

Regular Session of Village Council

December 8, 2015

Call to Order

The Regular Session of Council was called to order by Vice Mayor York Bryant. 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 – A

John Poe – P

Rebecca Isaacs-Niemesh – P

William Thompson – P

Approval of Minutes of Previous Meeting

Council reviewed the minutes of the previous meeting. Motion by Councilwoman Neal to approve the minutes of the November 10, 2015 Regular Session; second by Councilman Thompson. Four yea by roll call.

Reports / Legislation from Village Officials

Bryant stated he would delay addressing various issues at the meeting due the Mayor's absence. Thompson stated a vote was taken last year for certain employees to drive Village vehicles home; he was concerned with liability and cost. He advised he wished to rescind the motion for the Village Administrator to drive a taxpayer vehicle home and back.

Motion by Thompson to rescind prior vote to allow Village Administrator to drive a Village vehicle home; second by Councilwoman Isaacs-Niemesh. Three yea by roll call, one nay by Neal.

Bryant asked when it would take effect and asked how Council wished to have the vehicle returned. He stated he could go and pick up the vehicle after the meeting adjourned. Kaspar stated emergency legislation was needed, suspending the rules. Thompson stated the matter was not passed as a Resolution originally.

Bryant questioned the Fiscal Officer regarding gas for the vehicle. Isaacs-Niemesh asked how long the Village Administrator had been working from home. Knell responded. Thompson asked that any further discussion be delayed because the Village Administrator reports to the Mayor. Bryant questioned Fiscal Officer Knell about Village Administrator Smith's access to the gas card. Discussion followed. Isaacs-Niemesh stated she had no problem with Administrator Smith using the truck while at work.

Isaacs-Niemesh asked the Fiscal Officer about the Village Administrator working from home. Bryant questioned the gas card. Knell was asked about Administrator Smith's use of the card. Discussion followed.

Neal invited the community to the Xmas Dinner on Saturday at the VFW. Mrs. Bev Massey stated she would take a picture and post it for advertising.

Isaacs-Niemesh stated in November we tabled a \$1500 expense; she asked for detail on the expense. Knell advised it was for professional services for the new parking lot across from the Sugar Run Grill and for engineering. She stated it was not an overrun; it was an addition. Thompson advised he met with Jones Warner Engineering who stated the Mayor and Administrator Smith authorized the expenditure. Bryant stated Council was not told. Thompson stated we can't do emergency legislation with five votes. Knell stated Council, Solicitor and Mayor would not be paid due to line item balances. Knell stated she wanted the public to know there was money to pay the bills, just not in the particular line item. Isaacs-Niemesh asked if late fees would be incurred and if another meeting was needed. Thompson asked if there would be a Budget to vote on that evening.

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The Fiscal Officer presented the budget, stating Fiscal Advisor, Steve Wagner compiled the Revenue Estimates and she compiled the Expenditures. She stated the Village, based on salaries in place, will spend more than it will take in; she stated we will come up short. Discussion followed. Knell discussed revenues and expenses; she stated we have the money and explained further how the budget works. She explained shortage concerns; she stated she made cuts for 2016. Knell advised we have money in funds with balances that have not been used, much like savings account. Bryant questioned a General Fund entry of \$290 for Election Expense. Knell stated nothing has been spent from that fund; she is requesting to move those funds to pay UAN expenses. She explained the request for moving line items and the need for a Special Meeting. Discussion followed.

Neal questioned emergency versus the suspending three readings requirement. Kaspar explained emergency legislation and the posting period. Neal offered Thursday and Monday as possible meeting dates. Bryant stated he would not be available the following week. All were in agreement to hold a Special Meeting.

Councilman Poe questioned the discussion on the \$1500 for asphalt and engineering; he felt it was high. Knell commented on the parking lot bill. Neal stated we are obligated to pay the bill. Bryant commented, stating a previous discussion he recalled by former Financial Advisor Steve Wagner. Discussion followed. Nichole commented, stating bills have been received for non-contractual hours for October and November from the Water Operator, possibly a billing error. Isaacs-Niemesh asked about the Water Operator's pay and requested the costs. Knell commented \$1200 a month plus \$75 for non-contractual hours. Bryant complimented Knell. Isaacs-Niemesh asked about Rod's absence from the meeting. Bryant commented.

Knell discussed adjustments. Thompson asked someone to write a note to the Clerk and give it to Knell. Bryant stated he would be the Mayor on January 1, 2016. He stated the Village Administrator should attend Council Meetings; it is part of his job. Isaacs-Niemesh asked about the meeting time of 7pm and if it was a problem. Discussion followed. Neal asked if a political entity could do Budget Billing with Duke Energy. Knell stated it wouldn't benefit the Village very much; costs don't vary drastically. She advised the bathrooms at the park were opened last year, but they will be closed this week. Knell stated a temporary appropriations budget must be in place by the end of the year and the final budget approved by April 2016.

Motion by Poe for first reading of temporary appropriations budget; second by Isaacs-Niemesh. Solicitor John Kaspar read ORC, stating 2/3 of all members of Village Council are necessary, because of immediate preservation and public safety and may pass emergency legislation per Section 731.129. Thompson questioned that and stated 731.17 required 75%. Kaspar did additional research during the meeting.

Public Forum

Mrs. Massey discussed the crosswalk from Pamela Drive to the Shopping Center. Neal responded. She advised the State has not cooperated and approved. Mrs. Ryan de Heredia stated the street light was out at the Elementary School and asked if it belonged to the school. Bryant commented on the light at the bridge.

Reports / Legislation from Village Officials Cont'd

Kaspar advised ORC 731.129 exceptions include the current appropriations.

The Fiscal Officer discussed Personnel Services and Unencumbered Balance. She reviewed line by line via projector showing spending breakdown and General Accounts, citing examples, \$2900 interest for Village Maintenance Building and Water Operator. She stated she cut the Street Fund as much as possible. Discussion followed. Isaacs-Niemesh requested an estimate of shortage if they accepted the Budget. Knell responded \$250,000 across all funds. Vice-Mayor Bryant asked how much interest was paid on the Maintenance Building. Neal asked for the balance owed. Knell stated it would be paid off in 2029.

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Isaacs-Niemesh asked if a law suit existed on Insurance claim. Kaspar advised there wasn't a recent current lawsuit, giving examples of prior lawsuits such as methane labs. Chief Kilburn advised such questions be addressed to the Village Administrator. Isaacs-Niemesh asked for a copy of the budget to review. Discussion followed.

Neal asked Kaspar for a response on appropriations for current expenses, safety welfare, etc. Kaspar responded it may be adopted with 2/3 of Council voting affirmatively; He stated you may do this tonight. Thompson asked about the 2016 Budget. Kaspar clarified this vote would be for appropriations only.

Motion by Poe to suspend the rules and waive three readings of Resolution #19-15 on an emergency basis; second by Isaacs-Niemesh. Four yea. Motion by Councilman Poe to adopt Resolution #19-15, approving miscellaneous adjustments in appropriations; second by Isaacs-Niemesh. Four yea by roll call.

Motion by Neal to suspend the rules and waive three readings of Ordinance #15-15; second by Isaacs-Niemesh. All yea. Motion by Neal to adopt Ordinance #15-15, adopting 2016 temporary budget operating fund and declaring an emergency; second by Isaacs-Niemesh. Four yea by roll call.

Vice Mayor Bryant asked the Police Chief to accompany him to pick up the Village truck from the Village Administrator after the Council meeting. Discussion followed. It was suggested the Village Administrator be contacted to return the truck. Isaacs-Niemesh asked Knell where the Village Administrator lived. Thompson responded.

Chief Kilburn reported the signage at the school was moved for better visibility. He stated he replaced it with a Stop Sign indicating right turn only between 8 and 9am and 3 and 4pm. He requested an Ordinance.

Motion by Neal to suspend the rules and waive three readings of Ordinance #16-15; second by Isaacs-Niemesh. All yea. Motion by Neal to adopt Ordinance #16-15, approving relocation of Welch Road traffic signage and declaring an emergency; second by Isaacs-Niemesh. Four yea by roll call.

Written reports were provided to Council which included Revenue Status by Fund Summary, Bank Reconciliation and Disbursements along with an attached Mayor's Court Report and Bank Reconciliation.

Adjournment

Motion by Neal to adjourn; second by Poe. All yea.

Nichole Knell, Fiscal Officer

Mike Erwin, Mayor