

RECORD OF PROCEEDINGS
Council Organizational Meeting
Regular Council Meeting Minutes
January 09, 2018 @ 7:30pm

Council Members Present: Felbaum, Zircher, Long, Kidwell, Belek, Wynkoop

Council Members Absent: None

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.

Mayor Taylor swore in the following new Council Members; Michael Belek, Sarah Kidwell, Michael Long, and Terra Wynkoop.

Mayor Taylor then proceeded to ask Council to set up the Public Works, Public Safety and Finance Committees, with a member and chair for each committee. Each committee is as follows; Public Works Committee consists of Andrew Zircher, Chair and Terra Wynkoop Member; Public Safety Committee consists of Michael Long, Chair and Sarah Kidwell Member; Finance Committee consists of Grant Felbaum, Chair and Michael Belek Member.

Mayor Taylor asked Council to elect a President Pro-Temp. Terra Wynkoop nominated Michael Long; Mayor Taylor asked for a vote for Michael Long as President Pro-Temp; Ayes; Kidwell, Felbaum, Belek, Zircher, Long, Wynkoop. Nays: None.

End to Organizational Meeting and Mayor Taylor passed around cupcakes to everyone.

Mayor Taylor then proceeded with the Regular Council Meeting.

Minutes:

Mayor Taylor asked for Council to take a minute to review the minutes from 12/26/17. Taylor asked if there were any changes or corrections. Taylor asked for a motion to approve the minutes from 12/26/17; Councilman Zircher moved to approve the December 26, 2017 minutes, seconded by Councilman Long. Roll call: Ayes; Zircher, Long, Felbaum; Abstain: Belek, Wynkoop Kidwell. Nays: None

Public Comments: Wes Perry thanked the Village Employees who plowed the streets.

Old Business: None

New Business: **Emergency Reading ORD 01-18** – Awarding the bid for Solid Waste & Recycling Collection for the Village of Lithopolis and declare an emergency. Councilman Zircher asked what if any differences there are from previous year; Taylor responded stating cost does go up and that businesses that have residential tote

would pay more than a regular resident. Amanda Wolin, audience member & Village Employee, stated that we also received an alternative bid in regards to Holiday pick-ups. Councilman Felbaum moved to suspend the rule to three readings; Seconded by Councilwoman Wynkoop. Roll Call: Ayes; Felbaum, Long, Zircher, Wynkoop, Belek, Kidwell. Nays None. Councilman Zircher moved to approve; Seconded by Councilman Long. Roll Call: Ayes; Kidwell, Long, Felbaum, Wynkoop, Belek, Zircher. Nays: None. Ordinance passed.

Emergency Reading ORD 02-18 – Employing Job M. Browning, Attorney at Law, as Village Solicitor. Councilman Long moved to suspend the rule to three readings; Seconded by Councilwoman Wynkoop. Roll Call: Ayes; Wynkoop, Belek, Zircher, Felbaum, Long, Kidwell. Nays: None. Mayor asked for a motion to approve ORD 02-18. Councilman Long motioned; Seconded by Councilwoman Wynkoop. Councilman Zircher asked to speak in regards to this Ordinance. Zircher went on to say that he was pleased with the election but not how we got here; The personal attacks on social media were over the top & embarrassing. The tactics used on social media led to the residents not wanting to be involved. Zircher went on to say that he noted that Jon Browning was one of the individuals that was on social media in the last year and a half making comments that were unprofessional for someone in the role of Village Solicitor and he expects someone with the highest level of professionalism to be in that role. Zircher stated he would not support this Ordinance for Jon Browning as the Village of Lithopolis Solicitor. Councilman Felbaum moved that this be moved in to executive session and was Seconded by Councilman Belek. Roll Call to adjourn: Ayes; Kidwell, Felbaum, Belek, Zircher, Long, Wynkoop. Nays: None.

Executive Session Started 7:59 p.m.

Mayor called meeting back to order 8:35 p.m. Roll Call: Kidwell, Felbaum, Belek, Zircher, Long, Wynkoop.

Mayor stated we had the motion and a second to suspend the rule to three readings and we had the motion and the second to adopt ORD 02-18. No further discussion on Ordinance; Mayor asked for Roll Call: Ayes; Belek, Long, Kidwell, Wynkoop. Nays; Zircher: Abstain; Felbaum. Jon Browning asked to address Councilman Felbaum; Felbaum stated this is not a no vote this is just an abstain to push this out to three readings. Browning stated he did not think that an abstain would do so but would research this and advise Council. Ordinance failed as emergency and will go to second and third reading.

Emergency Reading ORD 03-18 – Establishing a job description and pay increase for the Village Water Operator of Record repealing ORD 13-17 and declare an emergency. Councilman Zircher asked if we would not have had this issue with the pay rate if he would have been hired at the \$21.50 instead of the \$17.50; Taylor replied yes. Councilman Felbaum stated he was the one to push for this Ordinance to give the higher pay rate to the Water Operator at the last Council Meeting. Councilwoman Wynkoop asked if anyone else could run the Water Plant; Taylor stated yes and no that we do have someone who is licensed however not as high of classifications or experience as Stephen Kill. Councilman Long asked if the budget can support this raise or has anyone done the math; Taylor stated it would be approximately \$8,320 additional for the year at the higher rate of \$21.50. Audience Member asked what the costs of his benefits would be; Taylor stated health insurance and the amount the village pays towards retirement (OPERS). Fiscal Officer stated that Stephen Kill is currently not enrolled in the health insurance with the village. Councilman Zircher asked Brandon Roberts to comment about the current staff under him as well as their skill sets and the possible layoff on his staff. Roberts stated that Stephen Kill is over qualified to be the Water Operator and currently helps do maintenance work as well. John Abrams knows a lot of the Sewer System and does know some of the Water Plant however would not be able to diagnose something as quick as Kill. Kevin Lawson is still in the process of learning everything with maintenance. Roberts went on to say the he personally would love to see Stephen Kill stay as the Water Operator. Roberts also stated that in the interview process with Kill that the only reason he accepted the position as Water Operator was because he was going to the raise to \$21.50. Roberts then stated that Kill has his Class 3 qualifications in Sewer as well and if Abrams is off for surgery six months Kill would have the

experience with the Sewer as well. Councilwoman Wynkoop asked about section 3 of this Ordinance, that the employee would have to repay the wages he made at a higher rate, she found this to be unfair that the employee would have to repay wages that he was promised and had been doing the work; Taylor stated he has not yet found anything around that since his wage increase was given without Councils approval. Councilman Long asked if there was any way that Kill could payback the wages and then the Village could in turn give him back the wages in some way like a bonus in the form of an Ordinance; Taylor stated he was not sure. Councilman Long stated he thinks we should table this Ordinance until we get final totals of what this pay rate and benefits would accumulate to. Councilman Zircher stated he would like to get this resolved quickly however he questioned section 3, the "repayment". Councilman Zircher motioned to suspend the rule to three readings; Seconded by Councilman Felbaum. Roll Call: Ayes; Felbaum, Kidwell, Zircher, Long, Wynkoop, Belek. Nays: None. Councilman Felbaum motioned to adopt ordinance; Jon Browning interjected stating that Council may want to get certification from Argyle that the money is available; absent her certification we will be right back in the same place we are now. Councilman Felbaum stated we know the money is there is just a matter of moving it from another area is what we determined in the Finance Meeting in December; Felbaum asked Browning to explain further of need of certification from Fiscal Officer. Browning suggested to table this Ordinance until Argyle could certify if we have the funds. Councilman Felbaum moved to table ORD 03-18; Seconded by Councilman Long. Councilman Zircher asked that we have the certification at the next meeting as well as an Ordinance giving the Water Operator a "bonus" in the amount of the difference of what he's being asked to repay. Taylor stated that he was not sure if we could do that; Councilman Long asked if we could bring options for Council to review. Browning and Taylor advised we would probably have to address this as to separate issues and not rolled in to one Ordinance. Roll Call: Ayes; Kidwell, Felbaum, Belek, Zircher, Long, Wynkoop. Nays: None. Ordinance Tabled.

Emergency Reading 04-18 – Setting the compensation for elected officials and repealing ORD 23-16 and declare an emergency. Councilman Felbaum asked if compensation is staying the same; Taylor replied yes. Councilman Zircher motion to suspend the rules to three readings; Seconded by Councilwoman Wynkoop. Jon Browning interjected asking why this has to be emergency legislation as opposed to three readings; Taylor replied he didn't want this to linger. Browning stated that in section 7 we are required to state that it is an emergency but also why that it is an emergency, can't pass this as an emergency without certain language. Councilman Zircher retracted his motion. Councilman Long motioned to amend the emergency language; Seconded by Councilman Felbaum. Roll Call: Ayes; Wynkoop, Kidwell, Belek, Felbaum, Zircher, Long. Nays: None.

1st Reading RES 01-18 - Adopting council rules for the Village of Lithopolis and repealing RES 08-17 & RES 03-12. Taylor stated this Resolution is to have one Resolution to refer to instead of the two that are in place. This resolution is to combine Resolution 08-17 and 03-12 in to one Resolution. Councilman Zircher stated he wasn't sure we needed to do this however doesn't mind doing so.

Reports:

Village Administrator: Roberts stated they are working on repairs to the truck, tractors and plows; Today they had the lift station cleaned at Wilson Farms, should be getting new pump installed soon which would allow the return of the rental pump. Roberts also stated that they have had a lot of sewer issues because of the freezing temperatures; Trying to address those as best as they can.

Chief Barton: Chief referred to the Police Blotter that is in the Council packets; Also one of the part-time officers resigned this month and he will look in to bringing another one on later in the month.

Fiscal Officer: Argyle Passed around the bank reconciliation for December for Council's signature.

Mayor: Nothing

Round Robin:

Wynkoop – Terra asked about magistrate contract; Taylor responded thought he was in a two-year contract but he will check on that. Terra also about the Rumpke contract; the certificate of insurance says that it expires in 12/31/17, do we have current one; Taylor responded that Rumpke is coming a couple weeks and we should have that then.

Long – Nothing

Zircher – Nothing

Belek – Nothing

Felbaum – Nothing

Kidwell – Nothing

Taylor then asked for a motion to adjourn. Councilman Felbaum motioned; Seconded by Councilman Belek. Roll Call: Ayes; Wynkoop, Belek, Kidwell, Long, Zircher, Felbaum. Nays: None. **Meeting adjourned @ 9:33 p.m.**



Michael Long
President



Jamie L. Argyle
Clerk, Village of Lithopolis