

RECORD OF PROCEEDINGS
Regular Council Meeting Minutes
December 26, 2017 @ 7:30pm

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

Council Members Absent: Daily

Present: Joe Taylor – Mayor
Brandon Roberts – Village Administrator
Jamie Argyle – Fiscal Officer
Wesley Barton- Police Chief

Mayor Taylor 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 Taylor asked for Council to take a minute to review the minutes from 12/12/17. Taylor asked if there were any changes or corrections. Taylor asked for a motion to approve the minutes from 12/12/17; Councilman Zircher moved to approve the December 12, 2017 minutes, seconded by Councilman Felbaum. Roll call: Ayes: Tennant, Zircher, Long, Felbaum; Abstain: Ertuncay; Nays: None

Public Comments: None

Old Business:

3rd reading of RES 10-17 Resolution of Village of Lithopolis adopting 2017 Fairfield County Natural Hazards Mitigation Plan. Mayor advised this is a revised version as requested by Council from the 12/12/17 Council Meeting. Mayor asked Browning if the Resolution should be read, being a revised version; Browning advised to read the full Resolution. Mayor asked for a motion; Motioned by Councilman Zircher, Seconded by Councilman Long. Rollcall: Ayes: Zircher, Ertuncay, Felbaum, Long, Tennant; Nays: None. Resolution passed.

New Business:

1st reading of Ordinance 36-17 Increasing available revenue for 2018 in the fund 5201; Councilman Felbaum asked what fund is 5201; Fiscal Officer replied Sewer. Felbaum also asked where the extra revenue is coming from; Mayor replied from the General fund. Councilman Zircher asked to clarify “General” fund; Mayor replied from the General funds that have not yet been appropriated. Councilman Felbaum stated are we increasing this fund \$238K for the Canal Winchester payments the Village has to make over the next two years; Mayor replied yes. Councilman Zircher stated this was the 3rd version of the budget that has been presented and asked specifically about the water/sewer fund transfer of \$80K that was done previously; Mayor stated that \$80K was done to make the January 1st, 2018 OWDA payment. Eric Sandine interjected and stated all that this Ordinance is doing is to bring these funds to and “operational level” and to get a new certificate of available resources from Fairfield County. Councilman Zircher asked that the expected revenue isn’t changing; Eric Sandine replied No, that it brings the amount your allowed to spend up to where it should be. Councilwoman

Tennant stated if it is not allocated to a fund we can't spend it. Mayor asked for a motion to pass Ordinance 36-17; Motion by Councilwoman Tennant, Seconded by Councilman Long. Rollcall: Ayes: Tennant, Ertuncay, Long, Felbaum, Zircher. Nays: None. Ordinance passed.

1st reading of Ordinance 35-17 Adopting and approving 2018 Appropriations Budget. Mayor passed around a paper titled "Schedule A" with a list of 10 items on it. Mayor stated these are items that was discussed at the Finance Meeting on December 19th. Mayor stated this list of items will help get the budget in better shape in the upcoming year. Councilman Zircher stated a big part of what is happening is the Canal Winchester sewer issue. Mayor stated that the 7% wage increase in 2017 and additional employees hired in 2017, was approximately \$100K that the Village didn't have appropriated. Another \$17K will also be a concern if we do not freeze the 3% wage increase January 1st. Councilman Zircher reiterated that it seems the main focus is on staffing and wage issue but the sizeable portion of the problem is the Canal Winchester billing issue. Mayor stated yes the CW issue is approximately \$200K and the staffing issues are about \$100K, and those are the two major issues of concern. Councilwoman Tennant asked if this "Schedule A" is taking the Water Operators wage down from \$21.50 to \$18.03. Mayor replied the \$21.50 was never approved by Council. Tennant asked if that was what he currently is making \$21.50. Fiscal Officer replied yes. Mayor stated the wage was approved at \$17.50 and 7% wage increase that was approved would bring to \$18.03 however that is incorrect. The wage would be \$18.73 with a 7% increase. Councilwoman Tennant asked if the Water Operator was aware his wage may change. Roberts replied that he has not discussed the actual wage amount but that a change might happen. Mayor stated we can only assume what the Water Operators reaction might be to this wage. Tennant also asked about item 4 and 5 on the "Schedule A", combine Water Operator with Utility Worker and combine Utility Worker with Maintenance worker. Mayor stated that it would be nice to have three people under Brandon however we can only afford two people. Tennant again asked to specify what it means to combine these two positions. Mayor replied we currently have one Water Operator, one Utility Worker and one Maintenance Worker. He continued stating that he would like to have the Water Operator position combine with the Utility Worker position and combine the Maintenance Worker position with the Utility Worker position which would in turn eliminate the Utility Worker position, taking three positions turning those in to two positions. Mayor went on to say who fills these positions who be determined basically by the employees who stay or not stay when dealing with the Water Operator wage. Councilman Felbaum stated that is sounds like the Mayor was expecting the Water Operator to leave because of the pay wage issue. Mayor stated he doesn't know for sure if he would stay or not. Councilman Zircher asked Mr. Browning if the wage issue for the Water Operator would open up legal issues for the Village. Browning stated yes however the Village can't do something that is illegal which was giving the Water Operator a wage increase without Council's approval. Browning went on to say he could sue for lost wages, moving expenses etc. Councilman Felbaum stated if he is given the wage increase it would be approximately \$7K extra cost to the Village; and that the Water Operators experience and qualifications and license are at a higher level than John (current Maintenance Worker), therefore we might be paying more for Stephen (current Water Operator) but we are getting someone more qualified for the position. Felbaum went on to say his opinion is to give him the additional wage to \$21.50 and not lose someone in the Water Plant that is well qualified for the job. Mayor stated that if the wage was not approved that the Water Operator would owe those additional wages back to the Village that he was paid at the higher rate. Councilman Felbaum asked if we could do a Resolution so that he would not have to payback those wages. Councilman Long stated no because it was paid to him illegally. Long also asked the Village Administrator if Stephen would be willing to do general maintenance work. Roberts replied yes that Stephen already is doing some general maintenance work. Mayor stated as well, that the Water Operator has done everything that he has been asked to do and does not have a problem doing maintenance work.

Councilman Felbaum made a motion to approve the additional wage increase to the Water Operator at \$21.50. Councilwoman Ertuncay Seconded the motion. Eric Sandine, asked from audience, doesn't that have to be done by Ordinance. Mr. Browning stated this does not affect presenting a balanced budget to the County therefore an Ordinance can be done after the 1st of the year at the next Council Meeting. Mayor stated that

items 4,5, and 6 from "Schedule A" would wait to determine in January. Councilwoman Tennant stated we still need to combine the positions however the Water Operator wage can wait until January to make a determination. Felbaum stated to confirm we are not voting on "Schedule A" we are just voting on Ordinance 35-17, balanced budget for 2018. Tennant asked if "Schedule A" is part of the Ordinance; Felbaum stated technically yes however it is a Mayoral decision to make some of the changes on "Schedule A". Fiscal Officer interjected asking about the promotion and wage increase given to one of the Police Officers a couple months ago that was not approved by Council for the promotion & wage increase, asking if this needs to be approved by Council as well. Mayor stated he doesn't think Council has to approve a Police Officer being promoted. The Police Chief stated that the position is listed in the table organization along with the pay rate for that position and as far as he knows a promotion within a department does not need Councils decision. Councilman Long stated as long as the Police budget can support it, it is a separate issue and the Chief is correct. Fiscal Officer asked again to state for the record that the promotion and wage increase for the Police Officer to a Sargent does not need Councils approval. Mayor replied "as far as he knows, no".

Mayor asked if there are any other questions about the "Schedule A". Councilman Zircher asked removing the discretionary spending from the Sewer Utility, that is what changed from two weeks ago. Mayor apologized he didn't have his notebook in front of him that has that paperwork from two weeks ago however he stated that there were a lot of items coming out of Sewer that were paying other things and not paying the Canal Winchester bill which is a big reason why the Sewer fund is in the shape that it is in. Councilwoman Tennant asked Councilman Zircher if he was talking specifically about personal services; Zircher stated correct. Tennant stated that was part of the discretionary spending that should not have been used out of Sewer. Zircher asked to clarify what personal services refers to; Eric Sandine stated that is personal services to the department not personnel services. Zircher stated two weeks ago \$93K was under personal services and now it is at \$0. Mayor stated we are not taking anything out of the Sewer account other than to pay the CW bills. Zircher added that he was concerned with the \$111K hole in General Revenue and \$135K hole in Enterprise funds. Mayor stated he couldn't answer that because he didn't have what Zircher had in front of him however, Eric Sandine interjected and stated not to count the total amount difference out of the General and Enterprise that there will be revenue to cover that, \$109K in cash carry over and \$62K in Sewer balance cash carry over and in the "top section" all your balances are in the positive which indicates a balanced budget for 2018. Mayor asked if there were any more questions. Zircher asked where we took Sewer down to \$0 was there any other places we were not appropriating money correctly. Mayor replied we don't know what or how much was appropriated incorrectly other than Sewer at this point. Zircher asked for an example of what was being paid out of Sewer that should not have been. Mayor replied attorney fees for one. Zircher asked if this applies to Water fund as well, that salaries and legal fees etc. should not come from Water fund. Mayor replied possibly however Sewer is the biggest concern right now until we can go back and determine what happened in 2017. Mayor went on to say all that we are trying to do tonight is pass a balanced budget for 2018. Zircher stated he was sorry for all the questions however he was just trying to understand to the best of his abilities what is being done. Councilman Long interjected stating Zircher's questions are valid however we can only pass the budget for tonight and can't expect the Mayor to answer all the questions of what happened in 2017; Long also stated Zircher questions need answered but all would not get answered tonight. Mayor stated we just need to move forward tonight with the 2018 budget. Councilwoman Ertuncay asked if we pass this Ordinance then everything listed on "Schedule A" goes thru. Mayor stated yes we have to make cuts. Felbaum asked what exactly is "Attachment A". Mayor replied that is "Schedule A". Felbaum then stated we are voting to bring forward a balanced 2018 budget not necessarily everything listed on "Schedule A". Councilman Long asked for the Mayor to go over the last 4 items listed on "Schedule A". Mayor stated one is to combine the Mayor's Court Clerk with the Fiscal Officer position, Move OPWC#2 debt service to Streets from General Revenue, reduce Mayor's office Personal Services by \$10K, and transfer \$80K from General Fund to Water Enterprise to make January 1st debt service payment. Councilman Long asked what the total debit service that would be moved for the OPWC#2; Eric Sandine replied approximately \$4K. Councilman Zircher asked what is included in the Mayor's personal services that is to be reduced; Mayor replied we need to find ways of reducing that but for example cell phone

contracts could possibly be reduced; at the Finance meeting there was a list of items highlighted the we should not be using in 2018 as well. Mayor stated that these examples do not affect the 2018 budget but are ways we can save money going forward.

Mayor then read Ordinance 35-17 Adopting & Approving 2018 Appropriations Budget. Mayor asked for a motion. Councilman Felbaum asked to make a motion to amend "Schedule A", line 3 & 4, Water Operator's wage. Eric Sandine interjected and said that "Attachment A" in the Ordinance is the budget spreadsheet not the "Schedule A" that the Mayor passed around. Felbaum reiterated that we are not approving anything tonight from "Schedule A" only Ordinance 35-17 with "Attachment A" which is the appropriations spreadsheet. Mayor replied correct. Councilman Zircher asked what is communications printing and advertising under Water Utilities for \$8740; Mayor replied printing of water bills. Zircher then asked what is supplies & materials; Long replied postage and envelopes. Councilwoman Tennant made motion to approve Ordinance 35-17; Seconded by Councilman Felbaum. Roll Call: Ayes: Long, Ertuncay, Felbaum, Zircher, Tennant. Nays: None. Ordinance passed.

Reports:

Village Administrator: Roberts reported that his guys are working on winter related issues; Tomorrow he will be picking up the temporary pump for Wilson Farms.

Chief Barton: Chief stated that there was a fire in one of the township buildings on Christmas Day which resulted in a loss of a dump truck. Other vehicles in the building were saved. They are still investigating the cause however its believe to be something electrical with the vehicle that was destroyed. Chief also stated that no one was hurt in the fire. Chief also stated that he and Roberts met with the Trustees and offered their assistance in any way to them.

Fiscal Officer: Argyle discussed the aged receivables for the Village on the past due utilities which is approximately \$73K as of 12/18/17. She added that if we could get the past due collected more timely and under control that is equivalent to two people's salaries that we are possibly eliminating. Councilman Felbaum asked if the \$73K is just from 2017 bills; Argyle responded that this is anyone over 60days past due and some accounts are a year or two pasts due. Roberts stated we do have some residents on payment plans to get their bills current and sometimes we do have to place liens in order to get paid. Felbaum asked what the success of the liens are; Roberts stated it basically is when they pay their taxes. Argyle stated that she hasn't seen a lot of effort in collecting past due utilities; Roberts disagreed and stated they have been shutting people's water off; Argyle stated that efforts have been made recently however prior to the last few months it wasn't being done timely. Mayor stated we can look at this at a later time and review the steps in collecting past due bills.

Mayor: Taylor stated that last week he and Roberts took a tour of the wastewater treatment plant in Canal Winchester; they are having huge issues from items that are being advertised as flushable however are not. Examples are Q-tips, coffee grounds, egg shells, and grease. Taylor stated he wanted to get information out and educate residents about flushing these items down drains.

Round Robin:

Tennant – Nothing

Ertuncay – Nothing

Zircher - Expressed his thanks to Brandon, Kevin, and Stephen who tackled the water main break by his home a couple weeks ago; they worked from approximately 6:00 p.m. to 1:00 a.m. in 15-degree weather down in a hole; and the excavator that was working with them was a friend of his who expressed that the three men did a good job.

Long - Thanked outgoing council members for their service.

Felbaum – Nothing

Taylor then asked for a motion to adjourn. Councilwoman Tennant moved, seconded by Councilwoman Ertuncay. Rollcall: Ayes: Felbaum, Zircher, Ertuncay, Long, Tennant. Nays: None. **Meeting adjourned @ 8:47 p.m.**



Grant Felbaum
President



Jamie L. Argyle
Clerk, Village of Lithopolis