

03/10/2022

Regular Council Meeting

7:00 PM

Meeting in Council Chambers

Harry Brumbaugh, William Garner, Don Gephart, Reilly Hopkins, Tyler McCollister and Josh Parks were present. Mayor John Carman presided over the meeting.

APPROVAL OF AGENDA

Agenda was presented to Council with revision.

BRUMBAUGH/PARKS: Motion to accept agenda with revision. All voted yea.

APPROVAL OF MINUTES

Minutes from 2/24/2022 were presented to Council with a revision.

GEPHART /HOPKINS: Motion to approve minutes with revision. All voted yea.

APPROVAL OF BILLS

Bills were presented to Council.

HOPKINS/MCCOLLISTER: Motion to approve bills. All voted yea.

Mayor Carman introduced 2 agreements for legal counsel/services through SMBP Law Firm: 1) contract with Scott Sollmann to be invoiced monthly at a rate of \$500.00 per month, and 2) contract with James Barbieri as a part-time employee with the village for \$1000.00 per month including OPERS. An hourly rate would apply for litigation outside the solicitor role.

MCCOLLISTER/GEPHART: Motion to approve agreements with Scott Sollmann and James Barbieri for legal counsel per the agreements. All voted yea.

Chief Houghton distributed information regarding the implementation and subscription costs for Lexipol. The policy provides training and policy updates, and various reports and services. The cost for 2022 is \$13,246.82. This will replace the contract with another service. Mayor Carman asked Mr. Gephart if there was a recommendation from the Finance Committee. Mr. Gephart stated the committee did recommend it.

GEPHART/MCCOLLISTER: Motion to approve the implementation and subscription for Lexipol. All voted yea.

Chief Houghton also discussed the purchase of 2 new vehicles for the police department. Lebanon Ford priced them at \$34,522.00, which is below state bid and there is a 31-week turnaround to receive the vehicles. Mr. Gephart, on behalf of the Finance Committee, recommended approval with the first vehicle already in the police department budget and the second coming from the carryover. Sergeant Helton described the vehicles, purchase process and the upfitting. Mr. Parks and Mr. Garner asked several questions. Mr. Gephart stated that the purchases are the responsibility of the chief.

MCCOLLISTER/HOPKINS: Motion to approve the purchase and upfitting of 2 new vehicles for the police department. All voted yea.

Mr. Hopkins stated that for the record and for the community to know, all of the changes within the police department are the result of Chief Houghton. No other individual should take credit. Chief Houghton shared he had attended a meeting where all law enforcement attended. He volunteered to host the April meeting in Blanchester.

FISCAL OFFICER REPORT

Mrs. May reported she had contacted Sunrise Cooperative regarding the fuel increases to possibly contract with them. Sunrise Coop is no longer writing contracts. Also, she received notification that, due to unclaimed funds for ARPA, the amount will be redistributed to those public entities that applied. The village will receive an additional \$891.16. Mrs. May shared a list of items that were presented to the Finance Committee

including fire hydrants, skid steer, water meters and local match portions for two projects. All items are eligible to be paid from the American Rescue Plan Act federal funding.

MAYOR REPORT

Mayor Carman revisited the door-to-door survey required for a project. He asked for some volunteers to assist with the completion of the survey. Mayor announced details for the police department fundraiser. It will be held April 23, 2022 at 5:00 p.m. with a catered dinner and raffle tickets for \$25.00 per person. Also, a letter of intent was submitted to the Legacy Fund Grant in Clinton County to secure additional funding for the needs of the police department. Mayor Carman pointed out there is no "I" in team and everyone should work together. Everyone wants to do what is best for the village. Mr. Hopkins suggested that counsel begin to work on ideas for application to the Legacy Fund Grant 3 month prior to the deadline. Mr. Gephart asked Mrs. May to clarify how the legal agreements would be paid. Mrs. May advised that, because there were 2 different agreements, they would be paid differently. One agreement will be paid from the same account code as in the past. The other, for the part-time employee status, will be paid from 4 different account codes including salaries, OPERS, Medicare and workers' compensation. Mr. Gephart shared that the Finance Committee also discussed other items such as technology. Mr. Hopkins said he would obtain information regarding broadband and would bring it to the next finance committee meeting. Mayor Carman stated that Commissioner Brenda Woods had reached out regarding locations for broadband. Discussion followed regarding contacting S & H Consulting Co., Inc. for guidance.

Mr. Gephart asked if there were quotes for the floors in the municipal building. Mayor Carman said he has quotes, but they are on hold. Mr. Hopkins requested there be a solicitor's report added to the agenda. He asked Mr. Barbieri to research and provide an overview to Council on Community Reinvestment Act. Mr. McCollister requested information on TIFs. Mr. Parks asked Mrs. May when the budget would be ready. Mrs. May replied that the spending budget is the appropriations that council already passed. She stated permanent appropriations are only passed once per year and after that, supplemental appropriations are passed. Mr. Parks asked about the revenue. Mrs. May replied that the revenue was already shared with council. Reports are sent each month with status. Mr. Parks asked the solicitor to find out when the budget is due and he asked the solicitor to let him and the mayor know. Mayor Carman stated that all of the information needs to be shared in a council meeting. Mr. Gephart stated requests to the solicitor should come from council not from individual members. Mrs. May added that there is an Ohio Revised Code that states tax budgets are to be filed in July. She told the solicitor that the requirement for entities in Clinton County was waived and she would forward the minutes to the solicitor. Some residents keep asking about it but they were given the same information from the county auditor. Mr. Gephart stated that not only for the solicitor, but for village employees, if a council member has a question to bring it up at a council meeting. Employees need to get their jobs done. Mayor Carman added that there are committees in place with three council members on each committee. If an issue is dealing with money, it needs to go before the Finance Committee before going to council. The committee will make a recommendation at a full council meeting and it will be open for discussion. The process is not for one council member to send out requests for multiple things. The committee process is best practice. The solicitor agreed.

Discussion Item

Mayor Carman requested direction from council on air quality testing and asbestos. He asked Paul Jackson to confirm that as long as asbestos is not disturbed, it is not an issue. Mr. Jackson confirmed that if the floor tile is not disturbed, it is not an issue. Mr. Jackson opined that an air quality test would be within the limits. Mr. Brumbaugh stated he does not think the testing needs to be done. He also has heard that there is discussion about a new building and believes it is not necessary. Mr. Parks said to test the air quality and to get feedback from the solicitor.

HOPKINS/GEPHART: Motion to not move forward with testing. Mr. Brumbaugh suggested the solicitor research the legal aspects. Mr. Hopkins rescinded his motion.

Mr. Parks told the solicitor that it was announced at another meeting that they wanted to get the testing done. Mayor Carman corrected Mr. Parks and said that it was discussed. There was no motion. After additional discussion, Mayor Carman cautioned council to not put anything on social media that is not fact.

MCCOLLISTER/BRUMBAUGH: Motion to table the testing and to request solicitor to research the liability regarding the floors and air quality. All voted yea.

PUBLIC COMMENT

James Constable, 716 Cherry Street, talked about air quality and asbestos. Mr. Constable stated that things discussed in the safety meeting weren't addressed. Mr. McCollister corrected Mr. Constable on several issues. Mr. Lee from the Parks Board also corrected Mr. Constable on his statement regarding the bleachers.

Motion to adjourn. Meeting adjourned at 8:09 p.m.

Approved: March 24, 2022

Mayor: John M. Cannon

Attest: Shirley A. May