

## **Bethel Village Council September 27, 2010**

The Council of the Village of Bethel, Ohio, met in regular session in Council Chambers on Monday, September 27, 2010 at 6:30 p.m., with Mayor James T. Dick presiding.

Mr. Cherry delivered the invocation, followed by Mayor Dick leading the Pledge of Allegiance to the American Flag. Upon roll call, the following members were counted as present: Council Members Priscilla Johnson, Janice Ireton, Donna Gunn, Rus Whitley, Tim Cherry, Mary Daugherty; Fiscal Officer Angel Burton and Village Administrator Travis Dotson. Solicitor George Leicht arrived after roll call.

Mayor Dick thanked Bethel Building and Loan for sponsoring this year's Council meeting videos.

A motion to approve the minutes from the September 13, 2010 meeting, as written, was made by Mr. Whitley. Second by Ms. Gunn. 5 yeas, Ms. Ireton abstained.

### **COMMUNICATIONS**

Mr. Charlie Collins, co-owner of the Bethel IGA, addressed Council about a recent power outage at his business. Mr. Tim Rutherford, an electrician, and Mr. Joe Schuller, an IGA store manager, as well as Mr. Jim Hollandsworth, from the Village's Public Works Department, were also present. On the evening of September 19<sup>th</sup>, Mr. Schuller contacted Bethel Electric because the business had lost power. Mr. Brad Moore, one of the Public Works employees, was called in, and after testing the transformer, informed Mr. Schuller that the power outage was internal, and left. IGA then had an electrician, Mr. Tim Rutherford, come to the store. Mr. Rutherford was not able to locate any internal electrical problems after 3 ½ hours of testing, and Bethel Electric was contacted again. Two different Public Works employees were called in the second time. Mr. Jim Hollandsworth determined the outside transformer was blown, and stated he could see a burnt jumper wire.

Mr. Collins stated the IGA store incurred up to \$1800 in additional electrician costs and employee wages, as well as lost product, due to the power outage, and the incorrect diagnosis given by Mr. Moore. Mr. Collins stated that at no time was the electrical problem inside, and he is seeking reimbursement for those additional expenses from the Village. Mr. Collins also added that store surveillance cameras indicate Mr. Moore was at the IGA store for 3 minutes.

Mr. Dotson has issued his decision in the matter, and he does not believe the Village is liable for the expense. The store equipment had been shutdown prior to Mr. Moore's arrival, and because there was no draw on the transformer, Mr. Moore's testing indicated the voltage from the transformer was correct.

Mayor Dick and Mr. Leicht both stated this situation falls under the Village Administrator's authority and the Village stands behind Mr. Dotson's decision. Mr. Cherry agreed. There was brief discussion related to other options IGA may have in seeking reimbursement, including insurance and/or lawsuit.

Mr. Rutherford asked Council for permission to address Mr. Hollandsworth. He asked Mr. Hollandsworth if the transformer testing could be done from the ground. Mr. Hollandsworth replied no, that the test had to be done from the bucket. Mr. Rutherford asked Mr. Hollandsworth the approximate amount of time such testing would take. Mr. Hollandsworth stated the test would take about ten minutes, due to the anchoring of the truck in order to lift the bucket. Mr. Rutherford stated he does not believe Mr. Moore performed the transformer testing, and that the camera pictures don't lie.

Mr. Leicht thanked Mr. Rutherford for his candor, and pointed out that Mr. Dotson based his decision on the assumption that his employee performed the proper testing on the equipment. Mr. Leicht considers the allegation that the employee didn't perform the proper testing a separate issue that needs to be investigated. Mr. Cherry requested that Mr. Moore attend the next Public Works Meeting, scheduled for October 18<sup>th</sup>, 2010 at 7:00 p.m.

## **REPORTS**

### **Mayor James T. Dick**

Mayor Dick passed around a copy of his endorsement of the Clermont County Protective Services Levy. A representative from the agency will be addressing Council at the October 25<sup>th</sup> meeting.

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

The crew from Rural Water Storage has been very diligent on the preparation of the water tower and the tower is primed, ready for the final coat of paint.

A traffic light transformer had to be replaced last week, and the traffic lights were out for an hour and a half.

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

Ms. Burton will be attending mandatory UAN training in Dayton tomorrow, September 28<sup>th</sup>. She expects to be back in the office by 2:00 p.m.

### **Solicitor George Leicht**

Nil.

### **Police Chief Mark Planck**

Committees are working on both the Down Home Christmas event and the BAMFest.

### **Finance Committee, Chairperson Donna Gunn**

A \$500 appropriation for the Police Department's weapon purchase has been added to the appropriation amendment before Council. Ms. Burton has requested the ordinance be passed as an emergency this evening.

The next Finance Committee meeting will be Monday, October 4<sup>th</sup>, 2010 at 5:00 p.m.

### **Public Works Committee, Chairperson Tim Cherry**

The Public Works Committee met on Monday, September 20<sup>th</sup>.

The Jurgensen contract has been signed, and the Village has requested the lane closure schedule from Jurgensen. The contractor is responsible for traffic control, but the Village wants to send the information to the fire department and the communications center in case there is an emergency. The Village is also going to ask that the Burke Park and Grant Memorial work be done before the December 4<sup>th</sup> Down Home Christmas event.

The Village will be ordering one park bench, and Ms. Ireton will be including a request for funds for 2 additional benches as well as the painting of the Grant Memorial lobby from the Burke Trust.

The Village intended to handle miscellaneous concrete repairs all at once, including the installation of the playground slide. Part of the work was tied to the completion of the ODOT paving. There are problems related to the paving, so the Village is going to proceed with the slide installation within one to two weeks.

Fancher will be installing the security window, possibly this week.

The committee hopes to report back to Council on the grass mowing bids sometime in October.

The next Public Works meeting is Monday, October 18<sup>th</sup> at 7:00 p.m.

**Safety Committee, Chairperson Rus Whitley**

The committee met Monday, September 13, 2010 and discussed the Auxiliary Emeritus job description.

The next Safety Committee meeting will be Monday, October 11, 2010 at 5:00 p.m.

Mr. Whitley also requested the Chief have his officers monitor the crosswalks, due to motorists ignoring pedestrians.

**Personnel Committee, Chairperson Mary Daugherty**

The next Personnel Committee meeting is Monday, October 25, 2010 at 5:00 p.m.

The committee will discuss the possibility of handling committee work via email at the next meeting.

**Burke Trust Commission, Janice Ireton**

Ms. Ireton will have a request for the Burke Trust including the park benches and the additional museum work at the next Council meeting.

**Planning Commission, Priscilla Johnson**

Nil.

**Council Rules Committee, Chairperson Donna Gunn**

Copies of the proposed changes have been distributed to all of Council for review.

**CALL OF MEMBERS**

Priscilla Johnson: Nil.

Janice Ireton: Nil.

Donna Gunn: Mr. Tim Trester's son is building the park benches after all, as his Eagle Scout project.

Monday, October 11<sup>th</sup> is the Columbus Day Holiday, and the Council meeting needs to be rescheduled. The meeting will be held Tuesday, October 12<sup>th</sup> at 6:30 p.m. The Safety Committee meeting is also rescheduled to Tuesday, October 12<sup>th</sup> at 5:00 p.m.

The November Finance meeting will be held Wednesday, November 3<sup>rd</sup> at 5:00 p.m.

Rus Whitley: Nil.

Tim Cherry: Nil.

Mary Daugherty: Nil.

**PUBLIC INPUT**

Mr. Greg Schuller addressed Council, specifically "new" members. He considers the Village utilities a monopoly, since residents have no other options for service. PUCO regulates all utility providers, except municipalities, because that responsibility falls on Council. Because of that, he believes Council has a duty to see that the Village's utility rates are fair. He also believes if the Village had competition, the customers would be treated better, and used the IGA situation as an example.

Mr. Schuller does not believe the current rates are fair, especially water. He had a recent water bill for 7000 gallons that was \$70, yet in Amelia, the same usage would have been \$20.

He encouraged Council to judge the use of the utilities wisely and apply the rates fairly.

## **LEGISLATION**

### **ORDINANCE 1641 AMENDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF BETHEL DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010**

(General Fund increase of \$390; Street Construction Fund increase of \$12,559, Burke Park Fund increase of \$2000; Police Fund increase of \$500; Electric Fund increase of \$100K; Burke Donation fund increase of \$45K; Total increase of \$160,449)

A motion to waive the 3 readings of ORD 1641 Appropriation Amendment was made by Ms. Daugherty. Second by Mr. Whitley. By roll: Ms. Daugherty “yea”, Mr. Whitley “yea”, Mr. Cherry “yea”, Ms. Gunn “yea”, Ms. Ireton “yea”, Ms. Johnson “yea”. Motion carried.

A motion to adopt ORD 1641 Appropriation Amendment was made by Ms. Daugherty. Second by Mr. Whitley. By roll: Ms. Daugherty “yea”, Mr. Whitley “yea”, Mr. Cherry “yea”, Ms. Gunn “yea”, Ms. Ireton “yea”, Ms. Johnson “yea”. Motion carried.

## **PAYMENT OF THE BILLS**

A motion to approve the payment of the presented bills and expenses (checks 21510-21538) was made by Ms. Ireton. Second by Mr. Cherry. All yea.

It was noted the Quill payment is unusually high, due to the purchase of a new Court printer, paid for from the Court Computer fund.

A motion to adjourn was made by Ms. Johnson. Second by Mr. Whitley. All yea. 7:20 p.m.

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James T. Dick, Mayor

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Angelina Burton, Fiscal Officer