

RECORD OF PROCEEDINGS
Lithopolis Village Council Meeting Minutes
January 10, 2017 @ 7:30pm

Council Members Present: Ertuncay, Felbaum

Council Members Absent: Daily

Present: Scott Gilliland- Mayor
Leslie DeVico- Fiscal Officer
Ed VanVickle - Village Administrator
Chief Barton- Police.

Mayor Gilliland called the meeting to order at 7:30 p.m.; led the Pledge of Allegiance to the Flag of the United States of America, and asked for a moment of silence for the US Armed Forces.

Public Comments:

Mayor Gilliland asked if there are any public comments or anyone running for council would like to speak. Mr. David Karr – retired from Western Electric, Lt. Air Force, have been a resident for about 10 years in the Lithopolis- currently not living but have an interest here since my house burnt down; I would like to be a member of the council and see if I can help out the community; I have a lot of experience in different ways hopefully to be an advantage to council; I was a Lieutenant in the Air Force and several different shops; quality auditor at Western Electric; 32 years there and 30 years in the Air Force. I've tried once before and didn't get in so I thought I would try again. Thank you. Felbaum asked if Mr. Karr was a resident or just has a billing address? Mr. Karr commented that he has an address, and in February will start to build my house again; there is a hole in the ground where my house was; as soon as I get a chance, I will start to build my new house. Ed VanVickle questioned if the fire was in November? Karr responded November 28th; and if I could bring to council's attention- I still have an outstanding water bill for a little over \$600.00; fire department wouldn't let me get in to the area too much- I shut off all the faucets I was able to, but still ended up with when Ed pulled the meter in \$600.00 in water I didn't use. Felbaum asked if this happened after the house burnt down- Karr answered that he couldn't get in to shut everything off but shut off everything he could reach; and asked if council would offer some form of consideration. Thank you.

At this time, Tim Bedsole took the floor and spoke that he is putting his name forward as a candidate for council. Currently resides in Wagnalls Run; with my wife and 2 children. Currently employed with Kroger; stating 25 years of public service, retired firefighter; and through this experience gives some idea and insight to what services can be provided by a municipality of any size. Also has a bachelor's degree in business management, and that lends itself to the ability to assist this council in making the business decision that come before it on a daily basis. There has been growth here and there is potential for more growth. More and more people and businesses will be looking to come here and are looking to what Lithopolis has to offer. I am putting my name forward to offer my services to benefit this village and the people that live here. So everyone will benefit now and in the future. The majority of my life has been spent in public service; and wish to continue that public service in offering myself, my abilities and my time to help the Village of Lithopolis grow and prosper. Thank you.

Comment from the audience asking how many seats are being voted for tonight and are the applicants that put their name in previously also considered? Gilliland responded 3 seats are open and anyone who applied previously, their applications are still on file. Gilliland asked if anyone else would like to speak.

At 7:39 p.m., motion made by Felbaum to go into Executive Session to discuss appointment of a public officer; seconded by Ertuncay. Roll call: Ayes: Ertuncay, Felbaum Nays: None

At 8:02 p.m., motion by Felbaum to return to regular session, seconded by Ertuncay. Roll call: Ayes: Felbaum, Ertuncay. Nays: None

At this time, Gilliland asked if there were any nominations for council. Motion by Felbaum to appoint Andrew Zircher to council, seconded by Ertuncay. Roll call: Ayes: Ertuncay, Felbaum. Nays: None. Gilliland asked Mr. Zircher to come to the front to be sworn in by Attorney Mike Fultz. Oath of office given to Mr. Zircher. Gilliland commented that Zircher's appointment is a 3-year term and the other 2 seats are a 1 year term. Zircher's seat will expire December 31, 2019.

At 8:07 p.m., motion made by Felbaum to go into Executive Session to discuss further applicants; seconded by Ertuncay. Roll call: Ayes: Ertuncay, Felbaum, Zircher. Nays: None

At 8:22 p.m.. motion by Ertuncay to return to regular session, seconded by Felbaum. Roll call: Ayes: Ertuncay, Felbaum, Zircher. Nays: None

At this time, Gilliland asked if there are any nominations to fill the unexpired term of John Barrett. Felbaum asked before a nomination was made if there was a David Lowry was in the audience. Comment was made that he just left and went home.

Motion by Ertuncay to appoint Tamasha Tennant; seconded by Felbaum. Roll call: Ayes: Ertuncay, Felbaum, Zircher. Nays: None.

Motion by Felbaum to appoint Ted Bedsole; seconded by Ertuncay. Roll call: Ayes: Ertuncay, Felbaum, Zircher. Nays: None.

Attorney Mike Fultz swore in Tamasha Tennant and Ted Bedsole to council.

Gilliland then asked for a nomination for President Pro tempore. Motion by Ertuncay to appoint Grant Felbaum as President Pro tempore, seconded by Zircher. Roll call: Ayes: Ertuncay, Zircher, Tennant, Bedsole. Abstain: Felbaum. Nays: None.

Gilliland then asked for nominations for the committee appointments: Finance- Felbaum-Chair and Tennant; Public Works- Ertuncay-Chair and Zircher; Public Safety- Daily-Chair and Bedsole.

Minutes:

Gilliland asked council to look in their packets to review the minutes from the November 22, 2016 and December 13, 2016 council meetings- due to 3 new members, attorney Mike Fultz suggested that council wait to approve the minutes until Daily returns unless the new council members were present for those meetings. Motion by Felbaum to approve the December 8, 2016 and the December 13, 2016 minutes seconded by Ertuncay. November 22, 2016 minutes to be approved at a later date. Roll call: Ayes: Zircher, Tennant, Ertuncay, Felbaum. Abstain: Bedsole. Nays: None.

Gilliland: Our Fiscal Officer resigned as of December 30th- I reached out to local municipalities to locate to find a suitable candidate to replace our Fiscal Officer. I spoke with 2 people and felt that Leslie was better qualified. After I interviewed with her, she met with a Fiscal Officer from another municipality and then a 3rd interview with a Fiscal Officer from another municipality- the Fiscal Officer's that interviewed her felt that she was qualified to do the job- I have opinions of 2 independent parties that feel she is qualified. With that said, we have Ordinance 01-17, it is an ordinance approving the Mayor's appointment of a Fiscal Officer repealing Ordinance 08-16 and declaring an emergency- Gilliland read Ordinance 01-17.

Felbaum asked for clarification of the rules- 5 out of 6 votes will be needed to wave the rules to declare an emergency– and if we cannot decide how will this affect the vote; Gilliland explained further the UAN accounting system and the role of the Fiscal Officer. Only the Fiscal Officer has access to our accounting system and that is how we pay the bills and receive deposits. Part of the Fiscal applicant’s requirements is a copy of the minutes that shows that council has approved her as Fiscal Officer. Because of the urgency of the situation, I had a 2 day notice and not 2 weeks to find someone and get them appointed. The consequence is UAN can repeal her access to the accounting system because we don’t have yet. Tennant asked what this will do the Village- Gilliland explained that if we don’t have access to UAN we can’t pay bills or receive deposits because all of our banking is done through the UAN system. Tennant asked again what it would do if it had to be extended- that we didn’t have access to UAN for 3 weeks- Gilliland commented there are bills from October that have not been paid; this will put us further behind; as of right now November and December is not closed out, the year end is not done, we are already behind. Putting further strain on Leslie to catch up and cost the village more money on training. Bedsole asked if measures were in place to make sure we don’t wind up in the same situation- checks and balances. Gilliland said measures are in place. Tennant asked if we have a copy of her resume- Gilliland responded he would get her a copy. Question from audience- is this the reason for the emergency because the position was not posted. Gilliland replied the Mayor reserves the right to appoint and I did not need to post it.

Motion by Felbaum to declare the Fiscal Officer appointment as an emergency, seconded by Ertuncay. Roll call: Ayes: Bedsole, Zircher, Felbaum, Ertuncay. Abstain: Tennant. Nays: None.

Gilliland: the emergency legislation does not pass; this will go to a 2nd reading.

Gilliland: First reading of 02-17 renewal of Magistrate for Mayor’s Court. Copy of contract attached. Ordinance 02-17 read. Note: this is the same Magistrate we have been using since 2014- he has not increased his rates since that time.

Gilliland: First reading of 03-17 Renaming of street from Red Shouldered Drive to White Tail Drive. Ed VanVickle spoke briefly of the location of the street and reasoning behind the name change. Ordinance 03-17 read.

Gilliland: mentions to council members that elected officials are required to attend training. This information is in your council packet.

Gilliland: a copy of the Village budget is available for review.

Gilliland: Final reading of Resolution 11-16. Dedicating public property as a park. Zircher asked where the land is located- VanVickle showed the location on the map of the park in the rear area of Rolling Acres.

Gilliland asked for a motion to pass Resolution 11-16 dedicating public property as Public Park land and opening it to the general public. Motion by Felbaum to adopt Resolution 11-16, seconded by Bedsole. Roll call: Felbaum, Tennant, Ertuncay, Zircher, Bedsole. Nays: None.

Gilliland: the Resolution passes.

Reports from Officers:

Ed: We have been working to establish a new website with Don Holycross. We are making progress. Sample page passed out. Ed mentioned online bill pay option would cost about \$4,000.00 a year. We have surveyed repeatedly, not many responses received to justify the upgrade at this time. Tennant asked if there was an ETA on completion? Ed commented end of January.

MS4 program- Village of Lithopolis is under scrutiny by Ohio EPA- Village is supposed to have a MS4 plan “storm water system” submitted. We need to design a plan to manage our storm water discharges. Samples will be taken upstream and downstream- the Village is then responsible for any differences. Look for contaminants. We need to get a plan in place by January 22, 2017.

New builds: 75 new houses were built in 2016- declared value \$16.5M- \$4M of infrastructure has been going on.

TIF funds. Hawks Nest- TIF district. Money is paid to county then distributed out.

Dump truck is broken. We need to replace the truck.

As a general rule to new council members and to the public- it becomes inefficient for a community member to contact you directly- when problems arise, please give those people the right person to contact so their complaint can be handled correctly.

Police Chief Barton: No report.

Fiscal Officer: No report.

Council Round Robin:

Felbaum- we need a resolution for Mr. Karr to relieve his \$600.00 water bill. Marianne Daily and Felbaum have discussed in the past and have asked for financial information regarding salary, benefits from the past Mayor’s and the current Mayor. Ed asked about Ted Simon’s term was through December 31, 2019 and at our next election this coming November, Mayor Gilliland is serving until the election of November 2017 and the new Mayor would take office January 2018 until December 31, 2019. New election then in November 2019, new Mayor would take office in January 2020 and that is when any changes to the Mayor’s office could take place. Fultz- this doesn’t come up very often.

Tennant- nothing
Zircher- nothing
Bedsole- nothing
Ertuncay- nothing

There being no further public business a motion to adjourn by Felbaum, seconded by Ertuncay.

Ayes: All

Nays: None