

Bethel Village Council June 9, 2008

Council of the Village of Bethel, Ohio, met in regular session in Council Chambers in the Bethel Municipal Building on Monday, June 9th, 2008 at 6:30 pm with Mayor John Swarthout presiding.

The meeting was video taped and will be aired on cable television.

Mr. Cherry delivered the invocation followed by Mayor Swarthout leading the Pledge of Allegiance to the American Flag. Upon roll call, the following were counted as present: Council Members Alan Ausman, Joe Houlihan, Donna Gunn, Gary Hutchinson, Tim Cherry, James Dick. Also present: Solicitor George Leicht, Village Administrator Travis Dotson and Fiscal Officer Angel Burton.

A motion to approve the minutes from May 27th, 2008 was made by Ms. Gunn. Seconded by Mr. Hutchinson. All ye.

COMMUNICATIONS

Mr. Ron Dunn, Village Zoning Administrator and Code Enforcement Officer spoke before Council. Mr. Dunn has completed a residential count in the Village. Around 60% of the Village properties are owner occupied, with the remaining either rental or empty. 42 homes are vacant, and 3 are known foreclosures. Most of the property maintenance violations are related to the vacant properties. The "purple" house is being cleaned up and items are being moved.

Mr. Dunn has suggested technical corrections to the property maintenance code that will need to be adopted by ordinance, but no public hearing will need to be held.

ADMINISTRATION AND COMMITTEE REPORTS

Mayor Swarthout

Mayor Swarthout relayed the court report to Council. In April, the court paid \$4285 to the Village, and in May, the court paid \$5445 to the Village.

Founders' Days will be held June 20-22 at Burke Park.

Village Administrator

The Enrollment Meeting for the third party administrator was held June 2, 2008, with Susan Fuller speaking. All full-time employees were present, with the exception of a couple police officers due to scheduling conflicts. The TPA went into affect 6/1/08.

Mr. Dotson attended a traffic engineering workshop on June 3, in Fairfield. Topics included pedestrian friendly streets, sign inventories, etc. He also attended a grant writing workshop that he found very informative.

The timer and button is functional at the tennis court. The lights are seasonal, operating 8pm-midnight.

Trees have been marked for removal at Burke Park. All departments are working on the park for the Founders' Day weekend.

Mayor Swarthout has suggested the Village change the name of Charity Way, since the Village already has a Charity Street. The change will need to be done by Ordinance. Names for the street were suggested but not decided.

Fiscal Officer:

Speedway made a mistake in their liquor application, so the Village has received a notice from the state. Council does not request a hearing on the license.

Ms. Burton will need a settlement from the Burke Trust Commission, for the 10 grants awarded. The total requested from the commission is \$20,000. (\$2K each grant)

Solicitor Leicht:

Nil.

Chief of Police:

The police department assisted the Village of Williamsburg with their traffic control during the June in Old Williamsburg event. The department will also be increasing patrol on SR 133, along with other agencies. Several serious accidents have occurred on the stretch recently.

Finance Committee:

Mr. Hutchinson spoke on behalf of the Finance committee. Several ordinances are before Council for approval this evening, involving a transfer of funds. This was a common practice in the past, usually handled before the budget year began. These transfers have been neglected for the past couple years, and are to be considered more of a bookkeeping measure.

The committee recommends an increase in utility rates. A rate study for electric was conducted by Mr. Mike Lewis. A 12% increase to electric is recommended. The recommended garbage rate is \$13.75 (up from \$12.25). The 40% recommended water increase is the most substantial(\$18.20 minimum billing), but Mr. Hutchinson pointed out the rate has not increased in over 5 years. The increases are significant, but still below the surrounding township's rates.

Public Works:

Mr. Cherry spoke on behalf of the Public Works Committee. The skate park project is temporarily on hold, due to the large concrete/paving expense.

Safety Committee:

Mr. Houlihan spoke on behalf of the Safety Committee. The committee will meet on July 7th at 5:30 p.m.

Burke Trust Committee:

Ms. Gunn spoke on behalf of the Burke Trust Committee. She read a thank you letter received from grant recipient Brittany Fancher.

A motion to request \$20K funds from the Burke Trust Commission for the payment of Burke Grants was made by Ms. Gunn. Seconded by Mr. Houlihan. All yea.

Planning Commission:

Mr. Dick spoke on behalf of the Planning Commission. The community survey will be delayed until the fall. The committee expects a bigger response at that time.

The next planning meeting will be July 3, 2008 at 6:00 p.m.

It was also noted the mowing reminder on the utility bills was printed on all bills, and the message was not targeting any one resident.

Call of Members:

Mr. Ausman: Nil

Mr. Houlihan: Nil

Ms. Gunn: Nil

Mr. Hutchinson: Nil

Mr. Cherry: Nil

Mr. Dick: Thanked Chief Wallace and the department for the new crosswalk signs. He can tell a difference.

Public Input:

Mr. Whitely thanked the police department for their patrol and observation. He recently had car problems, and asked the department to monitor his vehicle during the night, due to the number of tools he had in it. Ofc Brees ended up confronting Mr. Whitely himself during the night, because Mr. Whitely had returned to his vehicle to rest. Mr. Whitely commended the officer for doing his job.

Legislation:

ORDINANCE 1579 FIXING THE ELECTRIC RATES TO THE VARIOUS TYPES OF CONSUMERS SERVED BY THE VILLAGE OF BETHEL MUNICIPAL ELECTRIC SYSTEM AND REPEALING ALL CONFLICTING ORDINANCES RO SECTIONS THEREOF, 3rd reading

Mr. Leicht questioned the need for section 5, regarding a fine for not complying with the ordinance. The section is considered more traditional than necessary, due to the fees imposed for delinquent payments.

A motion to amend ORD 1579 as written by deleting section 5 was made by Mr. Hutchinson. Seconded by Mr. Ausman. All yea.

A motion to adopt ORD 1579 Fixing Electric Rates was made by Ms. Gunn. Seconded by Mr. Cherry. By Roll: Mr. Ausman "yea", Mr. Houlihan "yea", Ms. Gunn "yea", Mr. Hutchinson "yea", Mr. Cherry "yea", Mr. Dick "yea". Motion carried.

ORDINANCE 1581 AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH LIGHTGOV FOR THE PURPOSE OF DISPOSING OF PROPERTY NO LONGER NEEDED FOR PUBLIC PURPOSES, 3rd reading

Mr. Dotson informed Council the 6% fee to LightGOV is only if the item is sold and paid for.

A motion to adopt ORD 1581 Authorizing use of LightGOV for the sale of Village property was made by Mr. Hutchinson. Seconded by Mr. Dick. By Roll: Mr. Ausman "yea", Mr. Houlihan "yea", Ms. Gunn "yea", Mr. Hutchinson "yea", Mr. Cherry "yea", Mr. Dick "yea". Motion carried.

ORDINANCE 1582 SETTING RATES FOR GARBAGE COLLECTION

Mr. Dotson asked that all the utility rate ordinances be adopted this evening, so they can all be implemented at the same time. The utility clerks will then be able to update the system all at once, and handle any questions over the rates all at once.

A motion to waive the 3 readings of ORD 1582 Setting Garbage rates was made by Mr. Ausman. Seconded by Mr. Hutchinson. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1582 Setting Garbage rates was made by Mr. Dick. Seconded by Mr. Cherry. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1583 AMENDING 2008 APPROPRIATIONS (overall increase of \$1,903,624.71)

A motion to waive the 3 readings of ORD 1583 Amending 2008 Appropriations and Declaring an Emergency was made by Mr. Hutchinson. Seconded by Ms. Gunn. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1583 Amending 2008 Appropriations was made by Ms. Gunn. Seconded by Mr. Hutchinson. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1584 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE GENERAL FUND TO THE POLICE COMMUNICATIONS FUND (\$27940), REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1584 Transfer of General Funds to Police Communications and Declaring an Emergency was made by Ms. Gunn. Seconded by Mr. Hutchinson. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1584 Transfer of General Funds to Police Communications was made by Ms. Gunn. Seconded by Mr. Houlihan. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1585 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE GENERAL FUND TO THE POLICE CRUISER FUND (\$15000), REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1585 Transfer of General Funds to Police Cruiser and Declaring an Emergency was made by Mr. Houlihan. Seconded by Mr. Cherry. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1585 Transfer of General Funds to Police Cruiser was made by Mr. Ausman. Seconded by Mr. Hutchinson. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1586 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE WATER REVENUE FUND TO THE WATER REPLACEMENT AND EXTENSION FUND (\$12000), REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1586 Transfer of Water Funds to Water Extension and Replacement was made by Ms. Gunn. Seconded by Mr. Ausman. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1586 Transfer of Water Funds to Water Extension and Replacement was made by Mr. Dick. Seconded by Ms. Gunn. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1587 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE ELECTRIC REVENUE FUND TO THE ELECTRIC REPLACEMENT AND EXTENSION FUND (\$18000), REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1587 Transfer of Electric Funds to Electric Extension and Replacement was made by Ms. Gunn. Seconded by Mr. Cherry. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1587 Transfer of Electric Funds to Electric Extension and Replacement was made by Mr. Hutchinson. Seconded by Mr. Dick. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1588 SETTING RENT FOR THE ELECTRIC (\$7K/mos) AND WATER (\$2K/mos) DEPARTMENTS, REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1588 Setting Electric and Water Department Rents was made by Mr. Cherry. Seconded by Ms. Gunn. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1588 Setting Electric and Water Department Rents was made by Ms. Gunn. Seconded by Mr. Houlihan. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1589 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE WATER REVENUE FUND TO THE 1ST WATER MORTGAGE FUND (\$98600), REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1589 Transfer of Water Funds to Water Mortgage and Declaring an Emergency was made by Mr. Houlihan. Seconded by Mr. Ausman. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1589 Transfer of Water Funds to Water Mortgage was made by Mr. Houlihan. Seconded by Ms. Gunn. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1590 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE GENERAL FUND TO THE POLICE PENSION FUND (\$44000), REPEALING ALL CONFLICTING ORDINANCES AND DECLARING AN EMERGENCY

A motion to waive the 3 readings of ORD 1590 Transfer of General Funds to Police Pension and Declaring an Emergency was made by Mr. Cherry. Seconded by Mr. Ausman. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1590 Transfer of General Funds to Police Pension was made by Mr. Hutchinson. Seconded by Ms. Gunn. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1591 CHANGING THE NAME OF CHARITY WAY, 1st reading

ORDINANCE 1592 SETTING FORTH THE RULES, REGULATIONS AND CHARGES OF THE BETHEL MUNICIPAL WATER WORKS AND DISTRIBUTION SYSTEM, REPEALING ORDINANCE 1436, ALL CONFLICTING ORDINANCES AND SECTIONS THEREOF

A motion to waive the 3 readings of ORD 1592 Establishing water rates was made by Mr. Hutchinson. Seconded by Mr. Cherry. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1592 Establishing water rates was made by Ms. Gunn. Seconded by Mr. Ausman. By Roll: Mr. Ausman “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1593 PROPERTY MAINTENANCE CODE TECHNICAL CORRECTIONS, 1st reading

Payment of Bills:

A motion approving the payment of the presented expenses and bills was made by Ms. Gunn. Seconded by Mr. Ausman. All yea. Motion carried.

A motion to adjourn was made by Mr. Hutchinson. Seconded by Mr. Ausman. All yea. 7:35 p.m.

Mayor John Swarhout

Angel Burton, Fiscal Officer