

## Regular Session of Village Council

March 10, 2015

### **Call to Order**

The Regular Session of Council was called to order by Mayor Mike Erwin. The meeting was opened with the Pledge of Allegiance.

### **Roll Call**

Roll Call was completed by the Clerk of Council. The following members were present.

York Bryant – P

Judy Neal – P

Terry Erwin – P

John Poe – P

Rebecca Isaacs-Niemesh – P

William Thompson – P

### **Approval of Minutes of Previous Meeting**

Council reviewed the minutes of previous meetings. Motion by Councilwoman Neal to approve the minutes of the February 10, 2015 Regular Session; second by Councilman Erwin. All yeas. Motion by Neal to approve the minutes of the December 30, 2014 Special Session; second by Councilman Thompson.

### **Chief Fred LaFollette / Salem Morrow Fire Department**

The Chief discussed the failed levy and advised it was needed. He stated additional manpower is essential; initially, the department had sufficient volunteers, now it is down to six. The Chief advised it was necessary to place another levy on the upcoming ballot. LaFollette stated he depends on area departments; he does not want emergency service delayed. The Fire Department is requesting a 3.9 mil levy for manpower to continue the current level of service. He asked for the community's support. Assistant Chief Bill Harrison stated the Fire Department has been on television a lot lately, referencing recent emergency situations. He advised two part timers are on call 24/7. Harrison added mutual aid was called in that week. Mayor Erwin stated our Fire Department has set the standard for the area and advised he supports the levy. He added he was aware of the constant request for volunteers. T. Erwin commented he appreciated all the department does.

Thompson stated a reason for decline in volunteers was the retraining required by the State. Harrison advised the State now requires 54 hours, previously 36 every 3 years. He discussed other areas and the required training and refreshers. Some volunteers feel they can't give the time required. Harrison stated the levy requested is for five years; two squads are needed. He added we have tried grants to fill the void; some of the grants requested were approved. Neal specified what the levy would provide. Ralph Blanton stated it takes 3 people to fill one position. Harrison advised personnel are not worked over 1500 hours. The Chief referred everyone to the Fire department's website for additional information. Blanton stated if individual costs for the levy were needed, citizens may call the department and the cost would be calculated. LaFollette invited everyone to a Fish Fry on March 27th from 4pm to 8pm; the Mayor and others offered their help.

Mayor Erwin introduced Nichole Knell. He asked for an adjournment to Executive Session to discuss the open position of Fiscal Officer with the candidate.

Motion by Councilman Bryant to adjourn to Executive Session to discuss personnel issues; second by Neal. All yeas. Motion by Councilwoman Isaacs-Niemesh to return to Regular Session at 7:03pm; second by Neal. All yeas.

Thompson stated Joyce Cain passed and the family asked permission to plant a tree in Phegley Park. He stated Parks and Recreation and the Tree Board should be involved. Discussion followed. Thompson advised he could take pictures of the park for the family.

The Mayor asked Council for action on the Fiscal Officer. Solicitor Kaspar offered the reading for the pending legislation. Thompson asked if the printed Ordinance would show salary, terms and benefits. Kaspar responded yes.

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Motion by Neal to suspend the rules and waive three readings of Ordinance #5-15; second by Erwin. All yea. Motion by Bryant to adopt Ordinance #5-15, approving employment of Nichole Knell as Fiscal Officer for the Village; second by Neal. All yea.

### **Reports / Legislation from Village Officials**

Village Administrator Rod Smith commended Public Works Mike Hanna and Police Chief Heath Kilburn for working tirelessly to keep the streets cleaned and plowed during the heavy snow days. Smith stated Hanna has been on call 24/7 and has done a great job. He also reported the Tree Board received its second Tree City USA Reward to be presented in Wyoming, Ohio on April 17th and discussed the upcoming Arbor Day celebration at the Elementary school. Smith also highlighted the Zoning Inspector's report activity and advised a volunteer was needed to fill a vacancy on the Zoning Board of Appeals. The Administrator's written report was provided to Council, inclusive of the Police Department's Report with calls listed for February, the Mayor's Court Report and Court Bank Reconciliation.

The Administrator reported forty yards of salt was used through February; the mixture used this year worked well, a cost savings. He advised a third load was delivered. Smith reported Warren County Commission awarded a \$67,000 CDBG for the River Corridor Project and notice of \$9,000 in CVT funds remaining was received from the County. Village Administrator Smith stated the current Water Operator's contract was terminated; the new Water Operator I starts April 1st at \$1200. He is from Environmental Engineering Service firm. The Mayor stated the Level III Water Operator was used for the engineering design phase as required. The new Water Operator is a Level I. He advised a special meeting will be held to discuss the Water Plant. Discussion followed. Isaacs-Niemesh asked if the firm would provide a future operator with a higher license if needed. The Mayor responded.

Smith provided *Special Dates* as follows.

- March 13 - 8 year employment anniversary for Public Works Mike Hanna,  
3 year employment anniversaries for Zoning Inspector Jesse McKeehan and  
Auxiliary Police Officer Jon Baker
- April 6 - 23 year employment anniversary for Clerk of Court Cindy Wilmot
- April 10 - 8 year employment anniversary for Auxiliary Police Officer Mark Hoffman
- April 13 - Birthday for former Village Solicitor Judge Don Oda

Neal discussed legislation to require farmers spread bio solids within two weeks and not transport the bio solids out of the Village limits. Kaspar gave language for the pending Ordinance; he discussed his concerns and problems with such an Ordinance involving bio solids on private property and the enforcement of same. Neal stated we are trying to avoid the problems we experienced last year. Discussion followed. The Solicitor responded regarding enforcement and recommended it be pursued as a nuisance if violated; the existing Ordinance gives the Village the ability to manage bio solids. Rod Smith stated the bio solids were processed and delivered from reclamation site. The Mayor stated processed human waste was a problem last year. Mr. Niemesh stated the waste was transported by the farmer and suggested a permit be required. Discussion followed. Kaspar referenced the Zoning Code, stating the Nuisance Ordinance Article 21 covered it. Mr. Niemesh asked if McKeehan had the authority to enforce in this situation. Kaspar read Article 21 (offensive odor) and gave an explanation. The Mayor commented on the time needed to follow through on Article 21. Neal asked if Council could amend. Kaspar responded yes. Thompson stated he liked the idea of a permit. Mr. Niemesh asked who had the authority. Smith advised a Mayor's Court citation would be in order; in the interim, we'll use Article 21 and cite offenders. Discussion followed.

### **Ordinances/Resolutions**

Fiscal Officer Kathie Koehler requested a Resolution for adjustments in appropriations. Revenue Status by Fund Summary, Bank reconciliation and disbursements were provided.

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Motion by Neal to suspend the rules and waive three readings of Resolution #1-15; second by Bryant. All yea. Motion by Neal to adopt Resolution #1-15, approving miscellaneous adjustments in appropriations; second by Bryant. All yea.

**Public Forum**

Bob Hostetter expressed concern regarding Welch Road parking for Sunday night Bible Study. He stated he called Police Chief Heath Kilburn regarding the signs. Mr. Hostetter advised when Kilburn's Dad put the sidewalks in, he was told he would never lose his parking. He stated there were no signs on Houston. The Mayor explained. Mayor Erwin advised school busses were a big concern there and the signs could be modified for school hours.

Neal discussed the Veterans Benefits Workshop and provided books and information. She stated additional books may be obtained. Neal cited her Dad and stated nursing care would be provided along with house cleaning services.

**Adjournment**

Motion by Isaacs-Niemesh to adjourn; second by Erwin. All yea.

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Kathie Koehler, Fiscal Officer

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Mike Erwin, Mayor