

Bethel Village Council September 8, 2008

Council of the Village of Bethel, Ohio, met in regular session in Council Chambers in the Bethel Municipal Building on Monday, September 8th, 2008 at 6:30 pm with Mayor John Swarthout presiding.

The meeting was video taped, to 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: Village Administrator Travis Dotson, Fiscal Officer Angel Burton. Solicitor George Leicht arrived after roll call.

A motion to approve the minutes from August 25th, 2008, as written, was made by Mr. Ausman. Seconded by Mr. Houlihan. All ye.

COMMUNICATIONS

Mayor Swarthout read a letter from Cindy Shepherd, on behalf of the Bethel PTO, thanking Council for their donation to the Tiger Tools program. The program provides school supplies to needy children in the district. The need continues to grow in the area.

ADMINISTRATION AND COMMITTEE REPORTS

Mayor Swarthout

Nil.

Village Administrator

The Village has received a request from a local political party to use the Grant Memorial Building for a weekly phone bank in order to rally support for a presidential candidate. The group will provide its own equipment. A rental amount was not discussed, due to the nature of the request.

Council does not want to be perceived as endorsing any particular candidate. Mr. Leicht requested more details on the campaign before advising Council on making a decision.

Mr. Dotson informed Council of a BPA policy allowing credits when water leaks had occurred. The policy can be taken advantage of, considering some customers knowingly let water leaks continue, anticipating the credit to their utility bill. (A recent episode included a customer neglecting a toilet leak for 3 months) The BPA originally intended the leak credit to be applied when a customer had an underground leak, between their house and the meter, which can go unnoticed. Mr. Leicht noted the policy is not binding, due to the lack of legislation and the dissolution of the BPA. Mr. Leicht considers this within the Village Administrator's authority.

Mr. Dotson recommends the credit be eliminated. Customers may then appeal to Council for exceptions on an individual basis.

A motion to repeal the BPA policy of water leak credits allowing appeals before Council for exceptions was made by Ms. Gunn. Seconded by Mr. Hutchinson. All ye.

Fiscal Officer:

Nil

Solicitor:

Nil

Police Department:

Fossil Drive will be closed the morning of Saturday, September 13th for the Bethel Tate Track Meet, and again that evening for the Bethel Church of the Nazarene fireworks display. Both events draw significant crowds.

Saturday, September 19th is the Bethel Tate Homecoming Parade on Plane Street – expect delays.

The Village Yard Sales are September 12th – 14th -- heavier traffic is expected.

The traffic trailer will be utilized during the events.

Finance Committee:

Due the unusually high number of special council meetings this year, the Council salary line is over budget. The Finance Committee recommends the Council pay be decreased to \$100/month instead of \$100/meeting for the remainder of 2008. (September – December)

Mr. Leicht stated this is not allowed, as per the Ohio Revised Code. The salary of an elected official cannot be changed during his/her term. Mr. Leicht stated Council may chose to donate their salary back to the Village.

The Village water plant property, off Macedonia road, is no longer in use, and the Finance committee recommends it be sold. There are 5 parcels of land, amounting to 132 acres. Mr. Cherry noted an easement to an isolated state owned parcel, accessible only through the water plant property, needs to be included in the sale. It may also be desirable to prospective buyers if the pump house can be used to maintain water levels in the resevoirs.

Mr. Leicht recommends John Rittenhouse, a commercial property appraiser, appraise the property, in order to disclose a true value of the property. The appraisal does not require a survey – Mr. Rittenhouse will review Village and County records.

Once the appraisal is received, Council will need to adopt an ordinance stating the property is no longer needed for a public purpose. The sale will be advertised for public bid at least twice.

Council views the sale of the property as a priority and they would like the process expedited.

Public Works:

The next Public Works meeting will be at the Community Center on Monday, September 22, 2008 at 5:30 p.m. They will be meeting again with the Burke Park Cabin Committee, to continue discussions on grant procedures. Mr. Leicht will attend the meeting.

Safety Committee:

The next Safety Committee meeting will be Thursday, September 11th at 5:30 p.m.

Burke Trust Committee:

Nil.

Planning Commission:

The commission met last Thursday. The group discussed the property maintenance code appeals process. The code states a singular “hearing officer” however Ms. Gunn’s recollection was a separate appeals board. The current commission thought the intent was “legal counsel”.

Mr. Leicht thought violations of the code were criminal – a civil enforcement matter -- handled by the Mayor’s Court.

The planning commission would also like training with the board of zoning appeals, provided by the Solicitor. Mr. Leicht recommended the groups attend a planning commission seminar. There are a number of seminars provided, and the trainers are better equipped than he. The OML may be able to provide information on upcoming seminars.

The next planning meeting is October 2nd at 6:00 p.m.

Call of Members:

Mr. Ausman: Congratulated Chief Wallace on the recent newspaper article spotlighting the police department.

Mr. Houlihan: Nil

Ms. Gunn: Nil.

Mr. Hutchinson: Nil

Mr. Cherry: Nil.

Mr. Dick: Nil.

Public Input:

Nil.

Legislation:

RESOLUTION 869 REVISING JOB DESCRIPTIONS FOR CERTAIN VILLAGE EMPLOYEES AND INCORPORATING THE SAME IN THE EMPLOYEE HANDBOOK, tabled until next council meeting

ORDINANCE 1598 ADOPTING THE 2007 OHIO FIRE CODE, 3rd reading

A motion to adopt ORD 1598 Adopting the 2007 Ohio Fire Code was made by Mr. Ausman. Seconded by Mr. Cherry. By Roll: Mr. Ausman “yea”, Mr. Cherry “yea”, Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1599 SETTING THE MINIMUM AFTER-HOURS CALL-IN FOR VILLAGE EMPLOYEES TO A MINIMUM OF TWO HOURS, AND DECLARING AN EMERGENCY

The current minimum is 3 hours, and the administration considers it too generous considering many after-hour call-ins take only 15 minutes. Employees should be compensated within reason.

A motion to waive the 3 readings of ORD 1599 Setting the after-hours call-in to 2 hours and declaring an emergency was made by Ms. Gunn. Seconded by Mr. Ausman. By Roll: Ms. Gunn “yea”, Mr. Ausman “yea”, Mr. Houlihan “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt ORD 1599 Setting the after-hours call-in to 2 hours and declaring an emergency was made by Mr. Cherry. Seconded by Ms. Gunn. By Roll: Mr. Cherry “yea”, Ms. Gunn “yea”, Mr. Ausman “yea”, Mr. Houlihan “yea”, Mr. Hutchinson “yea”, Mr. Dick “yea”. Motion carried.

Payment of Bills:

A motion approving the payment of the presented expenses and bills was made by Mr. Houlihan. Seconded by Mr. Dick. All yea.

A motion to enter executive session to discuss personnel matters was made by Mr. Houlihan. Seconded by Ms. Gunn. By roll: Mr. Houlihan “yea”, Ms. Gunn “yea”, Mr. Ausman “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. 7:27 p.m.

A motion to enter regular session was made by Ms. Gunn. Seconded by Mr. Hutchinson. By roll: Ms. Gunn “yea”, Mr. Hutchinson “yea”, Mr. Ausman “yea”, Mr. Houlihan “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. 8:15 p.m.

Mr. Dotson informed Council of his plans to restructure the public works departments. Council is in favor of the restructure plans.

A motion to adjourn was made by Mr. Ausman. Seconded by Mr. Cherry. All yea. 8:16 p.m.

Mayor John Swarthout

Angel Burton, Fiscal Officer