

## **Bethel Village Council January 11, 2010**

The Council of the Village of Bethel, Ohio, met in regular session in Council Chambers on Monday, January 11, 2010, with Mayor James T. Dick presiding. The meeting was called to order at 6:35 p.m.

The meeting was videotaped, to be aired on cable television.

Mr. Cherry delivered the invocation, followed by Mayor Dick leading the Pledge of Allegiance to the American Flag. Upon roll call, the following members were counted as present: Council Members Priscilla Johnson, Janice Ireton, Donna Gunn, Gary Hutchinson, Tim Cherry, Mary Daugherty; Village Administrator Travis Dotson and Fiscal Officer Angel Burton. Solicitor George Leicht arrived after roll call.

Mayor Dick thanked the Bethel Building and Loan for sponsoring the council videos, allowing the taping to continue.

### **PUBLIC HEARING ON PROPOSED INCREASE IN ZONING FEES**

Mr. Ron Dunn, Village Zoning Administrator and Code Enforcement Officer, spoke regarding the proposed zoning fee increases. The last revision to the fee schedule was done in 2000. The fee review began in 2008, and the amounts reflect an average of what surrounding communities charge. The proposal before Council has been discussed, reviewed and recommended by both Planning and Finance.

Mr. Hutchinson pointed out a typographical error that needs to be corrected. The appeals fee is written as \$250 + \$10/sq ft, and it should read \$250 + \$10/1000 sq. ft.

Ms. Ireton finds some of the fee increases a bit large, for example, the appeals fee going from \$35 to \$250. She wondered if a smaller, gradual increase could be considered.

Mr. Leicht finds the appeal fee modest considering the work and time involved, and the typical projects that appeals involve. He has quoted clients \$2000 for zoning appeals, and construction projects are often \$300,000 to \$400,000.

The Village averages 2 to 4 appeals a year, and that number reflects a decrease since the zoning code has been refined.

Mayor Dick pointed out the fees are not up for a vote at this time. The legislation will be before Council at the next meeting for a first reading and if Council so chooses, they may send the proposed fee schedule back to committee for review.

Mayor Dick inquired if any one present was against or in favor of the proposed fees. After receiving no response, Mayor Dick closed the public hearing, and called the regular session of Council to order at 6:45 p.m.

### **REGULAR SESSION**

A motion to approve the minutes from the December 21, 2009 meeting, as written, was made by Ms. Ireton. Seconded by Mr. Hutchinson. All yeas.

It was pointed out that Mr. Ausman's farewell speech delivered during the 12/21/2009 meeting should be included in the minutes verbatim. Ms. Burton noted she requested a copy of the speech, but did not receive one.

### **COMMUNICATIONS**

Nil.

## **ADMINISTRATION AND COMMITTEE REPORTS**

### **Mayor James T. Dick**

Mayor Dick has approved the rental of the community center at no charge to Mike Carpenter, on behalf of the Bethel Youth Soccer League, on Wednesday, January 13, 2010. Mr. Carpenter will be placing a \$50 deposit, that will be refunded if the rental conditions are met.

Mayor Dick and former Mayor Swarthout met with Dave Thompson, from the State Auditor's Local Government Services Division, in December. Because of the Village's financial condition, Mayor Dick would like to request a fiscal analysis be performed, that may result in a fiscal declaration from the state. Before doing so, Mayor Dick would like Council's support in the matter.

A motion supporting Mayor Dick's request for a fiscal analysis, to be performed by the State Auditor's Local Government Services Division, was made by Ms. Gunn. Seconded by Ms. Ireton. All ye.

Mayor Dick solicited nominations from Council for 2010 President Pro-Tempore.

A motion nominating Donna Gunn as the 2010 President Pro-Tempore was made by Mr. Cherry. Seconded by Ms. Ireton. By roll: Mr. Cherry "yea", Ms. Ireton "yea", Ms. Johnson "yea", Ms. Gunn – abstain, Mr. Hutchinson "nay", Ms. Daugherty "nay". As per Solicitor Leicht, motion carried.

### **Village Administrator, Travis Dotson**

The public works department has 7 tons of salt on hand, having used 21 tons this snow season to treat the roads.

There have been a few, small power outages around the Village, due to the load on the electric system. All outages have been restored quickly, with the most recent affecting Morris and Clare Streets for about 1 ½ hours.

The Village has been fortunate during this cold snap, and has not experienced any ruptured water lines.

### **Fiscal Officer, Angel Burton**

Nil.

### **Solicitor George Leicht**

Mr. Leicht swore Ms. Gunn into office, due to her re-election as a Council Member at the November, 2009 election.

Frances Kelly, the Village's prosecuting attorney at Mayor's Court, will be undergoing a knee replacement surgery in January. She has requested her husband fill her place on court, during her absence, since he is also an attorney, and familiar with the Village's process. Mr. Leicht is fine with the substitution. Council had no objection.

Mr. Leicht requested an executive session to discuss pending litigation.

### **Police Chief Mark Planck**

Chief Planck copied Council on his department's 2009 annual report. The figures presented include: 4005.6 patrol hours; 3804.8 detail hours; 4612 officer initiated details; 2532 dispatched details; 594 reports; 384 supplements; 164 adult arrests; 51 juvenile arrests; 71 adult summons; 36 juvenile summons; 44 adult referrals; 1 juvenile referral; 43 field cards; 119 crash reports; 119 crash supplements; 68 crash citations; 238 fire & EMS assists; 511 other agency assists; 1665 building checks; 57 unsecure buildings; 455 traffic citations; 30

OVI citations; 436 warning citations; 5 parking citations; 17 ordinance violations. His department used \$10,716 in fuel.

The Explorer still isn't ready, so the department utilized one of the 4X4 public works vehicles during the recent snow. His department was down to one cruiser, with the other two out for repairs.

### **Finance Committee**

Mayor Dick briefly updated everyone on the Village's financial status. At the beginning of 2009, the Village had 6 deficit funds, totaling (\$585K). As of 12/31/2009, the Village has 3 deficit funds, totaling (\$363K). Despite the minor disputes over budget details, the Village has made financial improvements.

### **Public Works Committee**

The next meeting will be Monday, January 25, 2010 at 5:30 p.m.

### **Safety Committee**

The next meeting will be Monday, February 1, 2010 at 5:30 p.m.

### **Personnel Committee**

Council discussed the continued appointment of a personnel committee. The committee has been ad-hoc in the past.

Ms. Gunn believes the committee undermines the role of the Village Administrator.

Ms. Daugherty pointed out not all personnel fall under the Village Administrator.

It was noted that if an employee brings an issue to personnel, it does give Council time to reflect on the matter outside of an executive session.

Council has the authority to appoint a committee, and if the committee becomes standing, it should be reflected in the Rules of Council.

### **Burke Trust Commission**

Nil.

### **Planning Commission**

The commission is down one member. Those interested in the position may apply at the Village office.

### **CALL OF MEMBERS**

Priscilla Johnson: Nil.

Janice Ireton: Thanked the Public Works department for keeping the streets clean during the snow.

Wants to be open and approachable during her term, and noted she is here to serve the Village residents.

Donna Gunn: Nil.

Gary Hutchinson: Pleased Bethel Building and Loan is paying for the Council videos.

Tim Cherry: Echoed Mr. Hutchinson, and welcomed the new council members.

Mary Daugherty: Nil.

## **PUBLIC INPUT**

Mr. Rus Whitley believes Village water customers are being overcharged and questioned if/when Council will be reviewing them.

Mayor Dick encouraged Mr. Whitley to forward his concerns to both the public works and finance committees.

Mr. Hutchinson stated the review of water rates are one of his top priorities.

## **LEGISLATION**

Nil.

## **DECEMBER EXPENSES**

A motion to approve the December, 2009 expenses, as presented (checks 20455-20524, in addition to payroll and direct charges), was made by Ms. Gunn. Seconded by Mr. Hutchinson. 5 yeas, Ms. Johnson – abstain. Motion carried.

## **PAYMENT OF THE BILLS**

A motion to approve the payment of the presented bills and expenses (checks 20525-20574; ck 20574, \$900 payment to Clermont County Engineers for salt, added after print of Council list) was made by Mr. Cherry. Seconded by Ms. Gunn. All yea.

## **EXECUTIVE SESSION**

A motion to enter executive session to discuss pending litigation was made by Ms. Gunn. Seconded by Ms. Ireton. By roll: Ms. Gunn “yea”, Ms. Ireton “yea”, Ms. Johnson “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Ms. Daugherty “yea”. 7:12 p.m.

A motion to enter regular session was made by Ms. Ireton. Seconded by Mr. Cherry. By roll: Ms. Ireton “yea”, Mr. Cherry “yea”, Ms. Johnson “yea”, Ms. Gunn “yea”, Mr. Hutchinson “yea”, Ms. Daugherty “yea”. 7:24 p.m.

Mr. Dotson noted the Rules of Council automatically renew January 2<sup>nd</sup>, though changes may be made at any time.

Ms. Gunn requested Council members forward their committee preferences to her for appointment considerations.

A motion to adjourn was made by Ms. Daugherty. Seconded by Ms. Gunn. All yea. 7:25 p.m.

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James T. Dick, Mayor

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Angelina Burton, Fiscal Officer