

RECORD OF PROCEEDINGS
Regular Council Meeting Minutes
October 10, 2017 @ 7:30pm

Council Members Present: Zircher, Daily, Tennant, Felbaum, Ertuncay

Council Members Absent: None

Present: Scott Gilliland- Mayor
Jamie Argyle – Fiscal Officer Trainee
Brandon Roberts, Village Administrator
Wesley Barton- Police Chief

Mayor Gilliland called the meeting to order at 7:30 p.m.; followed by roll call; 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 asked for Council to take a minute to review the minutes from 09/26/2017. Gilliland asked if there were any changes or corrections. Gilliland asked for a motion to approve the minutes; Councilwoman Tennant moved to approve the August 26, 2017 minutes, seconded by Councilman Zircher. Roll call: Ayes: Daily, Zircher, Tennant, Nays: None Abstain: Ertuncay, Felbaum.

Public Comments: Ms. Natalie McKinney wanted to address council regarding the 2015 International Property Maintenance code Ordinance 29-17, that is trying to be passed; She does not feel we need an International Property Maintenance Code and feels this would cause more work than it's worth and is not necessary. Ms. McKinney also stated if people wish to complain about properties they should be named as the complainant.

Old Business:

3rd reading of Ordinance 27-17- Appointing a new Fiscal Officer Jamie L. Argyle. Gilliland asked for a motion to pass Ord 27-17. Motioned by; Councilwoman Tennant; Seconded by; Councilman Felbaum. Roll Call: Ayes Zircher, Tennant, Ertuncay, Felbaum, Daily. Nays; None. Ordinance passed.

3rd reading of Ordinance 29-17- Adopting 2015 International Property Maintenance Code. Councilman Felbaum asked if this was tabled at last council meeting; Gilliland replied we need a motion to table the ordinance and create a committee. Councilman Felbaum motioned to table Ord 29-17; Seconded by Councilman Zircher. Roll Call: Ayes: Tennant, Ertuncay, Felbaum, Daily, Zircher. Nays: None. Ordinance tabled.

Gilliland stated at last council meeting on Sept 26, 2017 council asked to create a committee to review the property maintenance in the Village. Gilliland stated he has a list of people who wish to be on a code enforcement board/committee. Gilliland would like to create a committee that includes Councilman Zircher, Mayor, and four village residents. Two are long term residents of the Village and the other two have a background with property maintenance. With approval from council, Gilliland recommended the following residents to such committee; Himself (Mayor), Councilman Zircher, Resident Andrew Zuck, Resident Joe Tonello, Resident Scott Kollis, Resident David Karr. Councilman Zircher asked if Councilwoman Tennant would be better serving on this committee however he would be happy to do it if necessary; Councilwoman Tennant advised she would like to serve on this committee. Ms. McKinney, in the audience, interjected stating she called the Mayor asking if she could be part of the committee however her name was not listed by the Mayor to be on the committee. Gilliland replied she was fifth on the list of residents that called and they need

only four residents plus the Mayor and a Council person; Gilliland also stated this is to create a sub-committee to determine if we need a long-term board, to which she could be a member of the board if so desired. Councilman Zircher asked if there is a limit as to how many people can be on this sub-committee. Gilliland stated if council wants to approve a 7-person committee instead of a 6-person committee than can do so and Ms. McKinney could be on this committee. Councilwoman Tennant stated she would like to extend the amount of people to be on this committee to allow anyone who wants to be a part of the sub-committee, can do so. Gilliland asked for a motion to create this sub-committee; Motioned by; Councilman Felbaum and Seconded by; Councilwoman Ertuncay. Roll Call: Ayes: Felbaum, Ertuncay, Daily, Zircher, Tennant. Nays: None. Sub-committee to include Mayor, Councilwoman Tennant, Resident Andrew Zuck, Resident Joe Tonello, Resident Scott Kollis, Resident David Karr and Resident Natalie McKinney. Gilliland stated he would coordinate with members as well as Councilwoman Tennant to put the first meeting together.

New Business:

1st reading of Ordinance 31-17 – To create Lithopolis Parks Advisory Board

1st reading of Resolution 08-17 -- Resolution to amend council rule #9 by amendment of resolution 03-12. Councilman Felbaum asked if we had signed something at the beginning of the year that waived the rule to have a written notice and the tagging of door notice was acceptable; Gilliland replied that is for emergency meetings of council. This resolution would not affect “emergency meetings of council” but “special meetings”. Councilman Zircher stated that we should clarify that notification to the Lancaster Eagle Gazette is sufficient but not the actual publication from LEG as the lag time from the notification to have it published and the actual article being published in the paper is slow. Mike Fultz stated compliance would be “notification” of the meeting not actual publication.

Gilliland asked for Motion to amend this resolution and make this an Emergency; Motioned by Councilman Zircher; Seconded by Councilwoman Tennant; Roll Call: Ayes: Daily, Ertuncay, Tennant, Felbaum, Zircher. Nays: None. Gilliland asked for a motion to waive the rules to the second and third readings; Motioned by; Councilman Zircher Seconded by; Councilman Felbaum. Roll Call: Ayes: Ertuncay, Tennant, Felbaum, Zircher, Daily. Nays: None. Gilliland asked for a motion to approve Emergency Resolution 08-17; Motioned by; Councilman Zircher and Seconded by; Councilman Felbaum. Roll Call: Ayes: Daily, Tennant, Felbaum, Ertuncay, Zircher. Nays: None. Emergency resolution passed.

Reports:

Village Administrator - Roberts stated that they are starting their winter checklist; getting plows ready etc; Roberts also stated that they pressure tested the line on Walnut St. and are awaiting the bacteria test to come back. Roberts stated that they are looking at doing repairs to streets in Rolling Acres such as pot holes to make plowing in the winter easier. Roberts said they have contracted someone to do the crack seal in Wagnalls Run and Wilson Farms; They have also contracted to get a new radio system for the plant and the lift stations. Councilman Zircher asked if the radio is “overdue”; Roberts replied very overdue. Zircher also stated there is a sewer smell over by Wagnalls; Roberts stated this was a “air release” and looking more towards Spring 2018 to get fixed. Zircher also asked if we are overdue on cleaning the sept tanks and how big of a priority it is; Roberts stated it is a definite priority however we need funds to get done and the sewer fund is very low right now, however if they find one that is bad now they are trying to get to those first.

Chief Barton: Chief referred everyone to the monthly blotter report for September. Chief noted a domestic issue that arouse as well as a person that was robbed at gun point and forced to go to a cash advance location. Chief also stated some of his officer went for more qualifications.

Fiscal Officer: Argyle passed around the bank reconciliation for September for council to sign.

Mayor: Gilliland stated a resident came to his home stating they were at a gymnastics practice and another resident sat down with them to slander and belittle the Mayor and emphasized to them he is \$8,000 behind on child support and has court supervised visitation with his "13-year-old daughter". Gilliland stated he does not have any daughters but three sons and does not have "court supervised" visitation with his oldest son but has visitation with him at any time he chooses. Gilliland also presented his child support withholdings document and stated this this is not public record but will show the document to anyone who wishes to view it at the meeting that night; and stated it shows that he is \$0 behind in child support.

Round Robin:

Zircher- Asked for Gilliland to share the plan for Councilman Lowery's seat. Gilliland stated they can post it however the person who got the seat would be at approximately three council meetings and then that would be it. Gilliland also stated after 30 days the Mayor can appoint someone to the seat. Gilliland advised since the election is within 30 days his plan was to take the person with the most votes on election day and appoint them to the open council seat for the next few council meetings of 2017 and they would then take on their council position full time in 2018. If the person with the most votes is already on council, he would then go with the person with the second highest votes. Councilman Felbaum agreed with Gilliland's plan. Fultz stated if council does nothing at this point that would put the Mayor in the position to appoint someone after 30 days.

Zircher also wanted to ask again about the records retention piece that was brought up in the last council meeting; He stated our first step should be to set up a records commission, that commission would then have a say in the retention schedule; Zircher also stated the old ordinance in place would need updated as well. Gilliland stated he will look for the existing ordinance for guidance as well as the ORC.

Zircher also wanted to again discuss the Mayors salary and full-time part-time hours sub-committee issue; He has been doing some leg work stating MORPC has information to use as well as the Ohio Treasury site. Councilwoman Tennant asked Zircher if we are only looking into the Mayors salary or others. Zircher replied; Initial interest is in the Mayor however would also look in to others such as the Police Chief.

Felbaum- He thanked Fiscal Officer, Jamie Argyle for her work in the numerous public records requests that he and other council members have been copied on; He stated his dismay for the threats to Ms. Argyle in these public records request and expressed his appreciation to her dealing with this issue in this election season.

Ertuncay- Nothing

Daily- Nothing

Tennant- Nothing

Gilliland then asked for a motion to adjourn. Motioned by Councilman Felbaum; Seconded by Councilwoman Tennant; Rollcall: Ayes: Tennant, Ertuncay, Daily, Felbaum, Zircher. Nays: None. **Meeting adjourned @ 8:12p.m.**



Grant Felbaum
President



Jamie L. Argyle
Clerk, Village of Lithopolis3