

Bethel Village Council

May 12, 2008

Council of the Village of Bethel, Ohio, met in regular session in Council Chambers in the Bethel Municipal Building on Monday, May 12th, 2008 at 6:30 pm with Mayor John Swarthout presiding.

The meeting was video taped and will be aired on cable television.

Mr. Ausman delivered the invocation followed by Mayor Swarthout leading the Pledge of Allegiance to the American Flag. Upon roll call, the following were counted as present: Council Members Alan Ausman, Joe Houlihan, Donna Gunn, Gary Hutchinson, Tim Cherry, James Dick. Also present: Solicitor George Leicht, Village Administrator Travis Dotson and Fiscal Officer Angel Burton.

The 4/28/2008 meeting minutes were not available, and will be presented at the next regular meeting of council.

COMMUNICATIONS

Mr. Ron Dunn, Village Zoning Administrator and Code Enforcement Officer spoke before Council. He distributed an amended copy of the Property Maintenance Code – the document has been recompiled in a format consistent with the Village's other zoning documents. Mr. Dunn is working with the planning commission on clarifying the intent and wording in procedures, composing forms, handling violations, creating fee schedules, and composing abatement procedures.

There is an appeal before the Zoning Board of Appeals for a sign variance.

Mr. Dunn has issued 8 permits to date, and has denied some applications as well.

Mr. Dunn made special mention that property owners are responsible for the mowing and the upkeep of the area between the sidewalk and the road.

Unmaintained and vacant properties were discussed. Complaints need to be directed to Mr. Dunn. He has issued 6 certified letters on property maintenance, but only 2 have been signed for. The letters specify a deadline to remedy the problem, otherwise the Village will intercede and bill the property owner for services performed. Mr. Leicht mentioned the option of seeking injunctive relief from the court on properties failing to upkeep. The court then enforces the Village's code, and if it is not complied with, property owners are fined daily.

Mr. Leicht encouraged Council to consider implementing legislation that would allow them to certify judgments for property upkeep against mortgage holders. It may deter the lenders from allowing the properties to go into disrepair. Certified judgments may be more effective than putting a lien against foreclosed properties. Liens are subordinate to the mortgage, and the mortgage is rarely paid in full.

Mr. Dunn mentioned a conflict between the property maintenance code and Ordinance 1296 relating to weeds. Mr. Leicht mentioned the historical nature of Ord 1296, noting it as an alternative method of enforcement.

Various formatting errors were pointed out in the property maintenance document. The reference to the fire chief in Section 400, on page 17, was also questioned as necessary. Mr. Leicht said the document amendments are technical corrections, with the substance of the document remaining unchanged.

ADMINISTRATION AND COMMITTEE REPORTS

Mayor Swarthout

Mayor Swarthout reminded those in attendance that May is National Foster Care Awareness Month. Clermont was one of two counties that hosted a benefit walk.

The 2nd regular council meeting in May is canceled, due to the Memorial Day Holiday. The meeting has not yet been rescheduled.

Mayor Swarthout pointed out that this is a busy time of year for teens, with prom season just passing, and graduation season upcoming. He encouraged safety awareness.

A special council meeting is scheduled on May 19, 2008 for the purpose of interviewing Burke Scholarship applicants. The Burke Committee will convene for a quick meeting following tonight's council meeting.

Village Administrator

Mr. Dotson proposes the Village participate in an online government auction site, LightGOV, for disposal of unneeded Village property. (eGovMarkets.com) Anderson Township and Hamilton County participate in the program. The Village will need to adopt an ordinance authorizing the use, followed with the required legal posting. The Village will then need to display a continuous posting of the site, to be in compliance. LightGOV will charge 6% of the proceeds from auction sales.

In an effort to cut Village expenditures, the separate phone lines at all the Village garages (Water, Street, Electric) have been canceled. Any utility concerns should go through the Village office, and the appropriate department will be contacted.

Mr. Dotson informed Council he will be attending an upcoming Public Records Seminar, as well as an Engineering Workshop on roads.

Clermont County has experienced problems in their payment schedule, resulting in late fees on their Village electric account. The County has asked that those fees be waived, as they are working on correcting the problem. It was mentioned that late fees are not waived for residents. Mr. Leicht pointed out that the County is funded by taxpayer dollars and those dollars are used to pay penalties.

A motion to waive the County's late fees accrued to May 31, 2008 was made by Mr. Ausman. Seconded by Ms. Gunn. Mr. Cherry abstained, all other yeas. Motion carried.

Mr. Dotson commended Lieutenant Planck on his commitment and recent graduation from Northwestern's School of Police Staff and Command.

Fiscal Officer:

Ms. Burton distributed a spreadsheet of bills for payment approval to Council. She asked Council for a separate motion to pay an invoice from McGill Smith Punshon, in the amount of \$27,358.90, for architecture services performed for the proposed new municipal building. A purchase order was not issued for the services. Mr. Hutchinson questioned if the Village budget could handle the payment. Ms. Burton stated she is unsure if the fund appropriations are adequate, nor if the fund cash balances are available, due to the current state of the bookkeeping system. She does believe the checking account cash balance can cover the payment. This expense is for services performed under a contract approved by the Council, and the invoice is dated February 4, 2008.

A motion to pay McGill Smith Punshon for services performed in the amount of \$27,358.90 was made by Mr. Hutchinson. Seconded by Mr. Dick. All yeas.

Ms. Burton has received notice of a liquor license application by Reeds Shell/Sunoco. The Department of Liquor Control needs to know, in writing, if the Village would like a hearing on the application.

Council was unaware of that option. Mr. Leicht told them the option is made available, so they can consider the activity and the history of establishments selling alcohol.

The police department has no issues at this time with Reeds Shell/Sunoco.

No hearing was requested by Council.

Ms. Burton and Mr. Hatfield attended a FEMA meeting on May 7, 2008, regarding grant funds that are available for expenses incurred during the March Blizzard. (3/7/08-3/9/08) She hopes the Village can recoup some of the money expended during that time. She will continue to update Council.

Solicitor Leicht:

Mr. Leicht's only item that he would like confirmation that LightGOV only charges fees on sales with cleared funds.

Chief of Police:

The police department participated in the middle school's career shadowing program last week, with students visiting the department, and observing daily activities. The department also participated in CHIPS career day, encouraging students to study hard, keep healthy, and make their parents happy.

The 2008 "Click It or Ticket" seatbelt campaign is currently underway. Statistics show there is a drastic reduction in vehicle related injuries and deaths when seatbelts are used.

Chief Wallace commended Lieutenant Mark Planck on his recent graduation from Northwestern's School of Public Safety's School of Police Staff and Command. It was an intensive program, successfully completed by Lt. Planck, despite the hardship of being away from his family and home. The honor is well deserved.

Finance Committee:

Mr. Hutchinson spoke on behalf of the Finance committee. The committee has two new members: Ms. Gunn and Mr. Ausman.

The committee recommends the Village re-implement the use of a Third Party Administrator (TPA) in managing employee benefits and reimbursements. The use of the TPA ensures HIPAA compliance, removes the fiscal officer from handling employee medical paperwork, provides informative usage reports, employees incur minimal out-of-pocket expenses and the program is cost effective (\$19/mos per employee). The Village participated with a TPA in the past, but Mr. Shiverski and Ms. McCoy undertook the role of benefit management.

The committee also recommends the Village approve an amended Schedule of Benefits. The schedule includes modest co-pays that will not be reimbursed and removes cosmetic dental whitening.

A motion to implement the use of a Third Party Administrator for benefit management, and adopt the amended Schedule of Benefits was made by Mr. Hutchinson. Seconded by Ms. Gunn. All ye.

The committee discussed a few various other matters, including the cleaning of the Village buildings, the utility rate study and the 2004-2005 audit. Council will be updated as more information becomes available.

Public Works:

Mr. Cherry spoke on behalf of the Public Works Committee.

The Steering Committee for the Skate Park will meet on Thursday, May 15th at 6:00 p.m. at the Community Center. The need for a regular meeting will be determined then.

Safety Committee:

Mr. Houlihan spoke on behalf of the Safety Committee.

The police cruisers are in need of new tires, and pedestrian crossing signs have been ordered. Traffic lanes on Plane Street are being reviewed. The next meeting is June 2, 2008 at 5:30 p.m.

Burke Trust Committee:

Ms. Gunn spoke on behalf of the Burke Trust Committee.

The committee received 18 grant applicants, and the interviews will be held May 19th at 6:30 p.m. Ms. Gunn encouraged council members to prepare out-of-the-box questions for the applicants.

The scholarships will be presented at graduation.

Planning Commission:

The commission does not have a full board. Mr. Dotson mentioned Pastor Jason Vickery's interest in the position. He is the only person that has expressed an interest in the opportunity.

Mayor Swarhout appointed Mr. Vickery to fill the empty seat on the Planning Commission.

A motion to approve Mayor Swarhout's appointment of Mr. Vickery was made by Mr. Dick. Seconded by Mr. Ausman. All yea.

The next meeting is scheduled for Thursday, June 5th at 6:00pm.

Call of Members:

Mr. Ausman: Congratulated Lt. Planck on his recent accomplishment and thanked him for his hard work.

Mr. Houlihan: Echoed Mr. Ausman's sentiments

Ms. Gunn: Congratulated Lt. Planck, and offered condolences to the Camphouse and McQueen families.

Mr. Hutchinson: NIL

Mr. Cherry: NIL

Mr. Dick: NIL

Public Input:

Nil

Legislation:

RESOLUTION 867 DESIGNATING THE VILLAGE FISCAL OFFICER AS COORDINATOR FOR THE APPLICATION AND RECEIPT OF FUNDS FOR THE MARCH 7 – 9 SNOW EVENT IN THE VILLAGE OF BETHEL

A motion to waive the 3 readings of RES 867 Designating the Fiscal Officer as the Authorized Agent for the FEMA Grant was made by Ms. Gunn. Seconded by Mr. Ausman. By Roll: Ms. Gunn “yea”, Mr. Ausman “yea”, Mr. Houlihan “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt RES 867 Designating the Fiscal Officer as the Authorized Agent for the FEMA Grant was made by Mr. Hutchinson. Seconded by Mr. Cherry. By Roll: Mr. Hutchinson “yea”, Mr. Cherry “yea”, Ms. Gunn “yea”, Mr. Ausman “yea”, Mr. Houlihan “yea”, Mr. Dick “yea”. Motion carried.

RESOLUTION 868 ESTABLISHING THE FEMA SNOW SPECIAL REVENUE FUND

A motion to waive the 3 readings of RES 868 Establishing the FEMA Snow Special Revenue Fund was made by Ms. Gunn. Seconded by Mr. Houlihan. By Roll: Ms. Gunn “yea”, Mr. Houlihan “yea”, Mr. Ausman “yea”, Mr. Hutchinson “yea”, Mr. Cherry “yea”, Mr. Dick “yea”. Motion carried.

A motion to adopt RES 868 Establishing the FEMA Snow Special Revenue Fund was made by Mr. Cherry. Seconded by Mr. Hutchinson. By Roll: Mr. Cherry “yea”, Mr. Hutchinson “yea”, Mr. Ausman “yea”, Ms. Gunn “yea”, Mr. Houlihan “yea”, Mr. Dick “yea”. Motion carried.

ORDINANCE 1581 AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH LIGHTGOV FOR THE PURPOSE OF DISPOSING OF PROPERTY NO LONGER NEEDED FOR PUBLIC PURPOSES, 1st reading

Payment of Bills:

A motion approving the payment of the presented expenses and bills was made by Mr. Ausman. Seconded by Ms. Gunn. All yea. Motion carried.

A motion to adjourn was made by Mr. Hutchinson. Seconded by Mr. Houlihan. All yea. 7:50 p.m.

Mayor John Swarthout

Angel Burton, Fiscal Officer