

## **Bethel Village Council March 23, 2009**

Council of the Village of Bethel, Ohio, met in regular session in Council Chambers in the Bethel Municipal Building on Monday, March 23rd, 2009 with President Pro-Tempore Donna Gunn presiding.

The meeting was video taped, to be aired on cable television.

Ms. Gunn called the meeting to order at 6:35 p.m. Mr. Ausman delivered the invocation followed by Ms. Gunn leading the Pledge of Allegiance to the American Flag. Upon roll call, the following were counted as present: Council Members Alan Ausman, Gary Hutchinson, Tim Cherry, James Dick. Also present: Village Administrator Travis Dotson, Fiscal Officer Angel Burton, Solicitor Leicht.

A motion to approve the minutes from March 9th, 2009, as written, was made by Mr. Ausman. Seconded by Mr. Hutchinson. All ye.

### **COMMUNICATIONS**

Nil

### **ADMINISTRATION AND COMMITTEE REPORTS**

#### **President Pro-Tempore, on behalf of Mayor Swarthout**

Nil.

#### **Village Administrator, Travis Dotson**

The water on Rich Street was turned off briefly, due to a water leak, and customers may notice brown water as a result. There is no need to boil the water.

#### **Fiscal Officer, Angel Burton**

Nil.

#### **Solicitor, George Leicht**

Ms. Burton found the Auxiliary Officers are not covered under the Village's Workers' Compensation policy, due to their independent contractor status. Mr. Leicht believes the matter just fell through the cracks, but would like the issue addressed, due to the inherent risk of police work. The Village sets the officers' hours, regulates their conduct and carries their police commission. The officers do not carry their own workers' compensation insurance. Mr. Leicht recommends the auxiliary officers be W-2 employees, with OPERS and taxes withheld.

The Finance Committee will review the employment of the auxiliary officers at the committee's next meeting, and will make a recommendation to Council.

This oversight leads Mr. Leicht to believe the Village should incorporate "Best Practices." The Village has been relying on the corporate memory of those that have been with the Village for numerous years, yet new people are coming on board, and practices/policies should be in writing. Mr. Leicht used the filing of Village easements as another example of an undocumented routine.

Mr. Leicht requested an executive session at the end of the meeting to discuss pending litigation.

#### **Police Chief Planck**

The 2007 Charger is still at Grant Vocational, though it is 99% finished. The students are on Spring Break this week, and the department is expecting the Cruiser to be completed shortly after school resumes.

The Chief is applying for a COPS grant, to cover 2 officers. The grant requires no matching funds, will cover the officers for 3 years, with the Village committed to keeping the officers for at least 12 months following the end of the grant. The grant funds cannot be used to give raises to other officers.

**Finance Committee, Chairperson Donna Gunn**

The next Finance committee meeting will be Monday, April 13, 2009 at 5:00 p.m.

**Public Works, Chairperson Tim Cherry**

The Public Works Committee met this evening, before Council. They met with the Skate Park Steering Committee members, to discuss various items related to the skate park. The people that use the park do like to move things around, for variety, but some of the equipment will be permanently anchored. Tom Noble, with WhoSkates (provided park equipment) has been contacted regarding the condition of the table boards.

Public works also discussed letting the vocational school landscape the park and received a demonstration on touch-read meters, which is what the Village uses to replace defective water meters.

The deadline for the water projects grant application was missed, however other applications are still eligible.

The next Public Works Committee meeting will be Monday, April 27, 2009 at 5:30 p.m.

**Safety Committee, Chairperson Joe Houlihan**

The next Safety Committee meeting will be Monday, April 6, 2009 at 5:30 p.m.

**Personnel Committee, Chairperson Donna Gunn**

Mr. Dotson has copied everyone on a proposed cell phone and uniform policy. He hopes to have the employee handbook finalized by the next meeting.

The next Personnel Committee meeting will be Tuesday, April 7, 2009 at 6:30 p.m.

**Burke Trust Committee, Chairperson Donna Gunn**

The scholarship applications will be distributed to the local high schools after spring break. The applications are due May 8<sup>th</sup>, 2009, with the interviews on May 18<sup>th</sup>, 2009.

**Planning Commission, Councilperson James Dick**

Nil.

**Call of Members:**

Mr. Ausman: There will be a Village-wide Easter Egg hunt on Saturday, April 4, 2009 at Burke Parke, sponsored by a local church.

Mr. Hutchinson: Spoke with a few teens about the skate park, and they all love it.

Mr. Cherry: Nil.

Mr. Dick: The April 4 Easter Egg hunt will be at 11:00 a.m., with games and food following.

The Bethel UMC will be showing the movie "Fireproof" on April 25, 2009 at 7:00 p.m. The event is free and open to the public.

**Public Input:**

Mr. Greg Schuler, from Bethel-Concord, addressed Council on Village utility rates. Mr. Schuler had been charged for an oversized meter, though the Village has since replaced it with one the appropriate size. He has also surveyed surrounding communities on their utility rates, and distributed his findings to Council. Based on his figures, Bethel's rates are 2-3 times higher. The increased rates were passed as an emergency, and he's heard another rate increase is being considered.

Council stated no rate increase is being considered at this time, though they will remain proactive in reviewing rates, and changing as necessary, to prevent any future large increases, such as the one done last summer. It was also pointed out that differing methods of billing will affect the rates, and

Duke's inconsistency on actual rates being charged was mentioned. Despite the differences, the Village has an obligation to run the utilities, aka Enterprise Funds, in a profitable manner, to support their operations and reserve contingency funds.

Mr. Schuler stated he just wanted to present what he has learned on the rates, and noted everyone's economic struggles, including the Village's, the school district's and the resident's. Residents are looking for stability at this time, especially from government.

Mr. Schuler also questioned the Village's "fiscal recovery", and halt of the new municipal building construction, in relation to the former administrator's resignation.

Council stated their appreciation for Mr. Schuler's comments.

**Legislation:**

ORDINANCE 1621 AMENDING 2009 APPROPRIATIONS, 2nd Reading

ORDINANCE 1622 APPROVING, ADOPTING AND ENACTING AMERICAN LEGAL PUBLISHING'S OHIO BASIC CODE, 2009 EDITION, AS THE CODE OF ORDINANCES FOR THE MUNICIPALITY OF BETHEL, OHIO, 1<sup>st</sup> Reading

RESOLUTION 872 AUTHORIZING THE CHIEF OF POLICE TO APPLY FOR A COPS GRANT, 1<sup>st</sup> Reading

**Payment of Bills:**

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

A motion to enter an executive session to discuss pending litigation and personnel matters was made by Mr. Ausman. Seconded by Mr. Hutchinson. By roll: Mr. Ausman "yea", Mr. Hutchinson "yea", Mr. Cherry "yea", Mr. Dick "yea". 7:24 p.m.

A motion to enter regular session was made by Mr. Cherry. Seconded by Mr. Hutchinson. By Roll: Mr. Cherry "yea", Mr. Hutchinson "yea", Mr. Ausman "yea", Mr. Dick "yea". 8:00 p.m.

A motion to adjourn was made by Mr. Dick. Seconded by Mr. Cherry. All yea. 8:00 p.m.

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Mayor John Swarthout

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Angel Burton, Fiscal Officer