

VILLAGE OF SEVILLE
Minutes July 12, 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 Kathy Rhoads Rick Stallard
James Carrick-Fiscal Officer Carol Carter- Mayor Ted Lesiak-Solicitor

Absent: None

Mrs. Rhoads made a motion to accept the following donations to the parks department in memory of Paul Hoskinson:

\$50.00 Thomas and Ingrid Kissinger

\$50.00 Thomas and Sandra Bridenthal

The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Mrs. Schwartz made a motion to accept a cash donation to the K-9 unit of \$35.00. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Mr. Stallard made a motion to approve the payment of the bills with the exception of the bill from Brian Schwartz. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

Mr. Stallard made a motion to approve the bill from Brian Schwartz. The motion was seconded by Mr. Kilgore. Voting for the motion were Mr. Stallard, Mr. Lovejoy, Mrs. Rhoads, and Mr. Kilgore. Mrs. Schwartz and Mr. Barbera abstained. The motion passed.

Mr. Barbera made a motion to approve the minutes from the June 12 council meeting. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Nancy Girton of the Medina County Auditors said that property re-appraisals are being done and residents should begin to see them in the mail in the next couple of months. In general, property values are down. Anyone wishing to discuss the value of their home can attend one of seven meetings being held by the Auditor's office.

There was a lengthy discussion of ordinance 2010-37 concerning fiber optics. In attendance were Medina County Commissioner Steven Hambley, Bethany Dentler from the MCEDC, and Jim Gersbacher from the Medina County Port Authority. Mr. Stallard summarized a meeting that he and Mr. Lesiak attended with the Commissioner on the issue. Wadsworth and Westfield have signed on to the project. Brunswick is entertaining a resolution this evening. Medina is also working towards a resolution to join. The goal is not to have to call on the other public entities to fund any potential shortfall. The actual routing of the fiber optic network was discussed as well as the "last mile" costs. Wireless communications will not replace fiber optics according to Mr. Stallard. The CRA fund (2906) can be used for economic development which this project would fall under. The fund has about \$29,000 in it. The schools and the libraries would be using the network as would the University of Akron. Mr. Lesiak pointed out that all entities involved would be

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asked to participate at the same time. Mrs. Schwartz asked about the percentage being used for the village portion. It was explained that the village portion was one percent of the original as opposed to two percent of the new amount. This would lower the net exposure by approximately \$7,000.00 per year. Mrs. Schwartz also noted that the current contract has Carol Carter as the Mayor of Lodi. This will need to be changed. The map that was distributed was the original map and nothing had changed. The route does not currently connect to the Seville Industrial Park. Mrs. Dentler said that the route had not been finalized. A question was asked about what Charles Marshall/ Beacon Marshall was getting in return for his guarantee for the Seville portion. It was explained that the contract between Mr. Marshall and Seville was only a guarantee for the money and gave him no other rights or privileges. Mr. Marshall wanted the network in order to be better able to market his properties.

Police Chief Don Burson spoke concerning ordinance 2010-41. He felt that after some very productive meetings with the Mayor, the best course of action would be to table the ordinance at this time. He would continue to work with the Mayor and the police force to improve the department. It was asked if the ordinance could be removed instead of tabled. The mayor asked that the ordinance be tabled until all other issues within the police department could be resolved.

Solicitor's Report

Mr. Lesiak said that the Panther Trucking hearing is scheduled for September 21 at 1:00 PM.

COMMITTEE REPORTS:

Finance – Mrs. Schwartz gave a synopsis of the last two committee meetings. Copies of those minutes are available in the fiscal officer's office.

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

Zoning & Planning-Mr. Stallard presented the minutes from the last zoning meeting. The minutes are available in at the fiscal officer's office.

Streets-Mr. Kilgore went over the minutes of the last street committee meeting. The minutes are available in the fiscal officer's office.

Safety – Mr. Barbera provided a synopsis of the safety committee meeting. A copy of the minutes to that meeting are available at the fiscal officer's office.

Parks- Mr. Lovejoy gave the minutes to the last park committee meeting. A copy of the minutes to that meeting are available at the fiscal officer's office.

Utilities-Mrs. Rhoads summarized the utility committee actions. BOPA minutes are available in the Fiscal Officer's office. She also noted that BOPA was recommending that ordinance 2101-45 be passed as emergency legislation.

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Cemetery-None.

LEGISLATION UNDER CONSIDERATION:

ORDINANCE NO. 2010-36

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO ADOPTING SECTION 1501(C) OF THE SEVILLE VILLAGE ZONING CODE WITH REGARD TO THE BOARD OF ARCHITECTURAL REVIEW

(2nd reading)

No action was taken on the ordinance. There will need to be a public meeting on this ordinance prior to the next council meeting. Mayor Carter said she would make sure the meeting was publicized.

ORDINANCE NO. 2010-37

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT FOR PARTICIPATION IN THE MEDINA COUNTY PORT AUTHORITY FIBER NETWORK PROJECT.

(3rd Reading)

Mrs. Schwartz felt that the ordinance should be tabled until the contracts could be thoroughly read and understood. No formal motion was made to table the ordinance. Mr. Stallard made a motion to adopt the ordinance. The motion was seconded by Mrs. Rhoads. Voting yes to the motion were Mr. Stallard, Mr. Lovejoy, Mrs. Rhoads, and Mr. Barbera. Voting no to the motion were Mrs. Schwartz and Mr. Kilgore. The motion passed by a 4-2 vote and the ordinance was adopted.

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.

(2nd reading)

Mr. Stallard made a motion to table the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was tabled.

ORDINANCE NO. 2010-42

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO RENEW AN AGREEMENT WITH CLEMANS, NELSON & ASSOCIATES, INC., FOR CONSULTING SERVICES RELATIVE TO EMPLOYEE HUMAN RESOURCES.

(1ST Reading)

No action was taken on the ordinance.

Mrs. Schwartz asked how often Clemans, Nelson has been used. Several council people said they felt that we it was worth the expense to have them on retainer.

ORDINANCE NO. 2010-43

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

(1st reading)

Mr. Barbera made a motion to suspend the three reading rule. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

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Mr. Lovejoy made a motion to adopt the ordinance. The motion was seconded by Mrs. Rhoads. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2010-44

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR COBRA
ADMINISTRATION SERVICES FOR THE VILLAGE EMPLOYEES.

(1st reading)

Mr. Lovejoy made a motion to suspend the three reading rule. The motion was seconded by Mr. Stallard. The motion passed unanimously.

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

ORDINANCE NO. 2010-45

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AUTHORIZING THE MAYOR TO ENTER INTO AN EASEMENT AND
SETTLEMENT AGREEMENT TO APPROPRIATE CERTAIN LANDS OWNED BY
VERA SYNK IN FURTHERANCE OF THE VILLAGE OF SEVILLE'S STORM
SEWER DRAINAGE SYSTEM, AND DECLARING AN EMERGENCY.

(1st reading)

Mrs. Rhoads made a motion to add emergency language. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Mr. Stallard made a motion to suspend the three reading rule. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

Mrs. Rhoads made a motion to adopt the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

Resolutions

None

Old business

The plan for the food pantry has been helped by the United Methodist Church making the project part of their outreach ministry thus allowing the food pantry to use the church's 501C designation as a non-profit. The chief executive officer and the treasurer of the Seville Community Food Pantry must be members of the church. United Way has officially terminated their involvement with the project.

New business

Mr. Stallard gave a presentation concerning the Easton property. He said that council should approve the overlay district on the property because the zoning committee had a tie vote. It would change the zoning from rural residential to commercial. This is within the Village's comprehensive plan. The application for zoning change can be made by council, the land owner or the zoning committee.

Mr. Stallard made a motion to make application to impose an overlay district on the Easton property. The motion was seconded by Mr. Lovejoy. Voting for the motion were Mr. Stallard, Mr. Kilgore, Mrs. Schwartz, Mrs. Rhoads and Mr. Lovejoy. Mr. Barbera abstained.

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Mr. Barbera moved to adjourn. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.
The meeting was adjourned at 9:00 PM.

CAROL CARTER-MAYOR

JAMES CARRICK-FISCAL OFFICER