

**VILLAGE OF SEVILLE**  
**June 10, 2013**  
**COUNCIL MINUTES**

Mayor Gene Sulzener called the meeting to order at 7:00 PM.

The meeting opened with the Pledge of Allegiance

Present: Kathy Rhoads, Barb Schwartz, Roger Kilgore, Larry Landis (arrived at 8:20),  
Leslie Miller, Rick Stallard

Absent: None

Mrs. Schwartz moved to approve the minutes from the May 13<sup>th</sup> meeting. The motion was seconded by Mrs. Miller. The motion passed unanimously.

Mr. Stallard moved to table the minutes from January 23 pending further review. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Mrs. Miller moved to approve the payment of the bills from 05-13, 5-20, 5-27, and 6-03. The motion was seconded by Mr. Stallard. The motion passed unanimously with the exception of Mrs. Schwartz who abstained.

Mrs. Schwartz questioned a repair bill of over \$1,000 for one of the police cars. Mrs. Schwartz questioned the prudence of spending that amount on an older vehicle. The matter was referred to the Safety Committee for resolution.

Mr. Kilgore moved to accept a donation of \$10.00 from the Girl Scouts to the Park Department. The motion was seconded Mrs. Miller. The motion passed unanimously.

Privilege of the floor:

None

Solicitor's Report-Ted Lesiak requested that an Executive Session of Council be held at the end of the meeting.

Summary of committee activity:

Finance-Barb Schwartz gave the report.

Safety-Leslie Miller gave the report.

Technology-Kathy Rhoads gave the report.

Government-Rick Stallard gave the report.

Parks-Roger Kilgore gave the report.

Streets-Roger Kilgore gave the report.

Mr. Kilgore moved to allow a one year extension for sidewalk repair to the property at 30 West Maple. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Zoning & Planning-Rick Stallard gave the report

Utilities-Barb Schwartz gave the report

Cemetery-Mayor Sulzener gave the report

Ordinances under consideration:

Ordinance 2013-08 is currently tabled. It will not be read unless it is first removed from the table.

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**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 ordinance was tabled on March 11<sup>th</sup>. The second reading is complete. No action was taken on the ordinance.

Ordinance 2013-14 is currently tabled. It will not be read unless it is first removed from the table.

**ORDINANCE NO. 2013-14**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO RENEW A CONTRACT FOR INFORMATION TECHNOLOGY SERVICES.

The ordinance was tabled on April 8<sup>th</sup>. The second reading is complete. No action was taken on the ordinance.

Ordinance 2013-17 is currently tabled. It will not be read unless it is first removed from the table.

Mrs. Schwartz gave the details of the program for ordinance 2013-17. Mrs. Schwartz moved to remove ordinance 2013-17 from the table. The motion was seconded by Mrs. Miller. The motion passed unanimously.

**ORDINANCE NO. 2013-17**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE VILLAGE OF SEVILLE TO CONTINUE TO PARTICIPATE IN THE OHIO MUNICIPAL LEAGUE WORKERS' COMPENSATION GROUP RATING PROGRAM FOR THE YEAR 2014.

The third reading was completed.

Mrs. Schwartz moved to adopt ordinance 2013-17. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

Ordinance 2013-18 is currently tabled. It will not be read unless it is first removed from the table.

Mrs. Rhoads moved to remove ordinance 2013-18 from the table. The motion was seconded by Mr. Stallard. Voting for the motion were Mrs. Miller, Mrs. Rhoads, Mr. Kilgore, and Mr. Stallard. Mrs. Schwartz voted against the motion.

**ORDINANCE NO. 2013-18**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A CONTRACT FOR MOSQUITO CONTROL WITH

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The third reading was completed. Mr. Stallard moved to adopt ordinance 2013-18 amending the language to say that the contractor would be selected by the Park Superintendant not to exceed \$600.00 per application. The motion was seconded by Mr.

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Kilgore. Voting for the motion were Mrs. Miller, Mrs. Rhoads, Mr. Kilgore, and Mr. Stallard. Mrs. Schwartz voted against the motion. The ordinance was adopted.

**ORDINANCE NO. 2013-27**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO ESTABLISHING THE SALARY AND THE BENEFITS OF THE VILLAGE FORESTER.**

The third reading was completed.

Mrs. Miller moved to adopt ordinance 2013-27. The motion was seconded by Mrs. Schwartz. The motion passed unanimously. The ordinance was adopted

**ORDINANCE NO. 2013-31**

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

The first reading was completed.

Mrs. Miller moved to suspend the three reading rule for ordinance 2013-31. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

Mrs. Miller moved to adopt ordinance 2013-31. The motion was seconded by Mrs. Schwartz. The motion passed unanimously. The ordinance was adopted

**ORDINANCE NO. 2013-32**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING ORDINANCE NO. 2012-63 ESTABLISHING A NEW POLICE CAPITAL PROJECTS FUND.**

The first reading was completed.

**ORDINANCE NO. 2013-33**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO REGULATING THE PARKING OF VEHICLES IN THE VILLAGE DOWNTOWN AREA.**

The first reading was completed.

**ORDINANCE NO. 2013-34**

**AN ORDINANCE OF THE COUNCIL OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AMENDING ORDINANCE 2008-68 AND CHAPTER 675 OF THE SEVILLE VILLAGE CODE REGULATING HOME SOLICITATION SALES, PEDDLERS, AND DOOR TO DOOR SALES AND ESTABLISHING REGULATIONS ON FROZEN DESSERT PEDDLERS AND VEHICLES AND DECLARING AN EMERGENCY.**

The Solicitor explained that the current ordinance was not correct and this should be passed with emergency language.

The first reading was completed.

Mr. Stallard moved to add emergency language to ordinance 2013-34. The motion was seconded by Mrs. Miller. The motion passed unanimously.

Mrs. Miller moved to suspend the three reading rule for ordinance 2013-34. The motion was seconded by Mrs. Schwartz. The motion passed unanimously.

Mrs. Schwartz moved to adopt ordinance 2013-34. The motion was seconded by Mrs. Rhoads. The motion passed unanimously. The ordinance was adopted

**ORDINANCE NO. 2013-35**

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO**

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AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT AND COMMUNITY REINVESTMENT AREA COMPENSATION AGREEMENT WITH LSL PROPERTIES, LLC.

The first reading was completed.

Resolutions:

Mr. Stallard moved to change the order of the agenda and move resolution 2013-04 to the end of new business to allow Mr. Landis to arrive in time for discussion of the resolution. The motion was seconded by Mrs. Miller. The motion passed unanimously.

**RESOLUTION NO. 2013-07**

A RESOLUTION OF COUNCIL AND OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE FISCAL OFFICER TO ADVERTISE FOR BIDS FOR INFORMATION TECHNOLOGY SERVICES AND DECLARING AN EMERGENCY.

The first reading was completed.

Mr. Stallard moved to add emergency language to resolution 2013-07. The motion was seconded by Mrs. Rhoads. Voting for the motion passed were Mr. Stallard, Mrs. Rhoads, and Mrs. Miller. Voting against the motion were Mrs. Schwartz and Mr. Kilgore. Because four votes are required, the motion failed.

Mrs. Miller moved to suspend the three reading rule for resolution 2013-07. The motion was seconded by Mr. Stallard. Voting for the motion passed were Mr. Stallard, Mrs. Rhoads, and Mrs. Miller. Voting against the motion were Mrs. Schwartz and Mr. Kilgore. Because four votes are required, the motion failed.

Old Business:

None

New Business

At the Fiscal Officer's request, Mrs. Miller moved to suspend the Employee Handbook rule of requiring employees to work the day before and after the upcoming July 4<sup>th</sup> holiday. The motion was seconded by Mrs. Rhoads. The motion passed unanimously with the exception of Mr. Kilgore who abstained. The motion passed.

Mrs. Miller moved to allow the Worker's Compensation claim for Don Searle. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

Mrs. Schwartz stated that the job descriptions are not up to date.

Mrs. Schwartz reported that a list of supplies that are available through a joint purchase agreement with the Cloverleaf Schools has been given to the Fiscal Officer for review.

Mayor Sulzener reported that the front entrance to the building at 40 West Main Street has been upgraded.

Mr. Landis arrived at the meeting.

The Mayor reported that the property owner of parcel number 012-21A-09-005 has inquired if the Village would be interested in purchasing the parcel. Mr. Landis moved that the Village not consider purchasing the property. The motion was seconded by Mr. Stallard. The motion passed unanimously.

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Resolution 2013-04 is tabled and will not be read unless it is removed from the table. Mr. Stallard moved to remove resolution from the table. The motion was seconded by Mr. Landis. Voting for the motion were Mr. Landis, Mr. Stallard, Mrs. Rhoads, and Mrs. Miller. Voting against the motion were Mrs. Schwartz and Mr. Kilgore.

**RESOLUTION NO. 2013-04**

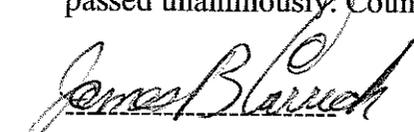
**A RESOLUTION OF COUNCIL AND OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO REPEALING RESOLUTION 2007-08 AND REINSTATING RESOLUTION NUMBER 2000-17 EVIDENCING COUNCIL'S INTENT TO TRANSFER ALL TAXES COLLECTED BY THE VILLAGE BOARD OF PUBLIC AFFAIRS FROM RESIDENT MUNICIPAL ELECTRIC USERS PURSUANT TO AM. SUB. S. B. 3 TO THE BOARD OF PUBLIC AFFAIRS ELECTRIC FUND.**

The third reading was completed.

Mr. Landis moved to adopt resolution 2013-04. The motion was seconded by Mr. Stallard. Voting for the motion were Mrs. Schwartz, Mr. Kilgore, and Mrs. Miller. Voting against the motion were Mr. Landis, Mrs. Rhoads, and Mr. Stallard. Mayor Sulzener broke the tie by voting against the motion. The resolution was not adopted.

Mrs. Miller moved to enter Executive Session inviting all of Council, The Mayor, The Solicitor, and The Fiscal Officer, to discuss pending litigation. The motion was seconded by Mrs. Schwartz. The motion passed unanimously. Executive Session began at 8:50 PM. Mrs. Miller moved to exit Executive Session. The motion was seconded by Mr. Stallard. The motion passed unanimously. Executive Session ended at 9:25 PM.

Mrs. Miller moved to adjourn. The motion was seconded by Mr. Stallard. The motion passed unanimously. Council adjourned at 9:25 PM.

  
JAMES CARRICK  
FISCAL OFFICER

  
GENE SULZENER  
MAYOR