

## **Bethel Village Council August 10, 2009**

The Council of the Village of Bethel, Ohio, met in regular session in Council Chambers on Monday, August 10, 2009, with Mayor John Swarthout presiding. The meeting was called to order at 6:35 p.m.

The meeting was videotaped, 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 members were counted as present: Council Members Alan Ausman, Joe Houlihan, Donna Gunn, Gary Hutchinson, James Dick; Fiscal Officer Angel Burton and Village Administrator Travis Dotson. Solicitor George Leicht arrived after roll call; Councilman Tim Cherry was absent.

A motion to approve the minutes from the July 27, 2009 meeting, as corrected (name correction), was made by Ms. Gunn. Seconded by Mr. Houlihan. All ye.

A motion to approve the minutes from the August 3, 2009 work session was made by Mr. Hutchinson. Seconded by Mr. Ausman. All ye.

### **COMMUNICATIONS**

Nil.

### **ADMINISTRATION AND COMMITTEE REPORTS**

#### **Mayor John Swarthout**

Mayor Swarthout thanked the Bethel Building and Loan for the recent marathon, and the various police departments, including Bethel, Williamsburg, Amelia and the Clermont County Sheriff's Office, for their assistance during the event. Mayor Swarthout also congratulated Mr. Ausman on winning his division.

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

The stormy weather has resulted in a few power outages around the Village recently. The west-end of the Village experienced a power outage last Tuesday, August 4<sup>th</sup>, around 8:00 p.m. The problem was tracked to a substation by 10:00 p.m., and the power was restored by 11:00 p.m. There was a brief power outage this evening, that affected Brown, W. Osborne and Bethel-Maple.

On Wednesday, August 12, parts of the Village may experience momentary power outage while maintenance is done at the south Bethel substation.

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

Due to problems with the Community Center's air conditioning, the Mayor has agreed to refund Nell Davis and Barbara Taylor's rental fees.

Ms. Burton requested approval to pay bills that would have been presented to Council at the August 24, 2009 meeting.

A motion granting pre-approval to pay bills that would have been presented to Council at the August 24, 2009 meeting was made by Mr. Hutchinson. Seconded by Mr. Ausman. All ye. Ms. Burton will copy Council on the bills paid, and the checks issued.

#### **Solicitor George Leicht**

Mr. Leicht has learned that a recent annexation request involves as many as 16 parcels of property, and this could potentially cost the Village thousands of dollars with a perimeter survey. Time is of the essence, since the property owner has an issue with his business and township zoning, though the owner is prepared to fight the township, if the Village can't meet the deadline. A county hearing on the annexation could be more than 60 days out and the expense may be an issue. Mr. Dotson understands the owner will still be interested in

annexing, even if there's a delay on the Village's end. Council consensus was to move forward, assuming the property owner will go hand-in-hand with the Village.

**Police Chief Mark Planck**

This year's National Night Out did not have the usual attendance, due to the inclement weather, though it was still a good event.

Chief Planck made mention of the positive impression made by Bethel Building and Loan's 10K race, and noted the visibility of the police, fire and EMS.

**Finance Committee, Chairperson Donna Gunn**

The Finance Committee met this evening and discussed various issues. Ms. Gunn noted the Village is making strides toward a financial recovery.

Rumpke is raising the surcharge fees charged to the Village, but this will not result in any increase in garbage rates charged to the residents at this time. Mr. Leicht advised review of the Rumpke contract, to see if the increase in fees is allowed.

The next Finance Committee meeting will be Monday, September 14<sup>th</sup> at 5:00 p.m.

**Public Works Committee, Chairperson Tim Cherry**

Nil.

**Safety Committee, Chairperson Joe Houlihan**

Due to the Labor Day Holiday, the next Safety Committee meeting will be Thursday, September 10th, 2009 at 7:00 p.m.

**Personnel Committee, Chairperson Donna Gunn**

The Personnel Committee met last Wednesday to discuss clarifications to the employee benefits and corrections to the employee handbook.

Corrections to the Employee Handbook include designating call-ins as overtime (section 6.13), sick hours are not counted as hours worked, though vacation (6.02) and holiday (6.06) hours are counted as hours worked. The amount of tuition reimbursement was set to \$500 (6.17).

A motion approving the technical corrections made to employee handbook sections 6.02, 6.06, 6.13 and 6.17, retroactive to the effective date of the handbook, April 20, 2009, was made by Ms. Gunn. Seconded by Mr. Houlihan. All yeas.

**Burke Trust Commission, Chairperson Donna Gunn**

A motion requesting \$2000 for the Community Center's air conditioner replacement and \$1700 for the Burke shelter house restroom roof replacement from the Burke Trust Commission was made by Ms. Gunn. Seconded by Mr. Dick. All yeas.

**Planning Commission, Councilperson James Dick**

Nil.

**CALL OF MEMBERS**

Alan Ausman: Thanked all those involved with the 10K/5K race, specifically Judy and John, and noted the local business involvement.

Joe Houlihan: Nil.

Donna Gunn: Thanked the Bethel Building and Loan; thanked Chief Planck for all his planning with the National Night Out.

Gary Hutchinson: Thanked Mitch Hatfield for recent good deeds and noted the Public Works department's quick response in getting the power restored.

James Dick: Thanked the Public Works employees for getting power restored so quickly.

## **PUBLIC INPUT**

Mr. Rus Whitley requested a copy of the bills be made available for the public's review. Mr. Dick suggested a list of bills paid may be more accurate, since corrections and deletions are sometimes made to the bills presented prior to payment.

Mr. Whitley addressed Council's approval to purchase the Village Administrator a new laptop computer. Mr. Whitley understands Mr. Dotson gave his computer to Ms. Terry, due to issues caused during a software upgrade. However, Mr. Whitley is aware of other available computers, and questioned if Council was aware of the spare machines as well? Ms. Gunn requested Mr. Whitley present the matter to Council with more details.

The matter of text messages and e-mails being public record was also addressed. Mr. Leicht stated the records the Village keeps in the usual course of business are public. If the Village keeps e-mails and has a means of withdrawing information, the records are public. The solicitor's e-mails may be considered confidential, due to attorney-client privilege, and e-mails between Council are for informational purposes only. Sunshine laws govern what is public, though it is not always clear when it comes to electronic records.

Ms. Burton mentioned this is an example of one of the matters a Records Committee needs to address.

Mr. Greg Schuller requested a copy of the Village's zoning code. Mr. Leicht advised he contact Mr. Dunn or Mr. Dotson.

## **LEGISLATION**

Nil.

## **JULY EXPENSES, AS PRESENTED**

A motion approving the July, 2009 expenses, as presented, was made by Ms. Gunn. Seconded by Mr. Ausman. All yea.

## **PAYMENT OF THE BILLS**

A motion to approve the payment of the presented bills and expenses was made by Mr. Ausman. Seconded by Mr. Hutchinson. All yea.

Ms. Burton has requested a tuition reimbursement for classes she has completed. Mayor Swarthout has reviewed the request and documentation and approves the \$500 reimbursement, however, for good measure, he would like Council's approval as well.

A motion approving a \$500 tuition reimbursement for classes completed by Ms. Burton was made by Mr. Houlihan. Seconded by Ms. Gunn. All yea.

A motion to adjourn was made by Mr. Ausman. Seconded by Mr. Hutchinson. All yea. 7:35 p.m.

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Mayor John Swarthout

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Angel Burton, Fiscal Officer