

RECORD OF PROCEEDINGS
Lithopolis Village Council Meeting Minutes
January 24, 2017 @ 7:30pm

Council Members Present: Tennant, Zircher, Felbaum, Daily

Council Members Absent: Ertuncay

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.

Minutes: Mayor Gilliland: In council folders you will find copies of minutes from November 22, 2016 and January 10, 2017; looking at the January 10, 2017 Gilliland asked for a motion to approve the minutes- Tennant commented the incorrect spelling of her last name and asked for correction. Motion by Felbaum to approve the January 10, 2017 as corrected, seconded by Zircher. Roll call: Ayes: Felbaum, Zircher, Tennant. Abstain: Daily. Nays: None

Public Comments:

Mayor Gilliland asked if there are any public comments. At this time, Terra Wynkoop stated she listened to the recording from January 10th and would like an explanation to address the issue that bills from October had not been paid and what bills are you referring to. Gilliland responded the list of bills is here on the table of everything that has now been paid from October, November and December; Gilliland received phone calls from vendors asking where their payment was- Wynkoop asked for specific vendors; Gilliland responded by stating the loan company for the water plant called- the loan payment was due January 1, 2017; it was late and it was also late in July along with a late fee; the cleaning lady called – we were 3 payments behind and asked if we wanted her services still – Wynkoop stated that was because the check was lost- correct? Gilliland responded we could not find where any checks were issued; the magistrate was calling wondering why he hadn't been paid; those are just a couple right off the top of my head. Wynkoop asked if there were funds appropriated to pay those bills- Gilliland responded yes that Melissa with UAN came in and took care of it and paid the bills – Wynkoop asked if funds were appropriated to pay those bills- Gilliland said no appropriations were made to pay the bills. VanVickle commented that Melissa was here in January- and no appropriations were made in January; Gilliland responded no appropriations have been completed- we are waiting on Fairfield County and a letter from the auditor that we have funds. Wynkoop then commented the November 22nd minutes were approved at the December 13th meeting as corrected; Gilliland commented that he would look at those minutes and would remove and make the correction.

Sandine: How do you pay bills now if you don't have appropriations? Gilliland responded that the budget has been passed and there is money for bills- with money that has been appropriated. We are waiting Fairfield County Auditor certificate. Certificate for verification of funds. 2017 has not been received from the auditors office.

Old Business:

2nd reading Ordinance 01-17 Fiscal Officer reading. Ordinance amended to remove emergency language. Gilliland read ordinance. Moved to a 3rd reading.
2nd reading Ordinance 02-17 Magistrate contract. Gilliland read ordinance. Moved to a 3rd reading.

Old Business:

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2nd reading Ordinance 03-17 To rename Red Shouldered Drive to White Tail Drive. Gilliland read ordinance. Moved to a 3rd reading.

New Business:

Gilliland: it was brought to my attention that Mr. Bedsole who was sworn in at the last council meeting, did not have residency requirements; he did not meet the residency requirements. Gilliland spoke with Mr. Bedsole- he plans in November to run for a council seat. We have a resignation letter from him explaining he does not meet the residency requirements to be on council at this time. Motion by Daily to accept resignation of Mr. Bedsole, seconded by Felbaum. Roll call: Ayes: Daily, Tennant, Felbaum, Zircher. Nays: None

Resolution 01-17 1st reading: A resolution approving the water waiver of water usage fees due and owing for 4356 Winchester Southern Road as a result of a fire. Gilliland read resolution. Moved to a 2nd reading.

Ordinance 04-17 1st reading: An ordinance approving and adopting American Legal publishing Ohio Basic Code 2017 edition as the code of ordinance for the Village of Lithopolis, Lithopolis Ohio removing emergency from ordinance. Gilliland read ordinance. Moved to a 2nd reading.

Reports from Officers:

Ed VanVickle:

We have a sewer pump failure at Wilson Farms. Pump has been sent out for repair. We had 2 new builds in January totals about \$500,000.00. The ordinance read gives us the authority to waive water and sewer charges for Mr. Karr- \$656.82 sewer charges waived. The ordinance just read would waive another \$656.00. Last meeting the Chief reported the death of an individual on South Street; local resident Mr. McCann passed away- we have received multiple calls including 3 from the daughter who lives in California and there is law in the State of Ohio that states a political sub division have to bear the costs of a burial of an indigent individual – who resides with the jurisdiction and whose body has not been claimed by a relative; or the body has been offered to scientific research and those people do not wish to claim the body. We have never done this and there is no fund set up for an indigent burial here in the Village. The law is fairly clear and the Village would have to bear the expense. Because he established legal residence in the Village by way of us sending him a utility bill. Audience response: Is there is an option for a cremation? Chief Barton commented he heard from a friend who may be willing to pay for the burial; I have not heard back from this individual at this time.

With all the lead crisis in Flint, Michigan and several other Ohio communities; EPA is now awash with new regulations about lead. By March 9, 2017 we have to prove that we do not have any lead service lines. Documentation must be shown if no lead service lines. EPA is very serious about this. Audience: wanting to know if there were any records of when the pipes were installed? Ed remarked he had records showing 1956 but no indication of the type of the material used.

Additionally the water extension 12” Columbus Street and the 8” out to Hawk’s Nest and Bluebird, I will have preliminary plans in my hands by the end of the week- if everything is ok those plans will be sent to EPA- EPA will grant us a PTI (permit to install) – 300’ of pipe and one hydrant. Hoping to have this done before the construction boom in May or June.

Mr. Gilliland and I have met with representative reviewing the Scatta system- estimate coming- asked village engineer for ballpark figure between \$15 to \$20,000.00.

Mr. Volmer on Columbus Street- we received an adequate application for his electrical service- his inspection was denied.

MS4 application. Storm water plan- 5 year plan. 2 days behind schedule.

Around 5:00pm this evening, I sent an email out to everyone regarding a phase out plan – gradually pass my responsibilities on to others- I'm not comfortable in this position being the only person who knows anything about the village. My information needs to be passed on to someone else and my plan is a 3 month plan.

Police Chief Barton: Passed out 2016 report comparing 2015 numbers. Traffic stops overall 50% of those stopped were given warnings. Arrests were up by 15%. We were busier in 2016 than we were in 2015. See Chief's report.

Fiscal Officer: No report.

Mayor: Gilliland remarked there is a criminal case against former fiscal officer Sandra Casey. Court ordered restitution. Spoke with new Fairfield County prosecutor explained since probationary period has been served- the criminal case is closed and is now a civil matter. I did some research and found that Ms. Casey is living in the Methodist camp ground in Lancaster. Good indication she doesn't own any property or vehicles. She owes a little over \$17,000.00. We have 2 options- we have all we are going to get. There isn't anything to attach or garnish. Number 2- spoke with Mike Fultz- he could research further if there is any real property to put liens on- would take him about 2 hours. My opinion is this is not cost effective. Audience: Sandine- the Village wasn't at any loss, the Village was paid by the insurance company. The money she owes is for the special audit and attorney fees. Felbaum commented that the area she is living in is church owned. Council members present agreed not to pursue further at this time.

We are changing the way we have done PO's in the past. First, we have a file with the bills that have been paid to close out the end of the year (October, November and December). Right now we have blanket purchase orders written- which means we don't need a separate PO for every invoice/payment. Each council meeting a printout (transaction listing) will be available listing what we will be processing for payment. Council will have to sign off on the printout and the next day we will go in a process the payment(s).

You will also see a Mayor's court report in your packet. You will see regular Mayor court reports.

Finally, Grant had asked for financial information on the salary fulltime Mayor vs part time Mayor. I researched 2015 and 2016: in 2015, the Mayor's salary gross earnings \$79,330.20; PTO \$7,703.32 and another PTO check for \$6,743.22 and using the PERS calculated \$9,423.34 for a total \$103,200.08 for 2015. In 2016; gross earnings \$62,669.28, PTO check \$3,153.88 and PERS \$8,744.12 for a total \$74,567.28. As of right now, I average 28 hours a week regardless of what has been in the paper I do not get paid a salary- I get paid by the hour- I will probably be at around \$40,000.00 in wages for 2017.

Audience: asked if the Mayor has health benefits? Gilliland explained we have a HSA where the Village contributes a set amount into a separate fund and then that amount is deducted from the employees pay each pay to reimburse the Village.

Council Round Robin:

Tennant- We need to draft an ordinance to create a position and to replace Ed VanVickle. Felbaum- can we get an ordinance by next meeting? Tennant- why are we paying 2 solicitors? Seems we are wasting money and should re-hire Browning until his contract expires. Gilliland asked that after the meeting he would meet with Tennant to discuss further.

Zircher- nothing
Daily- nothing
Felbaum- nothing

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

Ayes: All

Nays: None

Meeting adjourned @ 8:31 p.m.



Grant Felbaum
President



Leslie K. DeVico
Clerk, Village of Lithopolis