

**VILLAGE OF SEVILLE  
JANUARY 14, 2013  
COUNCIL MINUTES**

The meeting was called to order at 7:00 PM by Mayor Gene Sulzener followed by the pledge of allegiance.

Present-Mayor Gene Sulzener, Kathy Rhoads, Barbara Schwartz, Larry Landis, Roger Kilgore, Rick Stallard, Leslie Miller

Absent- None

Mrs. Miller nominated Kathy Rhoads for the position of Council President. The motion was seconded by Mr. Landis. Voting for the nomination were Mr. Landis, Mr. Kilgore, Mr. Stallard, Mrs. Rhoads, and Mrs. Miller. Mrs. Schwartz voted against the nomination. By a five to one vote, Mrs. Rhoads was elected Council President.

Because the Fiscal Officer did not distribute the minutes from 12-10-12 in a timely manner, no minutes were approved.

Mr. Stallard moved to approve the payment of the bills. The motion was seconded by Mr. Landis. The motion passed unanimously.

Mr. Stallard moved to accept a donation of \$50.00 from Laurie Schmeltzer for park use. The motion was seconded by Mrs. Miller. The motion passed unanimously. Mrs. Miller moved to accept a donation of \$75.00 from Dan Jarvis for Park use. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Privilege of the floor:

The clock in the tower at the Municipal Building is incorrect. BOPA Superintendent Kevin Bittaker will work with the Fiscal Officer to set the clock to the correct time. Mrs. Miller noted that the meetings scheduled for the January 21<sup>st</sup> have been moved to the 22<sup>nd</sup> in honor of Martin Luther King Day. Resident Stan Scheetz asked when the State of the Village address would be delivered. Mayor Sulzener said the address would be given at the February council meeting.

Solicitor's Report-Mr. Lesiak said that he had a court appointment prior to his office hours next Wednesday so he may be delayed. He also had a meeting with the engineer for the EQ basin at 10:30 to discuss the problems at the construction site.

Summary of committee activity:

Finance-Barb Schwartz summarized the committee activity and pointed out that the letter from Scott Varney needs a response from council. Mrs. Schwartz asked that Council members prepare their questions for Mr. Varney concerning the payroll audit so he can be prepared for the next finance meeting.

Safety-Leslie Miller gave the report. There was no meeting in December so there was no new information to give to council.

Technology-Kathy Rhoads gave the report. The committee is working on establishing a network for Village computers. The administrative assistant has a new computer.

**VILLAGE OF SEVILLE  
JANUARY 14, 2013  
COUNCIL MINUTES**

Government-Larry Landis gave the report. All ordinances were on the last government agenda. The ordinance concerning liability insurance and supplying internet service to the Street/Park offices were discussed in detail. It was determined that adding emergency language to the levy ordinances would not be of any benefit to the Village.

Parks-Roger Kilgore gave the report. There was no Park committee meeting in December so there was no new information for council.

Streets-Roger Kilgore gave the report. There was no Street committee meeting in December so there was no new information for council.

Zoning & Planning-Rick Stallard gave the report. There was no December meeting. Mr. Stallard did report that the Seville Elementary School building had been sold. Resident Stan Scheetz said that a key factor in having the building sold was that council had been pro-active in re-zoning the property to make it more attractive to potential buyers. Zoning Inspector Kevin Bittaker had been instrumental in having the property re-zoned. Mrs. Schwartz thanked Mr. Bittaker for his efforts. There was a discussion on the terms of zoning committee members. The Fiscal Officer will provide council with the term length and when the current appointee's terms will expire.

Utilities-Barb Schwartz gave the report. BOPA Superintendent Kevin Bittaker has expressed concern over ordinance 2012-67 concerning the moratorium on step raises. Mr. Bittaker felt that because the step raises were achieved using very strict guidelines, the moratorium on step raises should not extend to BOPA employees. BOPA employee Tiffany Shultz received an A in her classes in Essentials of Tech Management and Basic Accounting II. Applicants for the American Municipal Power scholarships needed to have their application turned in by January 11<sup>th</sup>.

Cemetery-Rick Stallard gave the report. The Cemetery is struggling financially and is asking that any assistance the Village can provide with maintenance would be appreciated. The Park Committee will discuss what resources are available.

**Legislation:**

Ordinance 2012-46 remained tabled. No further action was taken.

**ORDINANCE NO. 2012-46**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,  
ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE.**

The ordinance was tabled on October 9<sup>th</sup>. The second reading is complete.

The rates have not been set yet so the ordinance remained tabled. The Zoning Committee should provide the final details so the ordinance can be adopted.

Ordinance 2012-54 remained tabled. No further action was taken.

**ORDINANCE NO. 2012-54**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,  
AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A  
CONTRACT WITH \_\_\_\_\_ FOR THE PROVISION  
OF LIABILITY INSURANCE FOR THE VILLAGE.**

Tabled December 10<sup>th</sup>. The second reading is complete.

The review and recommendation from the consultant is not complete. It was proposed

**VILLAGE OF SEVILLE  
JANUARY 14, 2013  
COUNCIL MINUTES**

that a special Council meeting be held on January 23<sup>rd</sup> at 6:25 PM. This should give time for the recommendation to be received by all of Council prior to voting. The meeting date and time were tentative pending confirmation from BOPA Trustee Kieran O'Rourke that he can attend the meeting. The Fiscal Officer will be responsible for advertising the meeting when the confirmation is received.

**ORDINANCE NO. 2012-67**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, IMPOSING A MORATORIUM ON REGULAR STEP PAY INCREASES AND DECLARING AN EMERGENCY.**

The third reading was completed.

Mrs. Schwartz said that BOPA has asked Council to change the wording of the ordinance to exempt BOPA employees from the moratorium. The step requirements and raises for BOPA employees were clearly defined and there was no reason to put BOPA employees under a moratorium.

Mr. Landis moved to adopt ordinance 2012-67. The motion was seconded by Mrs. Rhoads. Voting for the motion were Mr. Kilgore and Mrs. Schwartz. Voting against the motion were Mrs. Rhoads, Mr. Stallard, Mr. Landis, and Mrs. Miller. By a four to two vote, the ordinance was not adopted.

**ORDINANCE NO. 2013-01**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT WITH \_\_\_\_\_ FOR THE PROVISION OF TELEPHONE AND INTERNET SERVICES FOR THE STREET AND PARKS DEPARTMENT AND DECLARING AN EMERGENCY.**

The first reading was completed.

Contract proposals from Time Warner Cable and Frontier Communications were discussed. After discussion, Council decided to take no action on the ordinance but will add it to the proposed special Council meeting on January 23<sup>rd</sup>.

No further action was taken.

**ORDINANCE NO. 2013-02**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO RENEW (ENTER INTO) A CONTRACT WITH ANTHEM BLUE CROSS AND BLUE SHIELD \_\_\_\_\_ FOR HEALTH INSURANCE COVERAGE FOR VILLAGE EMPLOYEES.**

The first reading was completed. No further action was taken.

**ORDINANCE NO. 2013-03**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT FOR LIFE INSURANCE COVERAGE FOR THE VILLAGE EMPLOYEES.**

The first reading was completed. No further action was taken.

**ORDINANCE NO. 2013-04**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, APPROVING, ADOPTING AND ENACTING THE 2013 EDITION OF THE MODEL**

**VILLAGE OF SEVILLE  
JANUARY 14, 2013  
COUNCIL MINUTES**

OHIO MUNICIPAL CODE, PUBLISHED BY THE AMERICAN LEGAL PUBLISHING CORPORATION, FOR THE VILLAGE OF SEVILLE, OHIO; REPEALING ORDINANCES IN CONFLICT THEREWITH; AND PUBLISHING THE ENACTMENT OF NEW MATTER.

The first reading was completed. No further action was taken.

**ORDINANCE NO. 2013-05**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING THE VILLAGE OF SEVILLE'S SALARY AND BENEFITS CODE RELATED TO WAGES OF EMPLOYEES OF THE VILLAGE OF SEVILLE FOR THE YEAR 2013.

The first reading was completed. No further action was taken.

**ORDINANCE NO. 2013-06**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, TRANSFERRING FUNDS.

The first reading was completed. A suspension of the three reading rule was requested.

Mrs. Miller moved to suspend the three reading rule for ordinance 2013-06. The motion was seconded by Mr. Landis. The motion passed unanimously.

Mrs. Miller moved to adopt ordinance 2013-06. The motion was seconded by Mr. Stallard. The motion passed unanimously.

**ORDINANCE NO. 2013-07**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, TRANSFERRING FUNDS.

The first reading was completed. A suspension of the three reading rule was requested.

Mr. Stallard moved to suspend the three reading rule for ordinance 2013-07. The motion was seconded by Mrs. Miller. The motion passed unanimously.

Mrs. Schwartz moved to adopt ordinance 2013-07. The motion was seconded by Mr. Landis. The motion passed unanimously.

**ORDINANCE NO. 2013-08**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, REPEALING ORDINANCE 2005-59 AS AMENDED AND ESTABLISHING AN EMPLOYEE HANDBOOK SETTING FORTH THE PERSONNEL POLICIES AND PROCEDURES FOR VILLAGE EMPLOYEES

The first reading was completed. No further action was taken.

**ORDINANCE NO. 2013-09**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH DELTA DENTAL FOR DENTAL INSURANCE COVERAGE FOR VILLAGE EMPLOYEES.

The first reading was completed. No further action was taken.

**ORDINANCE NO. 2013-10**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, TRANSFERRING FUNDS.

The first reading was completed. A suspension of the three reading rule was requested.

Mrs. Schwartz moved to suspend the three reading rule for ordinance 2013-10. The motion was seconded by Mrs. Miller. The motion passed unanimously.

**VILLAGE OF SEVILLE  
JANUARY 14, 2013  
COUNCIL MINUTES**

Mrs. Miller moved to adopt ordinance 2013-10. The motion was seconded by Mr. Landis. The motion passed unanimously.

**ORDINANCE NO. 2013-11**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, RE-APPROPRIATING FUNDS.**

The first reading was completed. A suspension of the three reading rule was requested.

Mr. Stallard moved to suspend the three reading rule for ordinance 2013-11. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Mrs. Schwartz moved to adopt ordinance 2013-11. The motion was seconded by Mrs. Miller. The motion passed unanimously.

Mrs. Schwartz moved to suspend the rules of council to add ordinance 2013-12 to the agenda. The motion was seconded by Mrs. Miller. The motion passed unanimously.

**ORDINANCE 2013-12**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MEDINA COUNTY ECONOMIC DEVELOPMENT CORPORATION AND DECLARING AN EMERGENCY.**

Mr. Stallard moved to add emergency language to ordinance 2013-12. The motion was seconded by Mrs. Miller. The motion passed unanimously.

Mrs. Miller moved to suspend the three reading rule for ordinance 2013-12. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Mrs. Schwartz moved to adopt ordinance 2013-12. The motion was seconded by Mr. Landis. The motion passed unanimously.

**RESOLUTIONS:**

**RESOLUTION NO. 2012-12**

**A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO REQUESTING THAT THE COUNTY AUDITOR CERTIFY THE CURRENT TAX VALUATION IN THE SUBDIVISION AND THE AMOUNT OF REVENUE THAT WOULD BE PRODUCED BY A TWO (2) MILLS RENEWAL LEVY UPON THE LEVY A TAX OUTSIDE THE TEN (10) MILL LIMITATION FOR CURRENT OPERATING EXPENSES TO BE PLACED ON THE BALLOT AT THE NOVEMBER 5, 2013 ELECTION.**

The second reading was completed. No further action was taken.

**RESOLUTION NO. 2012-13**

**A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO REQUESTING THAT THE COUNTY AUDITOR CERTIFY THE CURRENT TAX VALUATION IN THE SUBDIVISION AND THE AMOUNT OF REVENUE THAT WOULD BE PRODUCED BY A TWO (2) MILLS REPLACEMENT LEVY UPON THE LEVY A TAX OUTSIDE THE TEN (10) MILL LIMITATION FOR POLICE OPERATING EXPENSES TO BE PLACED ON THE BALLOT AT THE NOVEMBER 5, 2013 ELECTION.**

The second reading was completed. No further action was taken.

**RESOLUTION NO. 2013-01**

**VILLAGE OF SEVILLE  
JANUARY 14, 2013  
COUNCIL MINUTES**

A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO DECLARING IT NECESSARY TO CONSTRUCT AND/OR REPAIR CERTAIN SIDEWALKS.

The first reading was completed. No further action was taken. The Street Superintendent will have the list for the next Street Committee meeting.

**RESOLUTION NO. 2013-02**

A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO APPLY FOR ADVANCES IN TAXES RECEIVED FROM THE MEDINA COUNTY AUDITOR FOR THE TAX YEAR 2013 AND DECLARING AN EMERGENCY.

The first reading was completed. Emergency language was requested.

Mrs. Miller moved to add emergency language to resolution 2013-02. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Mrs. Schwartz moved to suspend the three reading rule for resolution 2013-02. The motion was seconded by Mr. Landis. The motion passed unanimously.

Mrs. Schwartz moved to adopt resolution 2013-02. The motion was seconded by Mr. Landis. The motion passed unanimously.

**Old business:**

Several downtown businesses would like to put up white Christmas lights on the trees downtown. The connections would have to be raised a safe distance so as not to cause a safety hazard.

Mrs. Miller will be providing more information on the upcoming Easter Egg Hunt to Council.

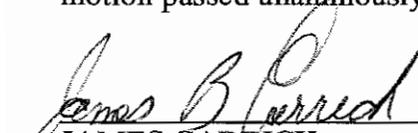
There was a discussion on what committee was responsible for ordinance 2012-67. It came through the Finance Committee but any council member can request legislation. Legislation, depending on its' intricacies can cost as little \$60.00 but can be higher.

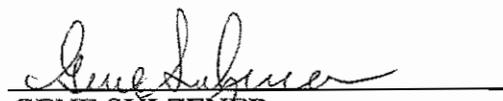
**New Business:**

Mrs. Schwartz said that since the so-called "death-tax" has been eliminated. The Village should no longer count on it as a source of income.

Mayor Sulzener asked council to approve his appointments to the Council Committees for 2013. The Mayor did not change any appointments from 2012. Mrs. Miller moved to approve the appointments. The motion was seconded by Mr. Landis. The motion passed unanimously.

Mr. Landis made a motion to adjourn. The motion was seconded by Mr. Stallard. The motion passed unanimously. The meeting adjourned at 8:20 PM.

  
\_\_\_\_\_  
JAMES CARRICK  
FISCAL OFFICER

  
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GENE SULZENER  
MAYOR