stated if the money goes to someone else like the Village and then to the pool it is no longer a donation for tax purposes. Sylvain stated she was looking to start a pool fund that in the event that the pool didn't have enough money then the Village would have money to support it. Monica questioned this would be with tax dollars then? Sylvain stated yes with tax dollars. Sylvain stated it would come out of the General Fund which we have over \$300,000. She asked how much the pool needs on an annual basis to maintain the pool. Monica stated payroll is around \$24,000, electric \$600/month and chemicals \$1,000. Since Monica took over she is trying to make sure they can cover all expenses and have some money left over so we can do the repairs needed. Last year we had a major repair and it sounds like we have another repair for this year. Sylvain stated the idea was not to take over repair/maintenance but wanted to make sure it is always funded, so the asset in the community doesn't go away. Monica stated that is their goal is to be able to maintain it, every year they hope to not have a water leak under the concrete, they had a big scare last year. Monica stated that Delta actually closed their pool and is looking at a tax levy to build a new one because it was way to much to fix. Monica stated if we don't start preparing to replace and build a new pool this could be us next year. She stated Shaun has been reaching out to other area pools on what they like or what they wished they would have done better on their pools. She stated they have a ton of people that want swim lessons and she doesn't think they will be able to offer swim lessons this year because we do not have anyone to teach them. She does have two school teachers going through to get certified but will not feel comfortable enough teaching them this year. It would be nice if Otsego kids could use our pool for a swim team versus them joining a bowling green team. Frantz asked how much was made from the swim team last year or two years ago from their morning practices. Monica would have to look that up. Frantz asked when it was built, Monica believes it was 1969. Frantz stated Dr. Barger was instrumental in getting that built. Mayor thanked Monica for this information. Sylvain asked if they have daily memberships for the pool and this is how you support it. Monica stated memberships and daily gates passes. Sylvain asked if Monica had any

sensus on how much of our community supports the pool. Smith stated lets get back to the agenda this sounds like a seperate discussion. Monica stated if you want to reach out to me she would be happy to explain more. Sylvain stated on every topic we get five minutes to debate it and she thought we were still in the five minutes. Sylvain had another question for Ryan she wanted to know whether we should set up a general ledger account for general donations. She wanted to donate her council salary back into the fund that we can then use for donations and we can do the same with Ryans salary donation. She asked if this should be a separate fund, Ryan stated he would default to Council for years it went back to the general fund so if council decides they want another line item it could be voted on. She stated John was going to ask if it is the proper way to do a separate line item. Ryan stated he still defaults to council, we are creating a Town Hall fund for donations. Sylvain stated so it makes sense to make a separate one for donations in general. Smith asked what we would be using it for. Sylvain stated for any improvements we want to make that are outside of the norm, so we could donate it to the swimming pool if we wanted. Smith stated you have already said you want a separate line item for the pool. Sylvain stated yes but she doesn't see it yet. Sylvain stated it can be used for anything, right now it goes back to a fund that is designated for salaries and she wants to have visibility. Then we can do something positive back to the village not just cover our overhead. Donsbach stated she believes there was a question about Sylvain donating her salary back and the answer was you can donate your salary to whomever you would like to donate it to. Sylvain is still researching that she doesn't believe that is the right answer but she knows that is the answer we got back. Donsbach stated that may not be the answer that you like but that is the answer. Sylvain stated further research needs to be done on it. Sylvain asked why we wouldn't want that visibility to donations. Krabill stated now you want to force that money to something else. What you just said was you want to use the money for good. Sylvain stated she does. Krabill stated he agrees all money should be used for good. The option you have is to take the check you get every quarter and donate it to whomever you want. Sylvain stated this isn't about her check. Krabill stated it absolutely is about your check. Sylvain stated what about Ryan's \$7,500, Krabill stated we are not talking about Ryan right now. Krabill stated you can take your money and donate to whomever you want and use that money for good. Sylvain stated she is aware of that. Krabill stated now you want a line item. Sylvain stated don't you want visibility. Frantz stated we are discussing this. Sylvain stated not really. Mayor stated that RT 65 will be paved this week. There will be a lot of traffic going down the side streets and trying to slip through. They will start tearing up Second Street at Front Street. Mayor stated the emergency lights in the Town Hall do need repaired before David's Movie nights. Mayor stated the handrail is up.

**ADMINISTRATOR'S REPORT:**

Chad said Davis & Newcomer Elevator Co. came in and ran safety test. The safety test passed on Town Hall chair lift. The handrail is up as the Mayor mentioned. John Long is supposed to get one made for the third floor. He is still waiting on one more quote for the drainage issue at Tim Wagner's. We did receive the actuator for the sewer plant and hoping to get installed this week or next.

**FISCAL OFFICER'S REPORT:** Fiscal Officer stated at the last meeting I was asked if we could use Code Red for non-emergency messages and the answer is yes, we can.

They would assist us in setting up our first scenario. I contacted the Village Insurance company on the Village Employee Handbook & Council Rules and they are currently reviewing these items at no charge. Krabill asked if CodeRed is something we can control. Kristel stated yes. Ryan suggested not signing up for every warning because they will tell you when there is a flood warning anywhere near northwest Ohio.

**READING OF COMMUNICATIONS:** None

**COMMITTEES:** Smith stated the Council of the Whole met at 6 pm just prior to this meeting to discuss a needs assessment. Council reviewed a draft of the assessment and councilperson Sylvain will be providing a revised copy for review. There are no recommendations at this time.

**ORDINANCES:** Mayor gave first reading of Ordinance 2022-3: An Ordinance creating the Town Hall Maintenance Fund.

**UNFINISHED BUSINESS:** Sylvain mentioned the Town Hall structural assessment. We have went over the 14 observations, the Council made a motion to table it and she was to take it to the Historical Society and it was unclear what the intention was. Although it was implied we would ask them for money, there is no word back from the Historical Society. Sylvain asked Ryan, now that we have 14 observations some of them are structural, some are safety, council has chosen to do nothing as of last meeting. If something happens to somebody would we not then prove our own negligence. Ryan asked if you were still waiting on an answer from the Historical Society. Sylvain stated the Historical Society has nothing to do with it. Smith stated she remembers asking Sylvain for the copies of the proposals that were provided to her. Sylvain stated she doesn't remember that and asked if it was in the meeting minutes. Smith stated so her request was ignored because it wasn't in the meeting minutes. Smith remembered that she requested the information in the Council of the Whole meeting so it wouldn't be in the council minutes. Sylvain doesn't recall that or she would have provided them, she is all about transparency. Smith stated the simple request was that she wanted to see the copies of the proposals so we know what we were looking at. Sylvain's excel spreadsheet doesn't really show us what each person is providing. We said yes we wanted to address the structural things first. Sylvain stated she doesn't have any record of Smith asking for them but if she is asking for them today, she will gladly provide all proposals. Smith stated she would move forward but would like to see those first. Smith just wants to make sure each proposal we are looking at is the same thing. Sylvain stated we have approved much greater spending in this room without any proposals. Smith stated before we move forward she is looking to address the structural issues first and Sylvain stated before that Poggemeyer was willing to go above and beyond. So she just wants to see if Poggemeyer presented something structural and then these other additions that we may want to consider. Smith wants to make sure we are comparing apples to apples that is all she is looking for before we make a decision. Sylvain asked if this is why Council tabled it without reasoning. Frantz stated does it matter. Sylvain said yes it does. Frantz stated lets move on, lets not keep beating the horse. Frantz asked if it would be ready next meeting, Sylvain stated it is ready now they were not asked for. Smith asked for Sylvain to email them to Council. Sylvain stated she will give them to Kristel and then she distributes. Smith stated do you not have our email addresses. Sylvain said it becomes a public record going through Kristel. Mayor will be getting quotes on sidewalks, he is

picking up where Mr. Hoffman left off. He should have them by next meeting. This will be for zone 1 and zone 13 as we originally talked about back in the fall. Tolles asked if we should schedule a meeting for sidewalks. Mayor stated lets get the quotes first so we don't schedule a meeting and not have the quotes. Sylvain questioned isn't that something the sidewalk committee does by getting those quotes and evaluating them. Mayor stated yes that is what the committee will do after he gets them. Sylvain asked why wouldn't they be taking care of that. Mayor stated it is more convenient for him to be around during the day when a person can walk around sidewalks, everyone works here. Mayor asked Sylvain that when she sends things out to Kristel at the eleventh hour before our meeting, people don't get a chance to look at it until they get home from work and our meeting was at 6 pm today. He asked Sylvain to send in a little more promptly, possibly the first of the week prior to the council meeting. Sylvain asked Diane when were we finished revising the needs assessment, not at the beginning of the week. Mayor stated we just got it today. Sylvain stated you got it when it was revised. Mayor said he is glad we got it but would like it to be before the final hour.

**NEW BUSINESS:** Sylvain questioned the rules around spending. How many quotes are required, what payment terms are targeted, where are the receipts, how is it reconciled and when do we publish on the website. Mayor asked when do we publish what on the website. Sylvain stated the bills; the minutes are always posted but not the bills. Mayor stated it is public record anytime someone wants them they can ask for them. Sylvain asked why we don't publish it. Mayor asked why? Sylvain stated we reference them in the meeting minutes but they are not there for people to look at. Mayor stated they are available once requested it is a public record. Sylvain stated it is for transparency. Donsbach stated people do have access, it is a public record. Sylvain asked what the rules are on the spending. Are there any rules written, is it in the employee handbook, is it in the council rules, is it in the job description are you aware of anything that defines those guidelines. Donsbach stated there is a limitation on what can be spent via credit card and also anything that is a big purchase we discuss here at every meeting and if a motion is made to purchase that is what we do. Sylvain asked if there are any rules regarding spending Village tax dollars, who approves, how many quotes, what are the pay terms, where are the receipts kept, how is it reconciled and will it be published on the website. Frantz stated that will fall to the expertise of the Village Administrator and the Fiscal Officer. Sylvain stated the husband and wife team that we have. Smith stated so that is where you were going with this. Smith stated you obviously know the answer to that. Sylvain stated she didn't actually. Smith stated you have studied the employee handbook so you should know what is in there. Smith asked what is in there Lynn. Sylvain stated there is nothing in there that she is aware of on spending. Smith stated because everything gets run through us. Sylvain repeated again. Chad stated he was told he can spend up to \$10,000 before he had to come to Council. Sylvain asked if he has to get any quotes. Chad stated not that he is aware of. Sylvain asked if he negotiates payment terms. Chad stated no. Sylvain stated that is fantastic no. Sylvain stated so when we do our employee handbook or our council rules we may want to define those things. Donsbach requested that we move on please to the Mayor. Sylvain has more new business, Mayor stated that is enough Lynn you are done. Sylvain said to Ryan that this is a violation of Roberts rules

and a violation of her free speech.

**COMMENTS:** Frantz said she was grateful we had the unlimited pickup again. She stated it went so smoothly and they were done by 10 am. Frantz would like to get them back again for the next pickup and she asked when the next one was. Mayor stated we do that once a year in the Spring. Tolles asked Chad if he had any numbers on what the company picked up. Chad stated not yet but we did have a few not get picked up on/near County Line Rd., they will be picking those items up tomorrow. Sylvain told Chad there is wood rot on the Wright Pavilion. Smith stated she will be scheduling a buildings, parks and properties committee. Sylvain is working on the municipal development strategy and wondering if the Industrial and commercial development team would like to meet on that as well. Donsbach stated she is not scheduling a meeting at this time but will take it under advisement. Sylvain asked Tolles and Smith if they would like to meet on it, they both said no. David Fowler stated the pool has a water leak and wondered if Chad could help dig it up. Chad stated he talked to Shaun Downey and told him they could dig it up if they get time and Shaun was going to get parts to fix it.

**ADJOURNMENT:**


Smith made a motion, seconded by Donsbach, to adjourn.

Votes were:	Krabill – yes	Sylvain – no	Donsbach – yes
	Frantz – yes	Tolles – yes	Smith – yes

**MOTION APPROVED**

The meeting was adjourned. The next scheduled meeting is May 9, 2022 at 7:00 P.M. at the Old Fire Hall.

  
\_\_\_\_\_  
Kristel Beyer, Fiscal Officer

  
\_\_\_\_\_  
John Berry, Mayor

All formal actions of the Council of The Village of Grand Rapids concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.