

Bethel Village Council June 14, 2010

The Council of the Village of Bethel, Ohio, met in regular session in Council Chambers on Monday, June 14, 2010, with Mayor James T. Dick presiding.

Mayor Dick delivered the invocation, then lead 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, Mary Daugherty; Solicitor George Leicht, Fiscal Officer Angel Burton and Village Administrator Travis Dotson. Councilman Tim Cherry was absent.

Mayor Dick thanked Bethel Building and Loan for sponsoring this year's Council meeting videos.

A motion to approve the minutes from the May 24, 2010 meeting, as written, was made by Ms. Ireton. Seconded by Ms. Johnson. All ye.

COMMUNICATIONS

Ms. Burton asked if the community surveys were going to be mailed to property owners/land lords. Business owners and residents will receive the survey, and the hope is to send the surveys to property owners, too. Mr. Dotson will check into the mailings.

ADMINISTRATION AND COMMITTEE REPORTS

Mayor James T. Dick

The Mayor's Court collections for May, 2010 were \$5003, with \$3647 going to the Village, and \$1356 going to the state.

Founder's Days have been canceled.

Mayor Dick has waived the Burke Park fees for the Faith Chapel Ministries, for their use on the first Wednesday, June through October.

Mayor Dick, Solicitor Leicht, Tim Cherry and Travis Dotson previously discussed an ongoing Community Center rental agreement with a Tate Township resident that will be leading a Zoomba class on a weekly basis. The standard rental fee is not reasonable, and Mayor Dick considers the classes a benefit to the community. The proposed rental arrangement is: the standard \$50 deposit, \$20/rental, minimum 6 month rental agreement, with exclusive renewal. The class will cost \$5/person, and at least 3 evening classes a month will be held, on Wednesdays.

A motion authorizing the Zoomba class rental agreement of a \$50 deposit and a \$20 per use fee, for a minimum of 6 months, with exclusive renewal, was made by Ms. Gunn. Seconded by Ms. Johnson. All ye.

Village Administrator, Travis Dotson

Public Works has been dealing with storm water issues and documenting damage while reading meters. Flooding damage is widespread across the county.

Fiscal Officer, Angel Burton

Nil.

Solicitor George Leicht

Nil.

Police Chief Mark Planck

Nil.

Finance Committee, Chairperson Donna Gunn

The Finance Committee met Monday June 7, 2010.

Two bids were received for the backhoe: Mr. Robert Sims bid \$3000 and Mr. Greg Sandker bid \$12,559.

A motion accepting Mr. Greg Sandker's bid of \$12,559 for the 1992 backhoe was made by Ms. Gunn. Seconded by Ms. Ireton. All ye.

Mr. Dotson will contact Mr. Sandker regarding the terms of the sale.

The next Finance Committee meeting will be Thursday, July 8, 2010 at 5:00 p.m.

Public Works Committee

Mr. Dotson spoke on Mr. Cherry's behalf.

The next Public Works Committee meeting will be Monday, June 21, 2010 at 5:00 p.m. The committee will be discussing paving and flooding issues.

Safety Committee

The June meeting was canceled, due to the lack of a forum. The next Safety Committee meeting will be June 28, 2010 at 5:30 p.m.

Personnel Committee, Chairperson Mary Daugherty

The next Personnel Committee meeting will be Monday, June 21, 2010 at 6:30 p.m.

Burke Trust Commission, Janice Ireton

Nil.

Planning Commission, Priscilla Johnson

The Planning Commission met Tuesday, June 8, 2010 and reviewed the zoning code and community survey.

Mr. Leicht copied Council on two proposed zoning resolutions, both related to fees. Resolution 888 requests the Planning Commission make a recommendation regarding to the manner in which amendments to the fee schedule are made. Council could respond to fees separately from the zoning code intricacies, and handle amendments to fees directly, if approved by Planning. Resolution 889 is related to Ordinance 1634, and is a formality related to that zoning fee update.

The next Planning Commission meeting will be Wednesday, July 14, 2010 at 6:00 p.m.

CALL OF MEMBERS

Priscilla Johnson: Acknowledged the large crowd, and stated she knows most are present due to the recent flooding in the Village. She wants everyone to know this Council cares and she's open to talking about any issue.

Janice Ireton: Agreed with Ms. Johnson's sentiments, and noted it was unfortunate Mother Nature dumped so much rain.

Donna Gunn: Fortunate to stay dry. Asked about the flower pot that was destroyed by the funeral home.

Mary Daugherty: Understands the flooding issues, and mentioned her building's sewage backed up in the utility room.

Mayor Dick took the opportunity to mention his appreciation for the Public Works employees coming out during the floods and setting out barricades after hours.

PUBLIC INPUT

Mayor Dick asked those present to be mindful of the crowd and the time, and to direct their comments to him.

Mr. Thomas Luce, of 117 W. Circus, addressed Mayor Dick regarding his flooding. He noted the downpours were exceptional, but he has seen the conditions worsen since the eighties. Water has only a 12" pipe to pass through, and he doesn't believe the Village is properly handling the water that's going into the streets. He has complained in the past, and he doesn't believe the flooding is an issue the property owners can deal with privately. He thanked the Mayor, Mr. Dotson, and Mr. Hatfield for stopping by to observe the conditions.

Ms. Sue Ryan, of 119 Circus, addressed Mayor Dick, and asked for help in dealing with the flooding problem. She is no longer able to use her downstairs, and she, too, has seen the conditions worsen, most notably over the past 5 years. She mentioned she is seeking assistance, and not looking to cause trouble.

Mr. Terry Hensley, property owner at 317 S. Union, has had his property for 23 years. He believes the culvert is blocked, and his carpet is ruined, despite his tenant's best efforts at pumping the water out. Mr. Hensley thanked Mr. Dotson for his help, and noted property owners are responsible for keeping the ditches cleaned out.

Mr. Danny Frazie, from 323 E. Plane St., addressed Mayor Dick regarding what he believes is a problem at the creek running from Spring to East. He believes something is blocking the flow, and that if the area was cleaned out, the water could disburse more quickly. He suggested an article in the paper, encouraging property owners to clean out their ditches.

Ms. Sandy Bauer, from 348 Plane, addressed Mayor Dick regarding the sewer drain at Starling. She also offered to write letters to legislators, both county and state, regarding the town's flooding and limited resources.

The number of sewage tie-ins has increased, and Mr. Dotson mentioned the County has been in town with their camera truck, viewing lines. Mayor Dick mentioned there may be a sanitary to storm sewer problem.

Ms. Melissa Large, of 338 E. Plane Street, has seen flooding increase in recent years and noted her driveway is being washed away.

Mr. Chuck Wisby, of 330 E. Plane Street, addressed Mayor Dick regarding the drainage ditch that is caving in, due to serious decay. He thanked the Mayor, Village Administrator and Police Chief for their efforts, and asked that the clean-out of the town branch be considered soon.

Ms. Donna Reevers, from Plane Street, mentioned the storm and sanitary sewers, and believes something is going on under the sidewalk, because it is washing away.

Ms. Maggie Detahridge, of 345 N. Union, addressed Mayor Dick regarding the storm drain behind her house. She is unable to keep the drain cleaned out anymore, and debris is causing blockage. She has had to have her retainer walls rebuilt, and she has asked for years that the problem be addressed.

Ms. Leanne Helton, of 150 Water Street, has lost personal property due to water coming from the Horse Shoe apartments, since a building was built behind the water tower. She has petitioned the Village for 4 ½ years to address the problem. The previous administrator, Mr. Shiverski, as well as Mr. Dotson and Mr. Hatfield have all walked her property.

Mayor Dick thanked all those that spoke, and noted he was out of town during the flash flood, though he did get out to see the most recent round of floods. He knows several property owners have been told in the past that it's the property owner's issue, but when

something like this affects so many people, he believes the government needs to facilitate a solution. Mr. Cherry, Mr. Dotson and Mr. Hatfield are all working on the issue, including compiling a utility schematic. The matter is a top priority, though government “wheels turn slow.” Mayor Dick will keep everyone apprised of the situation, and mentioned he may even visit residents after the next public works meeting.

Discussion of the open council seat, vacated by Mr. Hutchinson’s resignation, ensued. Mr. Alan Ausman, Mr. Rus Whitley, and Mr. Jeff Coulter all submitted applications for the seat, and all but Mr. Coulter were present. Candidates were asked to introduce themselves and state why they would like to sit on Council. It was also stated that anyone could step forward with interest, even if an application/resume had not been submitted.

Mr. Whitley introduced himself, and mentioned his interest in Council and Committees over the past 6 years. He would like to serve the town and see the Village continue moving in the right direction. He acknowledged he owns several properties, and despite often being out of town for business, his primary residence is within the Village of Bethel. The Board of Elections was satisfied with his residency, and he noted he was recently served jury papers, with his Bethel Village address. It would be his pleasure to serve and to see the Village recover from past poor decisions and he wishes more people attended the meetings, like tonight.

Mr. Ausman introduced himself, and mentioned his term on Council from November, 2006 to December, 2009. He enjoyed his service, and did plan on running for Council again in November, 2009, but his petition was rejected due to an error in how the back was completed. He grew up here, he shopped here, he resides here now, and has raised a family here and he would love the opportunity to serve again.

After no other candidates stepped forward, Mayor Dick asked for a nomination to fulfill the remainder of Mr. Hutchinson’s term, expiring 12/31/2011.

A motion nominating Mr. Rus Whitley to fill the council seat vacated by Mr. Hutchinson was made by Ms. Daugherty. Seconded by Ms. Johnson. By roll: Ms. Daugherty “yea”, Ms. Johnson “yea”, Ms. Ireton “nay”, Ms. Gunn “nay”. Mayor Dick stated he would not cast the tie-breaking vote.

Council may consider nominating the other candidate, or schedule a special meeting to make the appointment within the 30 days; however, Mayor Dick stated he will not make the Council Seat appointment, even if Council does not fill the seat before the 30 day deadline. He believes the appointment should be Council’s decision.

No other nominations were made, nor was a special meeting scheduled to make the appointment.

LEGISLATION

ORDINANCE 1637 AMENDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF BETHEL DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010, 3rd reading
(General Fund Increase \$7710; Burke Park Fund Increase \$5200; Police Levy Fund Increase \$5000; Walk Path Fund Increase \$25K; Utility Deposit Fund Increase \$4000; Marriage Gratuity Fund Increase \$200. Total Funds Increase \$47,110.)

A motion adopting ORD 1637 2010 Appropriation Amendment was made by Ms. Daugherty. Seconded by Ms. Gunn. By roll: Ms. Daugherty “yea”, Ms. Gunn “yea”, Ms. Johnson “yea”, Ms. Ireton “yea”. Motion Carried.

RESOLUTION 885 ESTIMATING THE PROBABLE AGGREGATE MAXIMUM AMOUNT OF ACTIVE FUNDS AND INACTIVE FUNDS TO BE DEPOSITED BY THE COUNCIL AND AUTHORIZING AWARDS, 3rd Reading

A motion adopting RES 885 Depository Bids was made by Ms. Gunn. Seconded by Ms. Ireton. By roll: Ms. Gunn “yea”, Ms. Ireton “yea”, Ms. Johnson “yea”, Ms. Daugherty “yea”. Motion carried.

RESOLUTION 886 AUTHORIZING THE ADVANCE OF FUNDS FOR THE RESURFACING OF THE VILLAGE WALK PATH, 3rd reading

A motion adopting RES 886 Walk Path Advance was made by Ms. Gunn. Seconded by Ms. Johnson. By roll: Ms. Gunn “yea”, Ms. Johnson “yea”, Ms. Ireton “yea”, Ms. Daugherty “yea”. Motion carried.

ORDINANCE 1639 AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A CASE CX36 EXCAVATOR WITH BUCKETS AND A TRAILER, 2nd reading

RESOLUTION 888 REQUESTING THE VILLAGE PLANNING COMMISSION TO MAKE RECOMMENDATIONS REGARDING FEES AND CHARGES TO THE BETHEL ZONING CODE TO BE ADOPTED BY SEPARATE ORDINANCE

A motion to waive the 3 readings of RES 888 Fees by Separate Ordinance was made by Ms. Ireton. Seconded by Ms. Johnson. By roll: Ms. Ireton “yea”, Ms. Johnson “yea”, Ms. Gunn “nay”, Ms. Daugherty “nay”. Motion failed. Stands as 1st reading.

RESOLUTION 889 REQUESTING THE VILLAGE PLANNING COMMISSION TO MAKE RECOMMENDATIONS REGARDING FEES AND CHARGES TO THE BETHEL ZONING CODE

A motion to waive the 3 readings of RES 889 Zoning Fees was made by Ms. Ireton. Seconded by Ms. Johnson. By roll: Ms. Ireton “yea”, Ms. Johnson “yea”, Ms. Gunn “yea”, Ms. Daugherty “yea”. Motion carried.

A motion to adopt RES 889 Zoning Fees was made by Ms. Ireton. Seconded by Ms. Johnson. By roll: Ms. Ireton “yea”, Ms. Johnson “yea”, Ms. Gunn “yea”, Ms. Daugherty “yea”. Motion carried.

PAYMENT OF THE BILLS

A motion to approve the payment of the presented bills and expenses (checks 20879-20927) was made by Ms. Gunn. Seconded by Ms. Daugherty. All yea.

MAY EXPENSES

A motion to approve the May, 2010 expenses, as presented (checks 20811-20877, in addition to payroll and direct charges), was made by Ms. Ireton. Seconded by Ms. Gunn. All yea.

A motion to adjourn was made by Ms. Gunn. Seconded by Ms. Ireton. All yea. 8:05 p.m.

James T. Dick, Mayor

Angelina Burton, Fiscal Officer