

VILLAGE OF SEVILLE

March 23, 2011

This is a continuation of the suspended council meeting of March 14th.

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 Ted Lesiak-Solicitor

Absent: None

Mr. Stallard moved to enter executive session to discuss pending legal issues. The motion was seconded by Mr. Lovejoy. The motion passed unanimously. Executive session began at 7:02 PM.

Council returned from executive session at 8:19 PM.

Mr. Stallard made a motion to accept a settlement offer concerning the termination of Police Sergeant Mark Milton. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Final details of the settlement will be worked out by Village counsel and counsel for Mr. Milton.

Privilege of the floor:

Resident Al Pipa asked who placed copies of several e-mails on the table in the rear of council chambers. All council members and the fiscal officer said that they did not know who put the e-mails on the table.

Solicitor's Report:

None

Summary of committee activity:

Mr. Barbera summarized the current actions of the finance committee.

Mr. Barbera gave a synopsis of the current government committee activity.

Mr. Stallard outlined the current developments of the zoning committee

Mrs. Rhoads reviewed the safety committee activity.

Mr. Lovejoy summarized the parks committee meeting/

Mr. Lovejoy gave the utility committee report.

Mrs. Rhoads informed council of the technology committee activity.

Mr. Kilgore summarized the street committee activity.

Mr. Stallard reported on the cemetery committee meeting.

Ordinances under consideration:

Mr. Lovejoy made a motion to table ordinance 2011-01 the motion was seconded by Mr. Stallard. The motion passed unanimously.

Mrs. Schwartz made a motion to table ordinance 2011-02. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

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ORDINANCE NO. 2011-03

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, APPROVING, ADOPTING AND ENACTING THE 2011 EDITION OF THE MODEL 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.

This was the third reading.

Mrs. Rhoads made a motion to adopt ordinance 2011-03. The motion was seconded by Mr. Stallard. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2011-04

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING THE VILLAGE OF SEVILLE'S SALARY AND BENEFITS CODE RELATED TO WAGES FOR THE YEAR 2011.

This was the third reading

Mrs. Schwartz moved to adopt ordinance 2011-04. The motion was seconded by Mr. Lovejoy. Mrs. Schwartz, Mrs. Rhoads, Mr. Stallard, Mr. Barbera and Mr. Lovejoy voted for the motion. Mr. Kilgore abstained. The ordinance was adopted by a 5-1 margin.

ORDINANCE NO. 2011-05

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE APPLICATION OF THE INDUSTRIAL MIXED OVERLAY DISTRICT TO VARIOUS PROPERTIES WITHIN THE VILLAGE.

This was a third reading.

Mr. Stallard made a motion to adopt ordinance 2011-05. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2011-08

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE SUPERINTENDENT OF THE BOARD OF PUBLIC AFFAIRS TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE VILLAGE OF SEVILLE FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

This was a third reading.

Mr. Lovejoy made a motion to adopt ordinance 2011-08. The motion was seconded by Mr. Barbera. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2011-10

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MEDINA COUNTY SHERIFF'S OFFICE FOR DISPATCH SERVICES.

The second reading was completed.

ORDINANCE NO. 2011-14

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING ORDINANCE NO. 2009-51 ADOPTING RULES AND REGULATIONS GOVERNING PUBLIC PARKS WITHIN THE VILLAGE AND ASSESSING PENALTIES FOR VIOLATION OF SAID RULES AND REGULATIONS.

The second reading was completed.

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ORDINANCE NO. 2011-15

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AMENDING ORDINANCE 2008-40, ESTABLISHING THE JOB DESCRIPTION FOR MECHANIC/MAINTENANCE I OF THE VILLAGE.

The second reading was completed.

ORDINANCE NO. 2011-16

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR MOSQUITO CONTROL WITH G&O SPRAY SERVICE, INC.

The first reading was completed.

ORDINANCE NO. 2011-17

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 2012.

The first reading was completed.

ORDINANCE NO. 2011-18

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING THE 2011 APPROPRIATION ORDINANCE NO. 2010-61.

This was a first reading.

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

Mr. Stallard made a motion to adopt ordinance 2011-18. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2011-19

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE EXECUTION OF AN EDI LANDFILL ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING ENERGY PURCHASES

The first reading was completed.

ORDINANCE NO. 2011-20

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE EXECUTION OF THE NORTHERN POOL PARTICIPANT SCHEDULE.

The first reading was completed.

ORDINANCE NO. 2011-21

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ADOPTING A CAPITAL OUTLAY ACCOUNTING POLICY MANUAL FOR THE VILLAGE

The first reading was completed.

ORDINANCE NO. 2011-22

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO REGULATING AMUSEMENT ARCADES.

The first reading was completed.

Mr. Lovejoy made a motion to table ordinance 2011-22. The motion was seconded by Mr. Barbera. The motion passed unanimously.

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ORDINANCE NO. 2011-23

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AMENDING SECTION 808 OF THE SEVILLE ZONING CODE ADOPTED IN ORDINANCE 2007-12 AND FURTHER AMENDED IN 2007-81 WITH REGARD TO OFF-ROAD PARKING AND PARKING OF RECREATIONAL VEHICLES.

The first reading was completed.

ORDINANCE NO. 2011-24

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A CONTRACT FOR CLEANING SERVICES, AND DECLARING THE SAME TO BE AN EMERGENCY.

This was a first reading.

Mrs. Schwartz moved to add emergency language. The motion was seconded by Mr.

Barbera. Voting for the motion were Mrs. Schwartz, Mr. Kilgore, Mrs. Rhoads, Mr. Stallard, and Mr. Barbera. Mr. Lovejoy voted against the motion. The motion passed by a 5-1 vote.

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

Mrs. Stallard made a motion to adopt ordinance 2011-24. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

ORDINANCE NO. 2011-25

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, APPROVING THE VILLAGE'S PARTICIPATION IN THE PJM DEMAND RESPONSE PROGRAMS AND THE EXECUTION OF A DEMAND RESPONSE SERVICE SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC.

The 1st reading was completed.

ORDINANCE NO. 2011-26

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF A POWER SALES CONTRACT WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING THE PARTICIPATION IN THE AMP FREMONT ENERGY CENTER.

The first reading was completed.

Resolutions

Mr. Stallard moved to table resolution 2011-01. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

RESOLUTION NO. 2011-01

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

The second reading has been completed.

RESOLUTION NO. 2011-03

A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO SUPPORTING THE CLOVERLEAF LOCAL SCHOOLS

The 1st reading was completed.

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RESOLUTION NO. 2011-04

A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS FOR ZONING PERMIT APPROVALS FOR SWEEPSTAKES/INTERNET CAFES AND THE ISSUANCE OF SUCH APPROVALS; AND DECLARING AN EMERGENCY.

Mr. Stallard moved to add emergency language. The motion was seconded by Mr. Barbera. The motion passed unanimously.

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 resolution 2011-04. The motion was seconded by Mr. Barbera. The motion passed unanimously and the ordinance was adopted.

Old Business

None

New Business

The Seville Food Pantry has asked if the Village would be willing to move the records room at 6 Spring Street to the basement of the building to give the Pantry more room. Council decided not to move the records because of potential damage to the records by the damp conditions in the basement.

Mr. Stallard made a motion to suspend the rules of council and add ordinance 2011-27 to the agenda. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

ORDINANCE NO. 2011-27

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ENTERING INTO A SETTLEMENT AGREEMENT, MUTUAL RELEASE & COVENANT NOT TO SUE WITH MARK MILTON, AND DECLARING AN EMERGENCY.

Mr. Stallard moved to add emergency language. The motion was seconded by Mr. Barbera. The motion passed unanimously.

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

Mr. Stallard moved to adopt ordinance 2011-27. The motion was seconded by Mr. Lovejoy. The motion passed unanimously and the ordinance was adopted.

Mr. Stallard made a motion to adjourn. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

The meeting adjourned at 9:20 PM.



CAROL CARTER - MAYOR



JAMES CARRICK-FISCAL OFFICER