

12/30/2021

Regular Council Meeting

7:00 PM

Meeting in council chambers, 318 E. Main Street; streamed live on Facebook

Gary Bauer, Harry Brumbaugh, Don Gephart, Chad Hollon, and Richard Simpson were present. Mayor John Carman presided over the meeting.

**BAUER/GEPHART: Motion to excuse Reilly Hopkins from the meeting. All voted yea**

#### **APPROVAL OF AGENDA**

Agenda was presented to Council.

**HOLLON/BAUER: Motion to accept agenda as presented. All voted yea.**

#### **APPROVAL OF MINUTES**

Minutes from 12/09/2021 were presented to Council.

Mr. James Constable interrupted the meeting asking about the revision to the minutes.

**BAUER/SIMPSON: Motion to approve minutes as presented. All voted yea.**

#### **APPROVAL OF BILLS/ADJUSTMENTS/SUPPLEMENTAL APPROPRIATIONS**

Bills, adjustments and supplemental appropriations were presented to Council.

**HOLLON/BAUER: Motion to approve bills and adjustments as presented. All voted yea.**

#### **COMMITTEE REPORTS**

None

#### **OLD BUSINESS**

##### **Ordinance 2021.042 – Second Reading – Tree placement**

Mayor Carman noted there was a discussion item regarding the types of trees. Mr. Hopkins had sent some information about the types of trees, keeping them small and clean as well as single stem types. It would be up to the property owners to maintain the trees. Mr. Hollon suggested the ordinance be tabled until Mr. Hopkins could be present. Council agreed to table the ordinance.

##### **Ordinance 2021.046 – Income Tax**

Mayor Carman introduced the ordinance.

At this point, Mr. James Constable again disrupted the meeting and held up a sign. Mr. Constable was asked to put the sign down by the mayor. Mr. Constable claimed freedom of speech. Mr. Hollon called point of order and stated that Mr. Constable is welcome to watch the meeting and has no freedom of speech during the meeting unless allowed by the Council. Mayor Carman again asked Mr. Constable to lower the sign down. Mr. Constable said he would not put the sign down. Ms. Wilkin stated that if Council believed that an individual of the public is disregarding the rules and disrupting the meeting, Council can make a motion to request that the individual leave the meeting. Mayor asked the Council if there was a motion. Mr. Hollon made a motion to have Mr. Constable leave the meeting. Mr. Simpson seconded. Mr. Constable again interrupted the meeting and stated he did not hear what Ms. Wilkin said. He asked her to repeat it. Mr. Hollon said no. Mr. Constable said he didn't ask Mr. Hollon, he asked the mayor and claimed that "you need to speak up so we can hear you." Mr. Hollon stated the motion was made and seconded. Mayor Carman noted there was a motion and a second that Mr. Constable leave the meeting because he was not complying with the request of Council and the Mayor. Roll call was made. **All voted yea.**

Mayor Carman asked Mr. Constable to leave the meeting. Mr. Constable stated he was not going to leave. Mr. Gephart asked Mayor Carman to call the police.

Mayor Carman proceeded to discuss the ordinance, sharing that a representative from Regional Income Tax Agency (RITA) would be at the next meeting to give more information. At this point, Mayor Carman received a call from the police officer on duty and requested the officer come to Council Chambers. The mayor

continued discussing the ordinance noting that he was waiting for 2 businesses to provide annual revenue to determine the amount that 0.5% would bring to the village.

**Hollon/Gephart: Motion to place the income tax ordinance on second reading. All voted yea.**

**NEW BUSINESS**

**RESOLUTION 2021.043 – Village Comprehensive Plan**

Mayor Carman introduced the resolution and noted that the plan serves as a guide and does not binding on how council governs. It is simply a vision to help move forward. The document is 137 pages long. He stated the rules could be suspended and passed on the first reading. Council questioned why the rules need to be suspended. Mayor explained that that it was not like an ordinance. Ms. Wilkin explained that it could be passed on 3 readings, or council could suspend the rules and pass on the first reading.

**Hollon/Gephart: Motion to place the resolution on the first reading. All voted yea.**

Mr. Brumbaugh inquired of Ms. Wilkin clarification of the resolution. Ms. Wilkin stated that what is being adopted is council is stating they would like to adopt the plan for the village, but in no way imposes any duties, responsibilities or legal rights to have to follow through on anything in the plan. It is meant to be a guideline. Mr. Gephart confirmed it can be changed at any time. Mayor Carman said it is reviewed every five years.

**REPORTS**

At this point in the meeting, Officer Peel arrived. Mayor Carman informed Officer Peel that Mr. Constable had been asked to leave the meeting because he was disruptive and he was refusing to leave. Officer Peel told Mr. Constable that if he was requested to leave, he needed to do so. Mr. Constable asked under what Ohio Revised Code. He stated he believed he has freedom of speech and he would stay. Officer Peel repeatedly asked the resident to leave. Mr. Constable was belligerent and continued arguing with Officer Peel. After several minutes, Mr. Constable finally complied.

**SOLICITOR**

Ms. Wilkin reported that there is no longer pending litigation. At one point, an individual that has just been elected to council and the individual that was just removed from the room had filed with the Ohio Court of Claims. The process was completed by a special master from the court of claims who agreed with the village and denied the claim and put all costs to the requestors.

**FISCAL OFFICER**

Mrs. May requested approval for the following:

**Additional Temporary Appropriations for 2022**

1000-710-211-0000	Medical/Hospitalization	\$10,000.00
4906-850-710-0000	Principal	\$3687.96*
2101-850-710-0000	Principal	\$5312.04*
(Center/Main Project Loan Payment* due in January)		

**HOLLON/BAUER: Motion to approve additional temporary appropriations. All voted yea.**

Mayor Carman stepped out of the meeting.

Mrs. May also shared that the total 2022 estimated revenue is approximately \$12.3 million dollars and the appropriations total \$14.8 million dollars. This is a point of concern. Also, the funding level for the health insurance plan has been at 50%. Employee Benefit Services and Phil Blankenship recommend revising the funding level to 75%.

Additionally, employee leave accruals are currently being manually entered into the UAN software on a monthly basis. The software does have the capability to automatically accrue hours for personal, sick and vacation time. There would be a difference in the accruals because it would have to be spread over 26 pay periods, rather than 12 months. This would create a slight difference in leave earned with some amounts

varying in hundredths or tenths. Mrs. May stated this would be a policy change and wanted to present it to council. Mr. Gephart questioned the accrual frequencies. Council was asked if it would like to see the numbers and differences in accruals. Council declined.

**HOPKINS/BRUMBAUGH: Motion to revise policy to establish automatic leave accruals over 26 pay periods. All voted yea.**

AFLAC – Mrs. May explained that the village only serves as the administrator and withholds the amounts due for 12 employees and pays the invoices from AFLAC. She has spoken to all 12 employees, of which 6 would like to cancel their coverage. The remaining employees are in agreement to be billed directly. There have been a lot of issues with billing mistakes and errors by AFLAC. Mr. Gephart commented that if we are having so many problems, we may want to have employees be billed direct.

American Rescue Plan Act Funding – It was reported that this funding could be utilized to pay for water meters. She recommended that the funding be utilized in this way. There is approximately \$126,000.00 additional needed to purchase meters. This would provide some relief to the water fund.

Ms. Wilkin stated that Council could take a break and resume when Mayor Carman returned.

**HOLLON/BAUER: Motion to break. All voted yea.**

All returned and the meeting resumed.

#### MAYOR

2022 Meeting Schedule was presented and reviewed.

**BRUMBAUGH/BAUER: Motion to approve the 2022 meeting schedule. All voted yea.**

#### EXECUTIVE SESSION

**HOLLON/SIMPSON: Motion to recess to executive session for the following:**

Matter 1) Pursuant to 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee for the Police Department.

Matter 2) To consider the Compensation of a public employee or official pursuant to Ohio Revised Code §121.22 (G)(1), for the Street Department.

The mayor invited Council, the Village Solicitor and the Fiscal Officer. Roll call was made. **Recessed at 7:48 p.m.**

**Roll call was made. Council resumed at 8:02 p.m.**

**HOLLON/BAUER: Motion to add Resolution 2021.048 to the agenda and to suspend rules and place on final reading. All voted yea.**

**BAUER/HOLLON: Motion to authorize the mayor to enter into a contract agreement with Laura Gibson, at the recommendation of Chief Reinbolt, as approve Resolution 2021.048. All voted yea.**

**HOLLON/BAUER: Motion to move Paul Daniels, Street Commissioner, to Step C. All voted yea.**

#### DISCUSSION ITEMS

Quote from Matt Thompson for Men's Restroom of Main Hallway – Item Tabled

Mr. Constable disrupted the meeting again by standing up.

**HOLLON/GEHART: Motion to remove public comment from the agenda. All voted yea.**

**Motion to adjourn. Meeting adjourned at 8:28 p.m.**

Approved: January 13, 2022

Mayor: John M. Cannon

Attest: Janet A. May