

12/09/2021  
Regular Council Meeting  
7:30 PM  
Meeting in council chambers, 318 E. Main Street

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

Newly elected council members were sworn in for their term beginning January 1, 2022. Municipal Court Judge Mike Daugherty administered the oath for William Garner and Joshua Parks. Councilman Harry Brumbaugh administered the oath for Tyler McCollister and Reilly Hopkins.

**APPROVAL OF AGENDA**

Agenda was presented to Council. Mayor Carman stated Mr. Gephart requested Resolution 2021.043 be tabled to allow additional time to review.

**HOLLON/SIMPSON: Motion to accept agenda with requested change presented. All voted yea.**

**APPROVAL OF MINUTES**

Minutes from 11/11/2021 and 11/22/2021 were presented to Council.

**HOLLEN/HOPKINS: 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/GEHART: Motion to approve bills with addition, adjustments and supplemental appropriations as presented. All voted yea.**

**COMMITTEE REPORTS**

None

**PARKS DEPARTMENT**

Tom Lee stated he was both texted and called the prior Sunday afternoon from a council member that no budget had been submitted by the parks department and that the gym repairs needed to be completed. Mr. Lee stated he had met with the fiscal officer in October and there was a council member present when the budget was discussed. Mr. Gephart stated he wished to see the gym completed and the fence around the playground erected. Mr. Lee repeated his previous statement that he did not think the fence was necessary and was a waste of money. Mr. Lee then addressed the gym. He stated that there were high costs involved in repairing the roof over the gym which has structural damage and the gym floor. He suggested seeking grant dollars. He suggested council members come to the Parks Board which meets twice per month to address concerns and stated to contact Park Board members during regular business hours. Mr. Brumbaugh asked if there were hard numbers. Paul Jackson, a park board member, replied that he works in construction. He estimated that the cost of the ceiling repairs and containment is around \$100,000.00. Mr. Lee stated that the Parks Board does not have enough money for repairs and asked if the village did.

**NEW BUSINESS**

**A. Ordinance 2021.040 – 2022 Temporary Appropriations**

Mrs. May discussed appropriations and reiterated these were temporary for the first quarter of the new year. When numbers are final for 2021, the appropriations would be reviewed.

**HOLLON/BRUMBAUGH: Motion to suspend the rules for three readings and pass as emergency. All voted yea.**

**HOLLON/BAUER: Motion to approve temporary appropriations for 2022 as presented. All voted yea.**

**B. Ordinance 2021.041 – Awning Standards**

Mayor Carman stated that Katie Wilkin had crafted the ordinance. Discussion followed regarding various issues with existing awnings, with one being a safety factor.

**HOPKINS/HOLLON: Motion to suspend the rules for three readings and pass as emergency and to approve the ordinance. All voted yea.**

**C. Ordinance 2021.042 – Tree placement, removal**

Following discussion, it was determined that Ms. Wilkin would revise to include more detail such as what types of trees.

**HOPKINS/HOLLON: Motion to place the ordinance on first reading. All voted yea.**

**D. Resolution 2021.044 – BPA Employee Increases**

**HOLLON/BRUMBAUGH: Motion to suspend the rules for three readings and pass as emergency and to approve the resolution. All voted yea.**

Mayor Carman noted that the current BPA pay scale was for reference only.

**HOPKINS/HOLLON: Motion to reinstate the pay scale. All voted yea.**

**E. Ordinance 2021.045 - BPA Utility Rate Increase**

Council discussed the proposed increase for sewer charges. Mayor Carman noted that there is a need to keep up with rising costs and maintain health and safety standards.

**HOLLON/BRUMBAUGH: Motion to suspend the rules for three readings and pass as emergency due to a need to keep up with rising costs and maintain health and safety standards and to approve the resolution. All voted yea.**

**HOLLON/GEPHART: Motion to approve ordinance. All voted yea.**

**DISCUSSION ITEMS**

- **Income Tax Ordinance** – Mayor Carman reintroduced discussion regarding the possibility of enacting a .5% income tax to assist in funding and supporting the Police Department. He also stated he wanted to make sure reciprocity was included so that individuals would not be taxed twice. Ms. Wilkin confirmed that it was included in the ordinance. Mr. Hollon suggested a Regional Income Tax Agency (RITA) representative come and explain the process. Mayor Carman stated he would contact RITA to obtain more details.

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

**REPORTS**

• **SOLICITOR**

None.

• **FISCAL OFFICE**

Mrs. May requested approval for fiscal year 2022 for the items below. She noted Ms. Wilkin had confirmed a motion rather than a resolution was sufficient.

- To process transfers from the General Fund to the Police Operating Fund
- To process transfers from Water Operating Fund to Water Bond Fund for payments
- To establish limits and set amounts for Fiscal Officer to follow for fiscal year 2021

**HOPKINS/BAUER: Motion to approve the fiscal officer's request. All voted yea.**

- **MAYOR**
  - 2022 Appointments were presented for the following:
    - Park Board

**HOPKINS/BAUER: Motion to approve Park Board. All voted yea.**

- Board of Zoning Appeals

**HOPKINS/SIMPSON: Motion to approve Park Board. All voted yea.**

- Finance/Planning Committee & Safety/Service Committee

Mr. Hopkins requested to be moved to the Finance/Planning Committee. Mayor Carman asked Mr. McCollister if he minded to be moved. Mr. McCollister stated he did not.

**HOLLON/BRUMBAUGH: Motion to approve finance/planning & safety/service committees with revision. All voted yea.**

- Safe Routes To School Update – Mayor Carman stated that with the change of scope, bids would be opened March 31, 2022. Council would still be required to pass a final resolution.
- Cherry Street Phase II Update – The project will be advertised for bid on December 14, 2021 until January 11, 2022 at 10:00 a.m. at which time received bids would be opened.
- East Fancy Street Project – The application submitted in August, 2021 with H.B. 168 funding has been approved for \$519,000 with a low local match. The project is to replace the water main and new resurfacing. Utilities director Ram Reddy noted that the local match would come from the American Rescue funding that has been received.
- Hams will be distributed to village employees December 16, 2021.

**EXECUTIVE SESSION**

**HOLLON/BAUER: 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 Parks Department. The mayor invited Park Board members, village solicitor and the Fiscal Officer. Roll call was made. Recessed at 8:30 p.m.**

Roll call was made. Council resumed at 8:59 p.m.

**HOLLON/BAUER: Motion to 1) Issue retirement bonus to Terry McCrone in the amount \$2500.00 (\$100.00 for each year of service); 2) To move Donald Sturgill to Parks Director, Step F, effective first pay period in 2022; and 3) To employ Terry McCrone as Laborer, Step H on an as needed basis. All voted yea.**

**HOLLON/BAUER: Motion to authorize the mayor to enter into negotiations for legal services for prosecution representing the police department. All voted yea.**

**HOPKINS/BRUMBAUGH: Motion to Advertise in the Wilmington News Journal and Cincinnati Enquirer for a village solicitor. All voted yea.**

**PUBLIC COMMENT**

James Constable, 716 Cherry Street, stated Ordinance 45 was passed as an emergency. He said there were only a few reasons an ordinance could be passed as an emergency. He said council needs to prove that the money is needed.

Tom Lee thanked Council for its approval of the Parks Board recommendations.

**Motion to adjourn. Meeting adjourned at 9:07 p.m.**

Approved: December 30, 2021

Mayor: John M. Carman

Attest: Gerald S. [Signature]