

10/14/2021

Regular Council Meeting

7:00 PM

Meeting on Zoom and streamed live on the Village of Blanchester Facebook page

Mr. Bauer Bauer, Mr. Brumbaugh Brumbaugh, Mr. Gephart Gephart, Mr. Hopkins Hopkins, and Richard Simpson were present. Mayor John Carman presided over the meeting.

**HOPKINS/GEPHART: Motion to excuse Chad Hollon from meeting. All voted yea.**

#### **APPROVAL OF AGENDA**

Agenda was presented to Council.

**HOPKINS/BRUMBAUGH: Motion to accept agenda as presented. All voted yea.**

#### **APPROVAL OF MINUTES**

Minutes from 9/23/2021 were presented to Council.

**SIMPSON/BRUMBAUGH: Motion to approve minutes from 9/23/2021 as presented. All voted yea.**

#### **APPROVAL OF BILLS/ADJUSTMENTS**

Bills and adjustments were presented to Council.

**HOPKINS/GEPHART: Motion to approve bills and adjustments as presented. Roll call was made. All voted yea.**

#### **COMMITTEE REPORTS**

Finance Committee: Discussed Safe Routes To School

Safety & Service: None

#### **GUEST SPEAKERS**

Resident Peggy Morgan expressed concerns with the Safe Routes to School project. Mrs. Morgan noted possible issues with the degree of intrusion into residents' yards that the proposed sidewalk would create in addition to the maintenance for the sidewalk that would be put upon the residents thereafter. Michael Goettemoeller with Choice One Engineering addressed Mrs. Morgan's question regarding the placement of the planned sidewalk, citing it was due to utility location and the suggestion of a buffer zone between the sidewalk and the street in lieu of sidewalk placement at curb level. Mr. Hopkins expressed personal grievances about transparency on the implementation of the project; he inquired as to how the decision to not relocate utilities due to additional costs was reached. Michael responded by saying that when the Village presented the project, they requested funding in the amount of \$400,000 but were offered a \$300,000 maximum; discussions followed on how to maximize the project with the funding offered, in turn leading to the decision on sidewalk placement. Mr. Hopkins found the lack of investigation into possible issues before the commencement of the project regrettable and issued an apology to the residents on East Baldwin Street. Mrs. Morgan then inquired as to how the decision was arrived at for which block would receive sidewalk installation, citing a requirement for a 2-mile radius distance from Putman Elementary in the application for the project. The Mayor cited the competitiveness of the grant and stated that the site was explored with 5 Ohio Department of Transportation (ODOT) representatives; a desire to avoid out-of-pocket costs and to score the project well with ODOT led to the decision on where the sidewalk would be placed. Mrs. Morgan cited a "no parking anytime" rule on the street and asked what options she and the other residents would have for additional parking that did not violate it and/or parking on the portion of sidewalk crossing through their driveways. The Mayor asked Michael if the Village was bound to uphold the "no parking anytime" rule or if they could continue with current requirements. Mr. Hopkins felt it contradictory to go along with ODOT and Choice One's recommendations on sidewalk width while foregoing their recommendations on a "no parking anytime" rule. Mrs. Morgan asked if there was still time to consider the option of narrowing the sidewalk; the Mayor stated the time for that option had passed as the project was already going through the bidding process. Mrs. Morgan again asked for guidance on parking issues. Michael stated that he would need to discuss it and get back with her at a later date with suggestions.

Mrs. Morgan acknowledged that the Village faced the possibility of out-of-pocket costs on the project in the amount of \$23,804.00. The Mayor replied that the Village met with ODOT and informed them that the Village could not cover the original overage amount of \$60,000, a sum which would serve as a retainer should the project exceed the agreed-upon funding total (\$300,000); in the event that the project was within budget, the Village could request this retainer back. He then shared funding information for the project from an email correspondence with Scott Brown of ODOT and stated that if the project goes over funding, the Village would have to make a decision as to whether they would accept the additional costs. Mrs. Morgan asked what narrowing tactics the Village would consider in the event of the project exceeding \$300,000; the Mayor said he would not be able to ascertain that until bids for the project came in. Mrs. Morgan stated she felt that communication with residents in regards to the project was handled poorly; the Mayor expressed regret for this and stated that COVID was a driving factor in the hindrance of information dissemination and the gathering of feedback from residents. He went on to say that the problems incurred during this project were a valuable learning experience and that he was confident the Village would perform better on similar projects going forward. Mr. Brumbaugh believed the sidewalk was not necessary and would create more problems than it would solve. The Mayor cited that the Village had already invested over \$93,000 in the project and asked whether they should forge ahead by passing the resolution or halt the project and reimburse ODOT for what had already been spent. Mr. Hopkins suggested pausing the project; the Mayor responded that it wasn't an option as bidding had already begun. Mr. Hopkins again bemoaned that Council wasn't approached on options for the project, thereby making the decision to move forward difficult.

## OLD BUSINESS

### A. Resolution 2021.035, A Resolution for the Safe Routes To School Project

Mr. Hopkins expressed displeasure with the verbiage contained in the Resolution and balked at issuing a check for \$23,804 of Village funds prior to bids coming in. Mr. Gephart asked if the recipient of the check was ODOT; the Mayor confirmed it was. Michael with Choice One confirmed the Mayor's question on whether ODOT did their own estimate in addition to the engineers' estimate and said that this was typical for projects under \$1 million. Mr. Gephart inquired as to what the Village's obligation was if the bids came in higher than anticipated. The Mayor stated that the project would not move ahead without Village approval of costs and that the Village has the ability to reassess the project, change its scope, and send it out for rebid. Mr. Hopkins pointed out the possibility of encountering greater costs if the Village chose to move forward. Mr. Bauer inquired as to the deadline for the approval and payment of the retainer; the Mayor stated the deadline was October 22, 2021.

**BRUMBAUGH/GEPHART: Motion to take a vote to approve payment of retainer to the Ohio Department of Transportation for continuation of the Safe Routes To School project. Roll call was made. All voted no.**

### B. Ordinance 2021.033 - Indiana Municipal Power Agency Contract Extension (Second Reading)

Mr. Hopkins requested that the second paragraph of the Resolution regarding emergency approval be stricken.

**HOPKINS/BAUER: Motion to put on 2<sup>nd</sup> reading. Roll call was made. All voted yea.**

## NEW BUSINESS

### A. Resolution 2021.036 – 2021 Supplemental Appropriations, Exhibit A

**GEPHART/BRUMBAUGH: Motion to approve supplemental appropriations. Roll call was made. All voted yea.**

### B. Resolution 2021.037 – Procedure For Council Meeting Topics, Notice to Affected Departments and Requests of Village Fiscal Officer and Solicitor

Mr. Hopkins believed the resolution to be a hindrance to Council's ability to freely brainstorm and discuss issues presented at Council meetings. He asked for feedback from Council. Mr. Brumbaugh expressed concern that this resolution would interfere with Council's ability to make decisions based

on emergency matters. The Mayor countered that the resolution contained language concerning Council's ability to make exceptions via Council consent. He continued on by stating that he was concerned about conversations taking place outside of Council meetings regarding important issues and decisions; the push to take action on matters during Council meetings with no informative and productive discussion beforehand seemed to be an issue in need of addressing. Mr. Hopkins did not believe that any Council member requested that this resolution be written and accused the Mayor of orchestrating its drafting. Village Solicitor Katie Wilkin informed Mr. Hopkins that she had drafted the resolution based on concerns of her own and concerns that were expressed to her from the Village's previous solicitor (Andrew McCoy) and a Council member. She stated that the resolution in question could be amended per Council's preferences while recalling that there had been multiple complaints from Council in the past about not receiving documentation on issues and/or new legislation far enough in advance of meetings to make a more informed decision. Mr. Hopkins assured everyone that there were no meetings taking place outside of regular Council sessions and stated that he agreed with providing information on Village legislation to Council members for review no less than 48 hours prior to a Council meeting. Mr. Gephart stated that he was in agreement with the 48-hour stipulation as well but was in opposition to the rest of the resolution.

**HOPKINS/GEPHART: Motion to take a vote on the adoption of Resolution 2021.037. Roll call was made. All voted no.**

- C. Resolution 2021.038 – Resolution to Arbitrarily Approve United Dairy Farmers Plat Dated Revised December 16, 2020

**BRUMBAUGH/SIMPSON: Motion to accept UDF Agreement. Roll call was made. All voted yea.**

**STREET COMMISSIONER**

None.

**SOLICITOR**

None.

**FISCAL OFFICER**

None.

**MAYOR**

The Mayor recalled the Guiding Principle of the Village of Blanchester Council and expressed concern that Council had been failing to meet those principles as of late, citing the resignation of a Village employee as a reflection of those failures.

**BAUER/SIMPSON: Motion to recess to executive session to consider the compensation of a public employee or official pursuant to Ohio Revised Code §121.22 (G)(1), for the Board of Public Affairs (Water and Sewer Departments). Roll call was made. All voted yea. Council recessed to executive session at 8:15 PM.**

**Roll call was made. Meeting resumed at 8:20 p.m.**

**BRUMBAUGH/BAUER: Motion to approve pay raise for Matthew Johnson from Step S-1-F to S-1-H and Wayne Moore from W-1-J to W-1-L of the BPA Pay Scale, with pay raises to go into effect on the next full pay period following the October 14, 2021 approval date by Council (10/24/2021). Roll call was made. All voted yea.**

The Mayor mentioned the Fiscal Officer had questions on how the salary for the position of a full-time maintenance employee for the Village Municipal Building would be funded. The Mayor said there was discussion that 33% would come from the General Fund and 33% would come from the BPA but that the remaining 34% had not been decided. Mr. Hopkins recommended that options for funding be explored during upcoming budget meetings. Mr. Gephart stated that the responsibility in locating funding options lay with the Fiscal Officer rather than with Council; The Mayor advised that it behooved Council to offer the Fiscal Officer some guidance in where to assign the funding. Mr. Gephart inquired as to the progress on the amendment of the zoning ordinance for the proposed fence. The Mayor stated that anytime an ordinance

was changed, the Village was required to have a public hearing and post a 30-day notice of said-hearing in a local publication (e.g. newspaper). Mr. Hopkins suggested scheduling the public hearing after the second Council meeting in November to allow the Village ample time.

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

Approved: October 20, 2021

Mayor: John M. Cauffman

Attest: Shirley A. Long