RECORD OF PROCEEDINGS
Lithopolis Village Council Meeting Minutes
July 12, 2016 @ 7:30pm

Council Members Present: Brown, Daily, Ertuncay, Felbaum, Gilliland

Council Members Absent:

Present: Ted Simon-Mayor, Terra Wynkoop-Fiscal Officer, Ed VanVickle-Village Administrator, Chief Barton-Police

Mayor Simon called the meeting to order; 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. Mayor also asked to remember the Police Officers killed in Dallas, Texas.

Minutes

Minutes from June 28, 2016 Regular Meeting, reviewed. Daily moves to accept Minutes from June 28, 2016 as submitted, Seconded by Gilliland. All Ayes, No Nays.

Public Comments

John Rogers informed Council that Blue Bird Estates were on schedule. He also expressed his gratitude to Ed VanVickle. He also acknowledged Daily's resignation and thanked her as well.

Jerry Solt, 222 E. Columbus St. Expressed his concern with vacant and abandoned homes with overgrown yards, shrubs and being "untidy." Can Council contact land owners and request clean up? Mayor states the Village can contact the owners. Mr. Solt is also concerned about the possibility of crime. Ed states there is a property maintenance ordinance; a written complaint needs submitted before action. Chief needs legislative authority to address the issue; he has looked up addresses on the auditor site. The Chief made reference to following the Ohio Revised Code requirements. Gilliland offers to impound any vehicles, he explains the process. Mr. Solt gave the Mayor a list of the Parcel numbers. Gilliland moves to authorize the Chief to send certified letters to the owners, Seconded by Felbaum.

Ayes: Brown, Daily, Ertuncay, Felbaum, Gilliland Nays: None

Mr. Kenney updates on the Elkhorn. He applied for a residential loan and the bank is stating it is commercial. Ed states it is not a "zoning" issue, it is building classification issue. Chief states it is multi family unit being used as a rental property. Ed offers to meet with Mr. Kenney and go over items. Gilliland questions him living in the property as well.

John Barrett wants to wait.

Donna Elliott, representative for the Honeyfest, since they are a separate entity, they need permission to use the streets and use the fire house. Mayor asks if she wants a motion to request this, Ed suggests an ordinance, and Solicitor suggests a resolution. Mayor states will write a resolution and it will take a couple of readings.

Reports from officers

Mayor – First order of business is to fill the vacant Council seat. Requests a suspension of the rules and accept all applications due to a clerical error he made on the Facebook page. Gilliland moves to suspend the rules, Seconded by Felbaum.

Ayes: Brown, Daily, Ertuncay, Felbaum, Gilliland Nays: None

Mayor asks if Council would like to meet in Executive Session to discuss and appoint a new public official. Felbaum moves to go into Executive Session, Seconded by Gilliland.

Ayes: Brown, Daily, Ertuncay, Felbaum, Gilliland Nays: None

7:50 p.m. Council goes to Executive Session. Council returns at 8:02 p.m.

Mayor requests motion to end Executive Session. Brown moves to end Executive Session, Seconded by Ertuncay.

Ayes: Brown, Daily, Ertuncay, Felbaum, Gilliland Nays: None

Mayor opens floor to applicants who would like to address Council for the position.

-John Barrett, Frank Vantresca and Michael Bellick all address Council.

Felbaum states for the record they would like representation from "each area" of the Village. Mayor asks for a nomination to fill the vacant Council seat that will expire December 31, 2017.

Felbaum nominates John Barrett, Seconded by Daily.

Ayes: Brown, Daily, Ertuncay, Felbaum, Gilliland Nays: None

The Mayor swears in the new Council member and the Fiscal Officer.

Mayor informs Council Marianne Daily resigns her position as President Pro Tempore and asks if she would like to speak. He asks for a motion to accept the resignation. Ertuncay moves to accept Daily's resignation, Seconded by Felbaum.

Ayes: Brown, Barrett, Ertuncay, Felbaum, Gilliland Abstain: Daily

Mayor states a new President Pro Tempore needs appointed and asks for volunteers. Brown nominates Felbaum who declines. Barrett nominates Gilliland who accepts, Seconded by Ertuncay.

Ayes: Brown, Daily, Ertuncay, Felbaum, Barrett Abstain: Gilliland

Mayor explains the appropriation ordinance will be put on hold, brief discussion. Gilliland asks if it is a broker situation, Ed explains.

Village Administrator

Ed Van Vickle – 41 New builds from January to July. Explains sewer fee structures and amended appropriations, gives averages of increases in revenue and income tax; results of growth in the Village.

8:19 p.m. The Mayor excuses himself as discussion of Wagnall's Run Phase 4, Council all has drawings, the boundaries have changed. Dirt has been moved from Ph. 4 to Ph. 3. Lots in Ph. 3 elevation have been raised. Barrett asks how many lots, 25. The Village required updated water profiles. Mr. Watkins introduces himself. Gilliland asks if Ph. 3 and Ph. 4 are now level, no Ph. 3 is still lower. Ed explains the subdivision regulations and engineer involvement. Brown asks about a retention pond in Ph. 4, there will be one in Ph. 5. Brief discussion of the status' in Ph. 3. Felbaum moves to accept the preliminary Plat 4, Seconded by Ertuncay.

Ayes: Brown, Daily, Ertuncay, Felbaum, Gilliland Abstain: Barrett

8:28 p.m. Mayor returns.

Ed gives year-to-date figures on Traffic Impact Fees, Zoning, Permits, Sewer and Parks and Rec. He also explains the reports for Water Billing are more difficult to produce due to software. He gives figures on past due accounts. Brown and Gilliland question the bankruptcy case. We are governed by the Water and Sewer Ordinance. Blue Bird Estates update. Wilson Farm was issued occupancy permit for last house. Rolling Acres is on track. The pool is in place but not filled. Stan asked about occupancy permits, Ed explains how issued. Brown spoke with Craig Nelson and he agreed to let the Village trim tree to make stop sign visible.

Police Chief

Chief Barton shares the Police Blotter with council. Had 5 reports from one subdivision. Chief is losing a second auxiliary officer. Mayor adds health insurance with Anthem Blue Cross and Blue Shield is in effect.

Fiscal Officer - Nothing

Council Round Robin

Brown - nothing
Daily - nothing
Ertuncay – nothing
Felbaum – Won't be at next meeting, on vacation. Petition is being circulated for Sunday alcohol sales. Do we have a date for zoning meeting? Matt LaBoone having issue with paperwork. August 9th, tentative. Ed will check with Holly.
Gilliland – nothing

Chief also adds there will be a motorcycle rally at Jackson Lake Park with police officers. Ceremony for fallen officers.

Barrett - Open Market Street. Delaware St. needs to have the 1st and 2nd spaces to be no parking. Gilliland inquires about trailer setting at intersection. Is this a state issue? Do we have a trailer ordinance? Mayor's Court Report for what is being brought in and what is being spent. Organizational chart, Ed we have an Ordinance. Barrett states "Ted is the boss, the Mayor is the boss." Per Ed, our positions are defined by ORC. Barrett corrects himself and states employees. Legion and the sign, Ed informs we need to amend or appeal the ordinance. Daily adds, if you do for one, you have to do for all. Gilliland advises it could be discriminatory. Ed explains there is a difference between advertising and promoting. Fultz comments also. Who is writing our ordinances and resolutions? What is the process? Daily adds timeliness, time limits. Ed suggests and Ordinance Committee – Rule #20. Example – plating.

There being no further public business, Felbaum moves to adjourn, seconded by Brown
Ayes: All No Nays Recorded.
Meeting adjourned @ 9:08 p.m.