

VILLAGE OF NEW LEXINGTON COUNCIL MEETING

December 3, 2018

6:30 PM

MUNICIPAL BUILDING

The Village of New Lexington met in regular session with Mayor Ratliff presiding and the meeting being called to order at 6:30 pm. Council Members present were Trent Thompson, Kathy Chute, Susan Goodfellow, Susan Boyle, Dan Bethel and James Welsh. Also present were Finance Director Heather Rockwell, Police Chief Scott Ervin, Administrator Bo Powell and Interim Fire Chief John Benson. Absent was Councilperson Jeff Danison.

Councilperson Thompson made a motion to excuse Councilperson Danison from the December 3, 2018 meeting. Second by Councilperson Goodfellow. All Council voted "yes". Motion carried.

Councilperson Thompson made a motion to approve the minutes for the November 19, 2018 meeting as read. Seconded by Councilperson Bethel. All Council voted "yes". Motion carried.

Finance Director Rockwell requested a motion to approve the October Financial Statements and Bank Reconciliation. Rockwell presented a 2018 Amended Certificate of Estimated Resources and an Ordinance for 2018 Supplemental Appropriations. Rockwell requested a Department Head meeting be scheduled to prepare a temporary budget for 2019. Councilperson Thompson made a motion to approve the October 2018 Financial Statements and the October 2018 Bank Reconciliation. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.

Administrator Powell informed Council he received a call from Jenny LaRue asking if a Council member would volunteer to serve on the Tree Commission. Powell stated the commission meets once every three months. Powell informed Council he was going to renew the contract with Waste Management for trash removal services. Powell stated he did not gather the information needed in time to put the trash removal contract out for bids. Waste Management is providing the Village with three thirty yard dumpsters and plastic covering for furniture removal. Powell will present a Resolution for the contract for Waste Management at the next council meeting. Powell presented Council with a resolution to award the construction contract for the Brown Street Bridge culvert project. The project was awarded to J & T Excavating in the amount of \$122,350. Powell informed Council a pre-construction meeting would be held the second week of December. Councilperson Goodfellow inquired if the County was helping with the cost of repairs to the bridge. Powell stated the Village is responsible for any bridges inside town. Finance Director Rockwell asked Powell to type an update on the bridge to post on the Village website. Powell stated the Police Chief, Street Superintendent, representatives from Fire and EMS and he attended a meeting with the Perry County Commissioners regarding issues with dispatching services. Powell informed Council a Nuisance Abatement meeting is scheduled for December 6, 2018 at 7:30 am at the Municipal Building. Councilperson Chute stated the liquor license transfer that Powell presented at the last meeting needed to be in the form of a motion by Council. Councilperson Chute made a motion to not request a hearing to transfer the liquor license from Buckeye Pizza Hut to ADT Ohio LLC. Seconded by Councilperson Thompson. All Council voted "yes". Motion carried.

Police Chief Ervin reported himself, the Street Superintendent, representatives from Fire and EMS and Administrator Powell met with the Perry County Commissioners to discuss dispatching. Ervin stated

they are going to revisit the contract. A meeting was scheduled for 12/17/18 at 9:00 am. Ervin reported the Police Department participated in emergency training with Genesis Family Practice. Ervin requested Interim Fire Chief Benson get in contact with Rick Glass regarding approval for a knox box for the newly remodeled Children Services Building. Ervin stated he is working on nuisance abatement.

Interim Fire Chief Benson reported EMS had 100 runs with 66 runs being transported and 34 non - transports. Benson stated all testing of equipment has been completed and is up to date. Benson stated ISO will be visiting the Fire Department in January. Benson stated Finley Fire brought equipment for the Fire Department to test. Benson stated the spreader they brought was outdated so he is going to get a quote from another company on a spreader. Benson reported the department has received requests for ninety children for their toy drive. Benson informed Council the Peoples National Bank donated \$500 to the department for the toy drive.

Councilperson Bethel reported on the Finance Committee Meeting that was held on October 3, 2018. Bethel stated Finance Director Rockwell discussed the employee insurance renewal. Rockwell stated health benefits will see a 2.5% increase, dental and vision will remain the same, life insurance will decrease 5%. Rockwell also explained the amended certificate of estimated resources and supplemental appropriations. Rockwell discussed items for the next council meeting to end out the year. Bethel stated Interim Fire Chief Benson reported on the fire rescue tools. Benson stated the tools that were demoed to the department are discontinued and he is looking into other options. Councilperson Chute inquired about the heart monitors. Benson stated he would have to talk to Gary Jones for an update and would report back to the committee. Councilperson Chute informed Benson it would need to be on the budget wish list. Bethel reported that Finance Director inquired about the township contracts for Fire and EMS. Bethel stated the committee asked Benson to make the contracts a priority due to the townships only meet once per month and the contracts expire December 31, 2018. The Committee discussed a solution for fire rescue tools. Bethel stated the Committee discussed levies, valuations and the age of the current levies. Bethel stated the Village should lead by example and update the levies we have. Bethel reported that Police Chief Ervin discussed his 2019 budget wish list and safety equipment that will need replaced in 2019 and Administrator Powell presented his 2019 budget wish list. Powell also discussed his concerns with the time constraints to advertise for bids for trash removal and the bid for the Brown Street Bridge project. The Committee discussed Hollingshead pay.

Councilperson Goodfellow stated she is keeping in contact with the MacGahan committee about renaming Town Hall Ave. Administrator Powell stated he is still looking for a document to show him how to write the Resolution. Finance Director Rockwell stated he should look at records between 2010 and 2012.

Councilperson Boyle reported the Christmas banners arrived on December 3, 2018 and are being put up now.

Councilperson Thompson reported on the Public Safety Committee meeting held on October 30, 2018. Thompson stated the issues that were discussed have already been presented to the Perry County Commissioner's concerning dispatching services.

Councilperson Thompson stated he was approached by Jordan Hollingshead to present some meeting minutes and an e-mail that was sent to Administrator Powell from Attorney Sitterley concerning

Hollingshead's pay. Thompson stated he was informed there was another e-mail. Thompson gave the minutes and e-mail to Mayor Ratliff stating he does not know if it is up to the Mayor or Council to approve payment. Mayor Ratliff stated the Village should pay Hollingshead if Attorney Sitterley approved it. Councilperson Chute stated the Attorney has not approved payment. Finance Director Rockwell stated there is a subsequent e-mail that Attorney Sitterley sent to Rockwell stating unless he can show he actually worked in August the Village could be caught up in an audit if he is paid for August. Rockwell stated she is assuming Attorney Sitterly is requesting any new information so she can give her opinion. Mayor Ratliff asked Interim Fire Chief Benson if he would get payroll paperwork from July, August and September. Mayor Ratliff stated as far as he was concerned he accepted his resignation on September 4, 2018. Councilperson Chute stated Hollingshead did not work in August. Chute stated he did not do payroll in August of 2018. Chute reported she was not sure if Gary Jones or Justin Morrow completed payroll for August 2018 for Fire and EMS. Councilperson Thompson stated that is what the Mayor is requesting from Benson. Chute stated the paperwork being requested from Benson will give verification that he worked but she is stating he did not do payroll for the month of August 2018 as he was not the Fire Chief in August. Mayor Ratliff stated there would be a signature on who turned in the August 2018 payroll. Finance Director Rockwell stated she believed it was Justin Morrow who turned in the August 2018 payroll. Mayor Ratliff asked Rockwell if she could get the information for him. Rockwell stated "yes". Mayor Ratliff asked Interim Fire Chief Benson to get paperwork to him also.

Councilperson Chute inquired about the media policy Interim Fire Chief Benson put in place in the Fire and EMS Department. Chute stated it may be violating the 1<sup>st</sup> Amendment. Chute informed Benson he may want to contact the Village Attorney and that she has already been provided a copy of the policy. Chute stated if Benson wants the policy, if it is allowable, he needs to go through the Village Attorney. Mayor Ratliff inquired what the policy stated. Benson stated the policy states anyone from the media has to speak with him before speaking with any members of the Fire and EMS Department and if a member speaks to the media before going through Benson first they could be subject to disciplinary action. Councilperson Chute stated the Attorney is concerned the policy violates the 1<sup>st</sup> Amendment. Ratliff asked what the employee handbook states and does the department have any rules. Benson stated it says what happens in the department stays in the department. Benson asked if the department follows Fire and EMS Department procedures or the Personal Policy Manual. Councilperson Thompson stated the PPM would trump the Fire Department policy. Mayor Ratliff informed Benson if he wanted to change a policy in the PPM he would have to put something together. Finance Director Rockwell stated he would have to submit the changes he wants to the Administrator.

Councilperson Chute asked Mayor Ratliff when he was going to recommend a permanent Fire Chief. Chute stated when Rob Stallings was Interim Fire Chief the Mayor stated he would recommend a permanent Fire Chief within thirty days. Mayor Ratliff stated he can take as long as he wants to recommend a Fire Chief. Chute stated she was just asking for a time frame for his recommendation for Fire Chief. Ratliff stated he will get to it when he gets to it. Ratliff stated Benson is doing a good job. Chute stated she agrees he is doing a good job, she would just like to know the time frame for a permanent Fire Chief. Chute stated the Village Attorney recommended the Village have a permanent Fire Chief. Ratliff stated the Attorney has not contacted him. Councilperson Chute stated she would have the Attorney reach out to him.

Councilperson Thompson made a motion to file the 2018 Amended Certificate of Estimated Resources with the Perry County Auditor. Seconded by Councilperson Chute. All Council voted "yes". Motion carried.

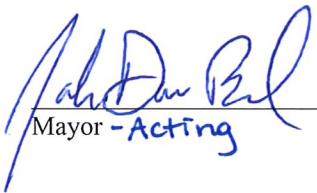
Councilperson Chute made a motion to suspend the rules and read by title only Ordinance No. 18-29 and declaring an emergency. Seconded by Councilperson Thompson. All Council voted "yes". Motion carried. Ordinance No. 18-29: **AN ORDINANCE AMENDING THE APPROPRIATION ORDINANCE 18-9 TO PROVIDE DECREASED FUNDING TO THE FIRE & EMS LEVY AND WATER OPERATING FUNDS AND ADDITIONAL FUNDING TO THE STATE HIGHWAY AND SEWER OPERATING FUNDS AND DECLARING AN EMERGENCY TO MAINTAIN NORMAL OPERATIONS OF THE VILLAGE.** Councilperson Thompson made a motion to adopt Ordinance No. 18-29 as read. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.

Councilperson Thompson made a motion to suspend the rules and read by title only Resolution No. 18-21 with amendments and declaring an emergency. Seconded by Councilperson Chute. All Council voted "yes". Motion carried. Resolution No. 18-21: **A RESOLUTION AWARDED CONSTRUCTION CONTRACT ON THE BROWN STREET CULVERT REPAIR PROJECT AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE CONSTRUCTION CONTRACT AND DECLARING AN EMERGENCY.** Councilperson Thompson made a motion to adopt Resolution No. 18-21 as read. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.

Mayor Ratliff entertained a motion to adjourn.

Councilperson Goodfellow made a motion to adjourn. Seconded by Councilperson Boyle. All Council voted "yes." Motion carried.

Meeting adjourned at 7:08 pm.

  
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Mayor - Acting

  
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Council Clerk - Acting