

## **Bethel Village Council December 14, 2009**

The Council of the Village of Bethel, Ohio, met in regular session in Council Chambers on Monday, December 14, 2009, with Mayor John Swarthout presiding. The meeting was called to order at 7:00 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, Tim Cherry, James Dick; Solicitor George Leicht, Village Administrator Travis Dotson. Fiscal Officer Angel Burton was not present.

A motion to approve the minutes from the November 23, 2009 meeting, as written, was made by Mr. Ausman. Seconded by Mr. Cherry. All ye.

### **COMMUNICATIONS**

Brett Gaspard, from Rumpke, addressed Council regarding the Village's garbage collection contract. 2010 is the last year of a 3 year extension of the original contract. Though the contract allows up to a 7% annual rate adjustment, Rumpke is not increasing the Village's collection rate.

Mayor Swarthout and Mr. Dotson both thanked Mr. Gaspard for attending, and noted his professional, quick response to the Village.

Glenn Beyer, from the U.S. Grant Antique Machinery Association, addressed Council regarding the group's use of the Community Center for their monthly meetings. They would like to continue meeting in the building on the 2<sup>nd</sup> Monday of the month in 2010.

Mayor Swarthout stated the Village has never had any issues or problems with the group's meetings, and he is willing to waive Community Center rental fees for their use of the building.

A motion approving Mayor Swarthout's fee waiver for the U.S. Grant Antique Machinery Association's 2010 usage of the Community Center was made by Mr. Houlihan. Seconded by Mr. Dick. All ye.

Rus Whitley addressed Council regarding the purchase of a mini-excavator in 2010, noting he believes the purchase is not good PR, due to the Village's financial state. He is familiar with the equipment due to his own operations, and mentioned several options and details to consider if purchased. He asked Council to consider renting equipment, and purchasing the mini at a later date.

Mayor Swarthout stated Finance discussed the expense, and Public Works may review the purchase further. He thanked Mr. Whitley for his comments.

John Merz, from Southeastern Equipment, was present to answer questions and offer details on the equipment. Southeastern has been on the state's contract since the company's inception, and the majority of their work is with municipalities. The Village received quotes from John Deere, Bobcat and Southeastern.

Mr. Merz noted the various attachments included in the purchase proposal are made for the equipment. Mini-excavators are becoming more popular due to their convenience, size and footprint. He also offered to bring one out for a demonstration.

Mr. Ausman asked his opinion on renting the equipment, and Mr. Merz stated he is not as familiar with rental rates, because they are not included on the state contract, though he mentioned the reasonable rates on new equipment should be considered before purchasing used.

Council thanked Mr. Merz for attending the meeting and answering questions.

## **ADMINISTRATION AND COMMITTEE REPORTS**

### **Mayor John Swarthout**

Mayor Swarthout mentioned what a wonderful event the Down Home Christmas was, and thanked all the planners and volunteers of the event.

The high school art students painted the municipal building windows once again, and this year, the Village made 2<sup>nd</sup> place. The art students that participated will be recognized at the December 21, 2009 council meeting.

For November, 2009, Mayor's Court brought in \$5299, with \$3869 going to the Village, \$1380 going to the State and \$50 in restitution.

Mayor Swarthout recognized auxiliary officer candidate, Aaron Warren, and recommends his appointment as an auxiliary officer with the Village's police department, with one year probation.

A motion approving Mayor Swarthout's appointment of Aaron Warren as an auxiliary police officer, with one year's probation, was made by Ms. Gunn. Seconded by Mr. Dick. All ye.

Aaron Warren was then sworn-in as an auxiliary police officer by Mayor Swarthout, congratulated and welcomed aboard.

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

Thanked the high school art students for their interest in painting the Village's windows once again, and reminded everyone of this Saturday's Lion's Club breakfast.

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

Nil.

### **Solicitor George Leicht**

Mr. Leicht has copied Council on Mt. Orab's dog ordinance, that deals with noise. Bethel's animal ordinance deals with the number and type of animal a resident may have. He has also sent a copy of Mt. Orab's noise ordinance, which is a compilation of many village ordinances. Implementation of such a measure will require the purchase of a noise meter, which can be quite costly, though parts of the legislation may be useful.

Mayor Swarthout referred the legislation back to Safety and/or to the next Council.

Mr. Leicht has completed and provided the opinion letter to the State Auditor's office, to wrap up the 2006-2008 audit. He also expects a motion filed on Laurie Taylor to be wrapped up soon.

### **Police Chief Mark Planck**

This year's Down Home Christmas parade was the longest, with many participants that typically attend the Amelia parade.

Mayor Swarthout mentioned he is always amazed by how many people come to watch the parade.

### **Finance Committee, Chairperson Donna Gunn**

The Finance Committee met this evening before Council.

The mini-excavator has been tabled for now, and the committee is awaiting more facts and figures to be forthcoming from Public Works.

The committee discussed transferring enterprise fund surplus revenues into separate capital improvement funds. The fiscal officer will be in contact with the auditors on best practices.

Though the Council videos have been a nice service to offer the residents, the committee does recommend terminating the videotaping, because of the General fund budget. The move will save the Village \$2400 annually.

A motion to terminate the village-paid Council videos following the December 21, 2009 meeting was made by Ms. Gunn. Seconded by Mr. Hutchinson. 5 yeas, 1 nay – Mr. Dick. Motion carried.

Ms. Burton will be taking over the oversight of the payroll department. The function falls under the fiscal officer's duties, and the payroll clerk's functions will remain the same. Ms. Burton will be handling the reports and will act as an additional check-and-balance in the department.

The committee discussed the Royse properties, potential tax revenue, and annexation. Mr. Royse will be invited to the next Finance committee meeting to discuss his plans for development.

The next Finance Committee meeting will be January 11, 2010 at 5:00 p.m.

#### **Public Works Committee, Chairperson Tim Cherry**

Public Works will be meeting next Monday, December 21, 2009 at 5:30 p.m., before Council. The committee will be discussing the mini-excavator further, and have asked for Mitch Hatfield to attend.

#### **Safety Committee, Chairperson Joe Houlihan**

The next meeting will be Monday, January 4, 2010 at 5:30 p.m.

#### **Personnel Committee, Chairperson Donna Gunn**

Nil.

#### **Burke Trust Commission, Chairperson Donna Gunn**

Mr. Al Ginn's appointment to the Burke Trust Commission has expired, and he has expressed interest in remaining with the group.

Mr. Ginn is a lifetime resident of the Village and a retired teacher. He seems reasonable, and has made sound decisions with the commission during his term.

A motion to reappoint Al Ginn to the Burke Trust Commission, with a 5 year term commencing in October, 2009 and expiring October, 2014, was made by Ms. Gunn. Seconded by Mr. Ausman. 5 yeas, with Mr. Dick abstaining. Motion Carried.

#### **Planning Commission, Councilperson James Dick**

Nil.

### **CALL OF MEMBERS**

Alan Ausman: Thanked all those that participated and worked in the Down Home Christmas event.

Joe Houlihan: Ditto, and congratulations to the high school art students on winning 2<sup>nd</sup> place in the window contest.

Donna Gunn: Worked at the St. Mary's Kidsfest during the DHC event, and over 250 children attended. Parents seemed very grateful to have a fun, free event for the children during these tough economic times. Encouraged people to participate in events, and noted there are never enough volunteers to help with the kids. Noted Shirlene Wallace's tremendous job at organizing the Kidsfest.

The BAMFest will be May 8, 2010, and she encouraged people to get involved.

Gary Hutchinson: Visited the Burke Cabins during the Down Home Christmas, and enjoyed the chili, cornbread and warm fire. It was as far as he got on such a cold day.

Tim Cherry: Nil.

James Dick: Enjoyed Kidsfest with his family, and is trying to figure out how to get his son a snowman.

## **PUBLIC INPUT**

Mr. Whitley thanked Mayor Swarthout for his 20 plus years of service.

## **LEGISLATION**

RESOLUTION 879 ESTABLISHING WAGES AND SALARIES FOR VILLAGE EMPLOYEES FOR 2010, 2nd reading

ORDINANCE 1629 ANNUAL APPROPRIATION ORDINANCE FOR 2010, 2nd reading

ORDINANCE 1630 SETTING RENT FOR THE ELECTRIC AND THE WATER DEPARTMENTS (2010), 2nd reading

ORDINANCE 1631 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE WATER REVENUE FUND TO THE WATER EXTENSION AND REPLACEMENT FUND (2010), 2nd reading

ORDINANCE 1632 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE WATER REVENUE FUND TO THE WATER FIRST MORTGAGE FUND (2010), 2nd reading

ORDINANCE 1633 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE ELECTRIC REVENUE FUND TO THE ELECTRIC EXTENSION AND REPLACEMENT FUND (2010), 2nd reading

RESOLUTION 880 AUTHORIZING THE SIGNATURE AUTHORITY ON CERTAIN BANK ACCOUNTS OF THE VILLAGE OF BETHEL, 1<sup>st</sup> reading

## **NOVEMBER EXPENSES**

A motion to approve the November, 2009 expenses, as presented (checks 20388-20454, in addition to payroll and direct charges), was made by Mr. Ausman. Seconded by Ms. Gunn. All yea.

## **PAYMENT OF THE BILLS**

A motion to approve the payment of the presented bills and expenses (checks 20455-20501) was made by Mr. Hutchinson. Seconded by Ms. Gunn. All yea.

## **EXECUTIVE SESSION**

A motion to enter executive session to discuss pending litigation was made by Mr. Cherry. Seconded by Mr. Hutchinson. By roll: Mr. Cherry "yea", Mr. Hutchinson "yea", Mr. Ausman "yea", Mr. Houlihan "yea", Ms. Gunn "yea", Mr. Dick "yea". 7:52 p.m.

A motion to enter regular session was made by Mr. Houlihan. Seconded by Mr. Cherry. By roll: Mr. Houlihan "yea", Mr. Cherry "yea", Mr. Ausman "yea", Ms. Gunn "yea", Mr. Hutchinson "yea", Mr. Dick "yea". 8:02 p.m.

A motion to adjourn was made by Ms. Gunn. Seconded by Mr. Houlihan. All yea.