

Bethel Village Council September 22, 2008

Council of the Village of Bethel, Ohio, met in regular session in Council Chambers in the Bethel Municipal Building on Monday, September 22nd, 2008 at 6:30 pm with Mayor John Swarthout presiding.

The meeting was video taped, to 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, Donna Gunn, Gary Hutchinson, Tim Cherry, James Dick. Also present: Village Administrator Travis Dotson, Fiscal Officer Angel Burton, Solicitor George Leicht. Mr. Houlihan was absent.

A motion to approve the minutes from September 8th, 2008, as written, was made by Mr. Ausman. Seconded by Mr. Dick. All ye.

COMMUNICATIONS

Sarah Kincaid, from the Metropolitan Housing Authority (MHA), spoke before Council. She distributed an architect's recommendation regarding, and pictures of, drainage problems along Easter Road. The drainage problems appear to be under the road, and caused from overgrowth. There is a question of whose responsibility the issue is. The property is within the Village limits, but it is unknown if the Village has an easement to the location, which would give the Village the right to fix the problem. Ms. Kincaid requests Council review the matter, and make recommendations to the responsible parties.

Ms. Kincaid also addressed Council regarding the dumpster at the Bethel Woods complex. The past administrator approved the zoning variance related to the dumpster location, but the MHA has now received a letter that the dumpster needs to be moved, due to zoning. The property is zoned R-3, but Ms. Kincaid believes the complex should be R-4, due to its multi-family nature. She noted the dumpster is enclosed properly.

Mr. Leicht understands the MHA relied on the past zoning administrator's approval but questioned the authority the past administrator had in granting a zoning code variance. He advised Ms. Kincaid work with the current zoning administrator on a solution, and come back to Council if she is not satisfied with the outcome.

Mr. Hutchinson addressed Ms. Kincaid regarding other MHA units in the Village, and the screening process applicants are required to go through before renting. The MHA does do a background check on applicants, in both Hamilton and Clermont counties, and requires landlord references, but any trouble the renter causes after the approval is another matter. She advised the MHA be contacted when problems occur at their properties.

ADMINISTRATION AND COMMITTEE REPORTS

Mayor Swarthout

Mayor Swarthout acknowledged the frustration everyone felt during the past week's windstorm and subsequent power-outage. He extended a special thank you to the public works department, the police department and the fire department for their hard-work, as well as Duke Energy and their out-of-state crews for the emergency efforts.

The mayor congratulated Rocky Atkins on his gold medal bowling performance at the Special Olympics. Mayor Swarthout considers it a joy to know Rocky, and believes all who know him would agree.

Village Administrator

Mr. Dotson addressed the damage caused from the recent windstorm. The public works employees were out Sunday afternoon, with the lines repaired by Sunday evening. The

Village was prepared when Duke restored the electric feed Tuesday evening, despite several rumors around town. The grace period for utility payments was extended to September 17th because of the power outage.

Mr. Dotson corrected a recent newspaper article, regarding the Village's salt supply for snow season. Bethel is as prepared as it has been in the past, with an estimated 40 tons of salt in the bin. Around 8 tons of salt are used during a Village snow event.

Council was copied on an invoice for renewal of the Village's liability insurance. The premium is \$36292.78, and that amount reflects over a \$3K savings from the 2007 premium.

A motion to approve the renewal of the Village's Public Entities Pool liability insurance, managed by Wells Fargo Insurance Services, was made by Ms. Gunn. Seconded by Mr. Hutchinson. All yea.

Mr. Dotson made the following statement regarding the Village's fiscal recovery:

"Beginning primarily at the end of the third quarter of 2007, and forward, the mayor and village council of the Village of Bethel began to question the Village Administrator's actions in meeting the expectations and goals of council. Collectively, we decided to continue to monitor the situation and to keep a closer watch on the decisions being made. By the beginning of March, we decided to call a meeting to discuss the concerns. At this point, the Administrator turned in his resignation. In the six month period of transition that has followed, we have established that the finances of the village would require a tightening of expenses. The Village of Bethel has enacted the following plan for fiscal recovery. The recovery will include the three areas of revenue enhancement, expense reduction, and adoption of best management practices.

Revenue Enhancement

- The Village of Bethel does not have an income tax. Therefore, the Village operates, in large part, from utilities revenue. The utility rates were evaluated early on and, as of June 1, the rates were increased at an average increase of 11% for electric rates and 40% for water rates. These rates will be evaluated at the end of the year and there may be a need for another increase in the first quarter of 2009. While we had hoped that the increase in utilities rates would be sufficient, it became apparent that further steps would be required to provide for recovery.
- We have begun the process of selling a large tract of land owned by the village, formerly used as the village's water treatment plant.

Expense Reduction

- From the beginning of the transition, we have limited spending to only essential needs. We have limited all projects and the public works departments have worked on maintaining our village, without undertaking any new projects.
- Through a plan adopted with OPERS in 2007, we have two employees in our public works department who are in the process of opting for early retirement. In conjunction with the retirements, the public works department has been restructured. This will include the following changes:
 - Instead of the current three supervisors for each of the three departments of public works (electric, water, street) there will now be one supervisor.
 - There were ten employees in public works. By switching to one supervisor and thereby unifying the public works department, we have reduced the needed number of employees to six. The reduction of employees included the two employees opting for early retirement, and required the lay-off of one employee. An additional employee left on an unrelated issue.
 - The remaining five employees working under one supervisor will be true public works employees, meaning that they will work as needed in all three departments of public works. We will continue to have a portion of the employees trained in specialized electric duties as well as some trained in water testing.

Adoption of Best Management Practices

- By unifying under one supervisor, we will be able to better coordinate the daily schedule of work to be done so that the minimum number of vehicles are out each day. This will allow for a reduction in fuel expenses.

- By unifying the public works department, we will be able to maximize the use of utilities revenue to cover the expense of the public works employees, thereby minimizing the burden on general fund.

To summarize, what we have found is that our general and water funds have been overburdened. Even after the 40% increase to our water rates, it was clear that cuts would need to be made. This plan has been deliberated and discussed in detail in finance and public works committees over the last few months. The restructuring of the public works department will result in an overall reduction in payroll of over \$100,000 per year. Furthermore, the public works restructure allows for a proportionate distribution of wages and benefits across the electric, water, and street funds, removing public works expenses entirely from the General fund, which amounts to a savings of \$85,000. The restructure also results in a \$75,000 reduction in water distribution wages and benefits.

In the process of restructuring public works, given that each employee will be working in all areas of public works from time to time, we felt that pay-rates would need to be adjusted as well. Each employee was given a base pay-rate which was then increased by \$0.40 per year of service for the first ten years, and \$0.20 per year of service over ten years. The supervisor was given a base pay-rate of \$18.00 per hour. Our two Class A linemen were given a base pay-rate of \$16.50 per hour and the remainder of public works employees was given a base pay-rate of \$15.00 per hour.

This left the police department as the main expense on general fund. We all realize that Chief Wallace has developed a very professional and well run police department. Chief Wallace also runs a tight ship in regards to expenses. In the process of considering options to reduce the expense of the police department, Chief Wallace offered an alternative option, which he will address.”

Fiscal Officer:

Nil

Solicitor:

Nil

Police Department:

Chief Wallace reported that, overall, Clermont County worked well during the power outage, considering the challenges that so many faced.

The chief thanked all those that attended, and patiently waited, during the 90 minute long Bethel-Tate Homecoming Parade. The parade was over 1 ½ miles long, and was a great time, with a great turn-out.

The 2nd graders from William Bick Primary will be visiting the Police Department and the Municipal Offices this coming Tuesday through Thursday.

Due to the financial state of the Village, the need to cut expenses from General fund, Chief Wallace has decided to resign his position as the Chief of the Village of Bethel, effective September 30, 2008. Following is his resignation letter, read by Mayor Swarthout:

“Mayor Swarthout and the members of the Village Council of Bethel

Please accept my resignation as Chief of Police, with the effective date of September 30, 2008. This decision was made after much thought and deliberation.

Bethel is no different than other government entity or business. While the demands for police services has grown, revenues to provide those services have not grown. Reluctance to increase utility rates and taxes, combined with a sluggish economy has put all of us in a financial position that no one wanted.

In good conscience, I could not give up the progress that we have made in the Bethel Police Department. Faced with the reduction of police officers in order to balance the budget, I decided that the best course of action was to retire again, reducing the police payroll. Reducing the number of police officers that we have working in the Village Police Department would not be a positive move and would negatively impact the level of service

provided to our community. I am confident that the police officers of the Village of Bethel will work hard and continue to provide the best service possible to the community.

I thank each of you and the community of Bethel for their support of our efforts to provide a feeling of safety to the community and I firmly believe that that support will continue.

John Wallace”

Mayor Swarthout thanked the chief, and noted that this will allow the Village to maintain 24 hour coverage, yet reduce General Fund expenses. After the Chief’s resignation, the department will consist of 5 full-time officers, 3 auxiliary officers and 1 part-time officer.

Finance Committee:

The next Finance Meeting will be Monday, October 13th at 5:30 p.m.

Public Works:

The Public Works committee met today; however, they did not meet with the Cabin Committee as planned.

The committee did address the curb damage that is being caused by Rumpke’s new receptacle retrieval trucks. The hope is to have the curbs repaired, as well as the road cut from the waterline repair, before the asphalt plants close for the season.

Safety Committee:

The next Safety Committee meeting will be Monday, October 3rd at 5:30 p.m.

It was noted the police department has reevaluated their patrol methods, in an effort to reduce fuel costs.

Burke Trust Committee:

Nil.

Planning Commission:

The next Planning Commission meeting will be Thursday, October 2nd at 6:00 p.m.

Call of Members:

Mr. Ausman: Thanked Chief Wallace for his professionalism, and work with the police department. He stated his amazement with the work done by the fire department, considering the sirens and the number of runs they made during the wind storm. Mr. Ausman also stated he was personally overwhelmed by the work of the public works employees and felt privileged to work with them during the event. Without the public works employees, the Village may still be out of electric.

Ms. Gunn: Noted the good job our public works department did in handling the event, and hopes Chief Wallace’s successor does as well he with the police department.

Mr. Hutchinson: He’s learned a lot from Chief Wallace and he’s sorry to see him leave.

Mr. Cherry: Echoed everyone’s sentiments, and extended accolades to the public works. He has attended many safety meetings and has benefited from the reporting the Chief has made in those meetings. The ground work has been laid for an effective police department because of the Chief’s management.

Mr. Dick: Thanked the Chief, and believes the citizen standpoint has been solidified from his community interaction. The department’s success begins with the Chief and flows down.

Mr. Dick stated his concern over the large open pit left from the removal of gas tanks at the old Ameristop location. He has contacted both the state and the local fire department regarding the delay in filling the hole, but has been unable to touch base with the property owners. He understands the permits are in place, but is concerned about the potential hazard. He considers the orange fencing too flimsy, and would rather see a better safety net, like construction fencing, installed.

Mr. Leicht also commended Chief Wallace. He considers Chief Wallace to be one of the best police chiefs he's ever known. The Chief has successfully led the officers and has encouraged his officers to succeed.

Public Input:

Brad Moore, from the Village's public works department, requested an executive session with Council to discuss his employment with the Village.

Mr. Armstrong spoke before Council. He has lived in Bethel for over 75 years, and is concerned about the current state of the Village. He believes the Village is losing the best police chief it's ever had, and is worried the Village will be unable to handle emergency repairs, like water leaks, when they occur.

Mayor Swarthout believes the Village is covered for repairs and ready if the need arises. He does appreciate Mr. Armstrong's concern.

Legislation:

RESOLUTION 869 REVISING JOB DESCRIPTIONS FOR CERTAIN VILLAGE EMPLOYEES AND INCORPORATING THE SAME IN THE EMPLOYEE HANDBOOK, 3rd reading

The job descriptions revised/created by the resolution are the Senior Utility Account Clerk, Janitorial Maintenance, Police Department Office Manager, Clerk of Court and Code Enforcement Officer.

A motion to adopt RES 869 Revising Job Descriptions was made by Mr. Hutchinson. Seconded by Mr. Cherry. By roll: Mr. Hutchinson "yea", Mr. Cherry "yea", Mr. Ausman "yea", Ms. Gunn "yea", Mr. Dick "yea". Motion Carried.

ORDINANCE 1600 PROVIDING FOR THE DISPOSITION OF CERTAIN REAL PROPERTY KNOWN AS THE BETHEL WATER PLANT, 1st reading

Payment of Bills:

A motion approving the payment of the presented expenses and bills was made by Mr. Ausman. Seconded by Mr. Dick. All yea.

A motion to enter executive session to discuss personnel matters was made by Ms. Gunn. Seconded by Mr. Ausman. By roll: Ms. Gunn "yea", Mr. Ausman "yea", Mr. Hutchinson "yea", Mr. Cherry "yea", Mr. Dick "yea". 7:30 p.m.

A motion to enter regular session was made by Ms. Gunn. Seconded by Mr. Cherry. By roll: Ms. Gunn "yea", Mr. Cherry "yea", Mr. Hutchinson "yea", Mr. Ausman "yea", Mr. Dick "yea". 8:29 p.m.

Mayor Swarthout reluctantly accepts Chief John Wallace's resignation, effective September 30, 2008. A motion from Council to accept the resignation was made by Mr. Dick. Seconded by Mr. Hutchinson. All yea.

Mayor Swarthout appointed Lt. Planck as the next Chief of the Village of Bethel as of October 1, 2008, with a 6 month probationary period. A motion to confirm the Mayor's

appointment of Lt. Planck to Chief was made by Ms. Gunn. Seconded by Mr. Ausman. All yea.

Lt. Planck will be sworn in as Chief at the next meeting of Council, which will be held October 13th, despite the holiday.

A motion to adjourn was made by Mr. Cherry. Seconded by Mr. Ausman. All yea. 8:31 p.m.

Mayor John Swarthout

Angel Burton, Fiscal Officer