

**VILLAGE OF SEVILLE**  
**Minutes December 13, 2010**

The meeting was called to order at 7:00 PM by Mayor Carol Carter. The meeting began with the pledge of allegiance. A prayer followed.

Present:

Barb Schwartz            Roger Kilgore            James Lovejoy  
Richard Barbera        Rick Stallard            Kathy Rhoads  
Carol Carter-Mayor    James Carrick-Fiscal Officer    Ted Lesiak-Solicitor

Absent: None

Mr. Lovejoy made a motion to approve the minutes from the November 8<sup>th</sup> council meeting. The motion was seconded by Mr. Barbera. The motion passed unanimously. Mr. Lovejoy made a motion to approve the minutes from the November 22<sup>th</sup> council meeting. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Boy Scout Troop Leader John Burke and his troop presented the village with a certificate of recognition thanking the village for its' support on the 100<sup>th</sup> anniversary of the Boy Scouts of America.

Mrs. Schwartz made a motion to approve the payment of the bills. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Mayor Carter nominated resident Larry Landis for the vacant position on the Zoning and Planning committee. Mr. Stallard moved to accept the nomination. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Mayor Carter nominated Lisa Schaaf to the vacant position on the Zoning Board of Appeals. After a brief discussion concerning Miss Schaaf's qualifications, Mr. Kilgore moved to accept the nomination. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Jane Webb, Jeff Plumer and Patti Plumer donated some holiday decorations for the downtown area. Mr. Lovejoy moved to accept the donation. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Privilege of the floor:

Jared Prill announced his resignation from the police force. He felt that there were issues within the department that were causing problems for him, and he thought it best if he resigned at this time. He asked council if he could purchase his police dog "Sonny" from the village for the purpose of taking care of the dog.

There was a lengthy and at times heated discussion about the current state of the police department. Several residents felt that what had been an excellent police department was being destroyed by the actions of the mayor. They felt that the mayor was getting too involved in department procedures and was causing some of the problems the department was experiencing. They wanted to know the specifics of the departmental problems that were being used to support Ordinance 2010-41. The mayor would not reveal specifics saying that she was trying to handle the situation with Chief Burson and the officers involved "in house". Solicitor Ted Lesiak said that there are some issues within the

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department that did involve litigation and could not be discussed openly. Some council members also felt that the mayor should be more forthcoming about the problems within the police department. Some residents were also not happy that some council members had expressed “surprise” and “shock” at the resignation of Officer Prill. They felt that council should have been aware of the problems in the department and not be caught by surprise by his resignation. Ted Lesiak suggested that Officer Prill be allowed to care for the dog but the actual disbanding of the canine unit and the selling of the dog to Officer Prill has to be done by ordinance. Councilwomen Rhoads asked that if she could meet with Officer Prill to see if some other resolution could be reached concerning his resignation. It was noted that there was an executive session of council scheduled for later that evening to get information on personnel issues.

Solicitor’s Report:

None

**COMMITTEE REPORTS:**

Finance – Mrs. Schwartz gave a synopsis of the current committee activity. Copies of the minutes of the committee meetings are available from the fiscal officer.

Government- Mr. Barbera went over the last government committee meeting. Copies of those minutes are available from the fiscal officer.

Zoning & Planning-Mr. Stallard reported on the current activity of the zoning committee.

Streets-Mr. Kilgore went over the minutes of the last street committee meeting. The minutes are available from the fiscal officer.

Safety – Mr. Barbera provided a synopsis of the safety committee meeting. Copies of the minutes to that meeting are available from the fiscal officer.

Parks- Mr. Lovejoy gave the minutes to the last park committee meeting. Copies of the minutes to that meeting are available from the fiscal officer.

Utilities-Mrs. Rhoads summarized the utility committee actions. BOPA minutes are available from the fiscal officer.

Cemetery-Mrs. Schwartz reviewed the actions of the cemetery committee.

Ordinances under consideration:

Mr. Barbera moved to untable ordinance 2010-41. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

ORDINANCE NO. 2010-41

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO  
LIMITING THE NUMBER OF EMPLOYEES IN THE POSITION OF STAFF  
SERGEANT OF THE VILLAGE. (3<sup>rd</sup> reading)

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Because the ordinance was on its' third reading, council could not remove it from consideration.

Mr. Barbera moved to adopt the ordinance. The motion was seconded by Mr. Stallard. There was a unanimous vote against the motion to adopt the ordinance; therefore the ordinance was not adopted.

**ORDINANCE NO. 2010-50**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AMENDING SECTION 704(A) OF THE SEVILLE ZONING CODE ADOPTED IN ORDINANCE NO. 2007-12 WITH REGARD TO SIGNS.

Currently tabled (2nd reading complete)

No action was taken on the ordinance.

**ORDINANCE NO. 2010-59**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A CONTRACT WITH THE PUBLIC ENTITIES POOL OF OHIO THROUGH PLUMER INSURANCE AGENCY FOR THE PROVISION OF LIABILITY INSURANCE FOR THE VILLAGE.

(3<sup>RD</sup> reading)

Mrs. Rhoads moved to adopt the ordinance. The motion was seconded by Mrs. Schwartz. The motion passed unanimously and the ordinance was adopted.

**ORDINANCE NO. 2010-60**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO PROVIDING FOR LEGAL SERVICES FOR THE VILLAGE.

(3<sup>rd</sup> reading)

Mrs. Rhoads moved to adopt the ordinance. The motion was seconded by Mr. Lovejoy. Voting for the motion were Mrs. Rhoads, Mr. Kilgore, Mr. Barbera, Mr. Lovejoy and Mr. Stallard. Mrs. Schwartz voted against the motion. The motion passed by a 5-1 vote and the ordinance was adopted.

**ORDINANCE NO. 2010-61**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ESTABLISHING APPROPRIATIONS OF THE YEAR 2011.

(3<sup>rd</sup> reading)

Mrs. Schwartz moved to adopt the ordinance. The motion was seconded by Mrs. Rhoads. The motion passed unanimously and the ordinance was adopted.

**ORDINANCE NO. 2010-63**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO SELL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

(3<sup>RD</sup> reading)

Mr. Stallard moved to adopt the ordinance. The motion was seconded by Mr. Kilgore. The motion passed unanimously and the ordinance was adopted.

**ORDINANCE NO. 2010-65**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO CLARIFYING AND ESTABLISHING SANITARY SEWER RATE CHARGES AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

(3<sup>RD</sup> reading)

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Mrs. Schwartz moved to adopt the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2010-70

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,  
ESTABLISHING AN INDIGENT BURIAL POLICY.

(1<sup>ST</sup> reading)

No action was taken on the ordinance.

ORDINANCE NO. 2010-72

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,  
AMENDING THE 2010 APPROPRIATION ORDINANCE NO. 2010-01 AND  
DECLARING AN EMERGENCY.

(1<sup>st</sup> reading)

Mrs. Swartz moved to add emergency language. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

Mrs. Rhoads moved to suspend the three reading rule. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Mrs. Schwartz moved to adopt the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2010-73

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,  
AMENDING THE 2010 APPROPRIATION ORDINANCE NO. 2010-01.

(1<sup>ST</sup> reading)

Mr. Stallard moved to suspend the three reading rule. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Mrs. Schwartz moved to adopt the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

Old business

None

New business

A question was asked about the length of time an ordinance can be kept tabled. It was determined that there was no time limit for keeping an ordinance tabled.

Mr. Barbera moved to allow Jared Prill to keep and care for the police dog "Sonny". The motion was seconded by Mrs. Schwartz. The motion passed unanimously

Mrs. Rhoads moved that council enter executive session to discuss police personnel issues and invite all police officers, the mayor, and the solicitor to the session. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Executive Session began at 9:00 PM.

Mr. Stallard made a motion to end executive session. The motion was seconded by Mr. Barbera. The motion passed unanimously.

Executive session ended at 1:20 AM.

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Mr. Barbera moved to adjourn. The motion was seconded by Mr. Stallard. The motion passed unanimously.

The meeting was adjourned at 1:21 AM.

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CAROL CARTER - MAYOR

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JAMES CARRICK-FISCAL OFFICER