

Village of South Bloomfield Council Meeting
Minutes
February 3, 2014

Council members present: Jane Ramey, Roger Hopkins, Jill Roese, Matt Pettibone, Rick Sowers, Stephen Nicklas and Mayor Wilson.

Pledge to the flag

Approval of Minutes: January 21, 2014 Council Meeting: Motion was made by Matt to suspend reading of minutes, Roger seconded the motion. Mayor called for vote: Rick, Jill, Steve and Jane yes, motion carried. Mayor asked for any corrections or additions? Matt made motion to approve January 21, 2014 minutes, second by Jill. Mayor called for vote: Rick, Roger, Steve and Jane yes, motion carried.

Old Business:

Grievance (Solicitor) (Matt)

In Solicitor letter said to accept grievance and set date for December, Grievance procedure was not followed.

Mayor asked Kelly if he had meeting with her regarding this grievance. Kelly agreed of discussion, follow up should be with the council regarding the council member. Mayor stated that he should not make the decision; it had to be decided by council regarding the wrong doings of the council member.

Solicitor stated there are no discipline actions to be filed against the council member, unless there were any criminal charges.

Mayor asked should Table item again and review solicitor response, Kelly is in agreement that the grievance process has been followed. Matt stated that we had no knowledge of the procedure being followed up to this date, by the Mayor, since he has not been attending the Council Meetings.

Roger stated that how can we prevent it from happening again. What is the next step? Jill said we don't drag it out the next time. Stephen noted that it happen again, Kelly would have to file a civil suit, so the council would be able to take action.

Matt made a motion to pull off table, Jane second, Mayor called for vote: Rick, Roger, Steve and Jill yes, motion carried.

Solicitor Contract (Matt)

Matt stated that the solicitor sent him the same contract to renew for \$1000 per month. It is up to council to decide whether to continue with current solicitor.

Jane stated that she suggests that we look at another attorney, since we are still waiting almost a year on a BPA case. Jane thinks we should look into an attorney with municipal experience. Jane had distributed a resume for Joseph P. Sulzer for council review.

Jill stated that her experience has been that he has always got back with her on the annexation issue. Steve asked if someone else is interested that we should possibly review their proposal.

Chief noted that civil courts can move as slow as five years for one case, so to base his performance on one case would be unfair.

Matt made a motion to remain with Rishel as our solicitor, Rick second, Mayor asked for questions or comments. Roger thinks with our current issues, it would be too much to start looking for a new attorney at this time. Mayor called for vote: Jill yes, Steve no, Jane no Roger yes, motion carried.

Matt noted regarding the BPA case Follow-up from Attorney Rishel, in regard to account in question, civil claim was filed in October, 2013, no answer from resident. Motion to file default judgment against resident with judgment for full amount should be filed this week.

COMMITTEE REPORTS

Ordinance Committee (Sowers)

Committee did meet on January 28, 2014.

Livestock ordinance – will take some more discussion, should it be specific to chickens, if we act will we get options for other livestock and how will it be enforced and who would enforce? Chicken in coops and yards must be fenced.

Mayor noted that council makes the ordinances, or laws, the police department would be responsible for enforcement.

Building Permit Fees Ordinance was sent out for Council review. Question was raised in the committee regarding difference between Impact and Building Permit Fees. Mayor also stated that there is a surcharge fee.

Employee Handbook is being reviewed with Ordinance Committee. Mayor asked if the Employee Handbook is an Ordinance or isn't it a part of the executive side of Council, Jill stated that it hasn't been updated since 2009; it was supposed to be reviewed and updated by council on an annual basis. The Ordinance Committee is reviewing it to make recommendations for updates. The Mayor stated that he would work on getting it updated.

The next Ordinance meeting will be February 25th at 6:00 pm.

Jane asked about clarification of the Sunshine Law: A gathering of three council members; has to be in public place, not in one of the member's home; majority of public body have knowledge and notification of meeting.

The Mayor stated that you cannot do conference call meetings of council; after meeting gatherings in parking lot; meeting at a restaurant, are all violations of the Sun Shine Law.

Question or comments from Residents

Residents here to talk about the water bill readings.

Resident at 182 Oak Manor: Last month current 439200 this month 448700 but it was read by resident as 442980 on 1/31/14. 1000 gallon family of four, single man not gets

2700 every month, never changes. Many meter reading errors have been addressed and changed by CFO.

Resident at 165 Cedar Cove: What is happening with the sewer debt?

Resident at 155 Cedar Cove: What is the reason the low income homes were not passed to help cover this debt.

Mayor stated that we are all in favor of development and want smart growth.

Resident at 157 Cedar Cove: Scioto Estates has been installing meters under the trailers. Roger said it was by ordinance the meter has to be inside.

Dan Gwinn noted that BPA is meeting tomorrow, get us the information and we can look at your questions.

Complaining about rusty water, not enough flush hydrants. Village responsibility ends at the water building at front of Scioto Estate. Mayor looks out for residents but Scioto Estates responsible for water risers, water lines, quality of water, etc.

Resident at 5050 East: BPA: residents have to work so they can come to the meetings in the middle of the day, can't we have them in the evening? Also, maybe the reader issues are caused by Street signs getting moved by turning around.

BPA meetings we have tried to change the meeting times before but participation was still an issue. Minutes of meetings are posted on the website for residents re review at Southbloomfieldoh.com.

Kelly Neal asked who pays for new street signs for i.e. Linton Street. Mayor stated that Village is responsible for road signs, the developers normally put up the first new signs. Developers are still leaving a lot of mess on the streets in Maronda. Mayor noted that the council would have to develop ordinance regarding mud clean up. Mayor suggested Kelly call Maronda regarding mud clean up.

Kelly also had a question about the dress code proposal; Matt stated that it was forwarded to Ordinance committee for handbook.

Special Technical Committee (McCoy)

Mayor told McCoy to pick up the members and he would talk to him about it.

Telephone System (McCoy)

Mayor noted that we need something to answer telephones. Times when phone rings and no one is here to answer the telephone.

Matt noted that the lease to buy option \$173/month for eight phones and supporting equipment, replace Time Warner total will be \$392/month for five years. Every phone will have an extension with a voice mail connected to the extension. After 5pm and holidays callers will be able to leave a message. Reason was benefit the front office to help with number with telephone calls.

Matt noted that the buy out cost is 34% extra over time period of lease.

Matt made a motion to table and Jill second. Mayor called for vote: Rick yes, Steve no, Jane no Roger yes, motion carried.

Matt made a motion for 5 minutes recess, Rick second, motion carried.

Matt made a motion to come out of break, Rick second. Motion carried.

Mayor called executive Session regarding Board of Public Affairs at 8:50 pm

Matt made a motion to come out of executive session, Roger second at 9:40 pm

Mayor called for vote, motion carried.

BPA Issues (Mayor)

Rick stated that what we have heard and been told, no BPA members have been approved by council technically, and Mayor is not willing to present someone for approval without being here. The only person present here for approval to BPA is Dan Gwinn.

Mayor has already made the appointment prior of Dan Gwinn, Roger made motion to accept Dan Gwinn to the BPA and Matt second, Mayor called for vote: Rick yes, Steve no, Jane no Jill yes, motion carried.

Mayor appointed Ed Young to BPA. Roger made a motion to decline Mayor's Appointment of Ed Young to the BPA, Jane second motion. Steve yes, Jill yes, Matt yes, Rick yes. Motion carried.

John Serio is not a valid member of BPA because Dan Gwinn didn't have the authority to appoint John. Roger asked the Mayor, why would you not want to appoint a resident who has been attending the council meetings regularly and has showed a positive interest in what is going in the community. The Mayor stated that it a matter of preference, morals and character and he gets to appoint who he feels fits the position best.

Circus (Jane)

Jane called Doug Coolpepper for the Meriwether Circus they will be here in May, 2014. They will take money on first day from ticket sales. We will get 500 tickets for adults and children. You can log on to their website www.cmcircus.com to see their circus pictures. They will send us 100 posters about a month before. No public money will be used. We just need to sell enough money to cover \$290 worth of tickets to cover their fees.

The Mayor reminded council of that Adequate service for the village, as part of the oath to not to spend village funds for non government functions.

Bank Reconciliation (CFO)

November 2013 bank reconciliation was distributed for Council review and signature. CFO noted that December 2013 reconciliation was completed, but awaiting some UAN adjustments which will be posted and ready for Finance Committee review on 2/11/14.

Next Meeting Agenda Subjects:

Matt noted that the agenda should be produced 10 Days prior to council, and sent out by the CFO. Check council rules and each item needs a name assigned.

Committee Set

Stephen asked a question about the change in the setting of the committees, Mayor said he is the presiding officer and he sets the committees. Matt stated that he had gotten information from the solicitor that the council may make changes to the committees. Mayor is challenging the new committee listing; he will wait upon the solicitor to prove that the committees can be changed. Roger stated why would you put us on committees that we don't want to be on, Mayor? You were just being vindictive.

Police Training

Chief Mc Coy asked for time to discuss the leadership course he took last week. Which involved three days, five continuance point training. All the full time officers will be attending required by the State of Ohio Free training for two hours this week on Wednesday, which will involve simulator training, video game type training.

Motion to pay bills:

Motion to pay bills made by Matt, and Jill second. Mayor called for vote: Stephen, Rick, Roger, Jane, yes. Motion carried.

Motion to Adjourn was made by Rick and Roger second, Mayor called for vote: Jill, yes, Matt, yes, Jane yes, Stephen, yes. Motion carried. Meeting adjourned at 10:10 pm

Next Meeting 2/18/2014