

VILLAGE OF SEVILLE
October 14, 2014
Council Minutes

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

The meeting began with the Pledge of Allegiance.

Present: Rick Stallard (president), Larry Landis, Carol Carter, Kathy Rhoads, Brad Demiter

Absent: Leslie Miller

At the Mayor's request, Mr. Stallard moved to amend the agenda to move the introduction of the new Zoning Inspector to the beginning of the meeting. The motion was seconded by Mr. Landis. The motion passed unanimously.

The Mayor announced that the father of Seville Police Officer Adam Houck passed away and the other officers will be covering Officer Houck's shifts.

After reviewing and interviewing the six applicants, the Mayor introduced Tom Clarkson as the new Zoning Inspector. Mr. Clarkson will be meeting with the former Zoning Inspector to ensure a smooth transition.

Mr. Landis moved to approve the bills from 09-08, 09-15, 09-22, 09-29, and 10-06. The motion was seconded by Mrs. Carter. The motion passed unanimously.

Mr. Stallard moved to approve the minutes from the 09-08 regular meeting. The motion was seconded by Mr. Rhoads. The motion passed unanimously with the exception of Mr. Demiter who abstained.

Mrs. Carter moved to approve the minutes from the 09-22 special meeting. The motion was seconded by Mr. Landis. The motion passed unanimously with the exception of Mrs. Rhoads who abstained.

Mr. Landis moved to approve the minutes from the 10-06 special meeting. The motion was seconded by Mr. Stallard. The motion passed unanimously with the exception of Mrs. Carter who abstained.

Mr. Landis made a motion to have the Fiscal Officer be the representative for Public Records Training for all of Council and the Mayor. The motion was seconded by Mr. Stallard. The motion passed unanimously.

Mrs. Rhoads made a motion to allow the Village to obtain a credit card for Street Superintendent Jon Sobczak. The motion was seconded by Mr. Landis. The motion passed unanimously.

Privilege of the floor

Village resident Barb Schwartz noted that Council had not approved of the Mayor's appointment of the new Zoning Inspector. Council will approve the appointment during "new business".

Mrs. Schwartz asked what cuts or reductions would be made if the either or both levies on the November ballot failed. Mr. Landis responded by saying that there would be no

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immediate cuts some of the long term plans for Streets and Parks would have to be changed. Mr. Landis noted that the return of the Kilowatt hour tax to the residents is a possibility if the levies pass. The ¼ percent reciprocity on the income tax has not been discussed by Council.

Mrs. Schwartz asked why the police levy went from a continuing to a 5 year levy. Mr. Landis said that depending on the income tax, the money may not be needed in five years.

Mrs. Schwartz asked why the amount of the raise for the police chief in the ordinance passed by Council, was never discussed at a public meeting. The recommendation was made at a Safety Committee meeting to return the Chief to his 2009 pay level. Because of the reduction in 2010, several other officers were making more than the Chief. Mrs. Schwartz was concerned that Council was not thinking about the residents when they gave, in Council's words "a sizable and substantial pay raise" to the police chief. Mrs. Schwartz asked if any thought was given to the resident that lost both the return of the Kilowatt Hour Tax and the ¼ percent reciprocity tax in 2007. Mrs. Schwartz noted that many residents had to pay a penalty and interest charge because the income tax change was made retroactively. Mr. Landis said there was no discussion on reviewing the 2007 Council decisions on the removal of the ¼ percent tax. Mayor Sulzener said that Council was thinking about the residents. The intent of the police levy was to provide a more consistent level of funding for the police department. The second intent of the levy was to free up more money in the General Fund to make more money available for street projects and that over the next 5 to 10 years there are streets that will have to be completely redone. The larger projects will cost substantially more money than in coming in right now.

Mrs. Schwartz asked what the ideal ratio for business to individual income tax was for the Village. It was determined that a 60-40 ratio is ideal and that Seville should be trying to get more businesses to move to Seville to improve the ratio. Mrs. Carter noted that she was against the raise for the Police Chief. Mrs. Schwartz also that none of the discussion on the raise was in any of the meeting minutes. Mrs. Schwartz asked that the minutes be more detailed when discussions like this are held.

Mayor Sulzener noted that while the Chief had received increase since 2009, all of the other officers had received the same rate increases. He also encouraged all residents to attend committee meetings to get more details on any subject than are contained in the minutes.

Mrs. Schwartz asked that Council consider the Kilowatt Hour Tax, the ¼ percent reciprocity, and more detailed minutes.

BOPA President Kieran O'Rourke noted that the Kilowatt Hour Tax was not being returned to BOPA but to the rate payers. He also noted that BOPA's celebration of 100 years of public power in Seville would be taking place at an open house at 5:00 PM prior to the October 20th BOPA meeting. Everyone is welcome and encouraged to attend. The event will be put on the Village web-site.

Solicitor's Report-Ted Lesiak announced he would not be able to attend the regular Council meeting on November 10th. His assistant Brandon Pauley will be at the meeting in Mr. Lesiak's place.

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Summary of committee activity:

Finance-Larry Landis gave the report
Safety-There was no report
Cemetery-There was nothing to report
Government- Rick Stallard gave the report
Parks/Streets-Kathy Rhoads gave the report
Zoning- Rick Stallard gave the report
Utilities-Carol Carter gave the report

Ordinances under consideration:

The Finance Committee has recommended ordinance 2013-47 remain tabled.

ORDINANCE NO. 2013-47

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN
AGREEMENT WITH _____ FOR INFORMATION
TECHNOLOGY SERVICES FOR THE VILLAGE.**

The ordinance was tabled on November 12, 2013. The second reading is complete. The ordinance remained tabled.

Ordinance 2014-08 was tabled on 04-14-2014 pending funding. The Finance Committee recommended the ordinance remained tabled.

ORDINANCE 2014-08

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
DECLARING THE STRUCTURE UPON THE PROPERTY LOCATED AT 26
WARNER STREET TO BE UNSAFE AND A PUBLIC NUISANCE PURSUANT TO
SECTION 409 OF THE SEVILLE VILLAGE ZONING ORDINANCE AND OHIO
REVISED CODE SECTION 715.26, ORDERING ITS DEMOLITION AND
REMOVAL.**

The second reading is complete. The ordinance remained tabled.

Ordinance 2014-09 was tabled on 04-14-2014 pending funding. The Finance Committee recommended the ordinance remain tabled.

ORDINANCE 2014-09

**AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
DECLARING THE STRUCTURE UPON THE PROPERTY LOCATED AT 25
CENTER STREET TO BE UNSAFE AND A PUBLIC NUISANCE PURSUANT TO
SECTION 409 OF THE SEVILLE VILLAGE ZONING ORDINANCE AND OHIO
REVISED CODE SECTION 715.26, ORDERING ITS DEMOLITION AND
REMOVAL.**

The second reading is complete. The ordinance remained tabled.

2014-39

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AN ORDINANCE AUTHORIZING THE SUPERINTENDENT OF THE BOARD OF PUBLIC AFFAIRS TO EXECUTE 2015 NON-POOL POWER SALES SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. ("AMP").

The third reading was completed.

Mr. Landis moved to adopt ordinance 2014-39. The motion was seconded by Mrs. Carter. The motion passed unanimously.

2014-40

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, APPROVING THE MEDINA COUNTY BUDGET COMMISSION'S BUDGET FOR THE VILLAGE OF THE YEAR 2015.

The third reading was completed.

Mr. Stallard moved to adopt ordinance 2014-40. The motion was seconded by Mrs. Carter. The motion passed unanimously.

2014-42

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING ORDINANCE 2013-08 ESTABLISHING AN EMPLOYEE HANDBOOK SETTING FORTH THE PERSONNEL POLICIES AND PROCEDURES FOR VILLAGE EMPLOYEES. (Maximum travel expense \$1,000)

The third reading was completed.

Mrs. Carter moved to adopt ordinance 2014-42. The motion was seconded by Mr. Landis. The motion passed unanimously.

2014-47

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ACCEPTING THE PETITION FOR AN EXPEDITED TYPE 2 ANNEXATION OF APPROXIMATELY .4450 ACRES FROM GUILFORD TOWNSHIP TO THE VILLAGE OF SEVILLE, WITHOUT DETACHING THE LAND FROM THE TOWNSHIP.

The third reading was completed.

Mr. Stallard moved to adopt ordinance 2014-47. The motion was seconded by Mrs. Carter. The motion passed unanimously.

2014-48

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ESTABLISHING THE ZONING OF APPROXIMATELY .4450 ACRES OF ANNEXED LAND FROM GUILFORD TOWNSHIP.

The third reading was completed.

Mrs. Rhoads moved to adopt ordinance 2014-48. The motion was seconded by Mrs. Carter. The motion passed unanimously.

2014-49

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, RATIFYING AND CONFIRMING THE RENEWAL OF AN EXISTING AGREEMENT WITH THE MEDINA COUNTY PUBLIC DEFENDER COMMISSION RELATIVE TO THE COST OF INDIGENT REPRESENTATION.

The first reading was completed.

Mrs. Rhoads moved to suspend the three reading rule for ordinance 2014-49. The motion was seconded by Mrs. Carter. The motion passed unanimously.

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Mr. Stallard moved to add emergency language to ordinance 2014-49. The motion was seconded by Mrs. Rhoads.

Mr. Stallard moved to adopt ordinance 2014-49. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

2014-50

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING ORDINANCE NO. 2014-21 ESTABLISHING THE SALARY AND THE BENEFITS OF THE VILLAGE FORESTER, AND DECLARING AN EMERGENCY.

The first reading was completed.

Mr. Lesiak explained the reasons for emergency language on any ordinance. In this case the Forester that had been hired previously quit and there is an issue that requires a Forester's attention.

Mrs. Rhoads moved to suspend the three reading rule for ordinance 2014-50. The motion was seconded by Mrs. Carter. The motion passed unanimously.

Mr. Stallard moved to add emergency language to ordinance 2014-50. The motion was seconded by Mrs. Rhoads.

Mr. Stallard moved to adopt ordinance 2014-50. The motion was seconded by Mrs. Rhoads. The motion passed unanimously.

2014-51

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MEDINA COUNTY, OHIO RELATIVE TO THE PURCHASE OF MATERIALS.

The first reading was completed.

2014-52

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR TO ENTER INTO A MAINTENANCE AGREEMENT WITH HARRISVILLE TOWNSHIP AND THE VILLAGE OF SEVILLE.

The first reading was completed.

2014-53

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER RENEW A CONTRACT WITH THE PUBLIC ENTITIES POOL OF OHIO THROUGH PLUMER INSURANCE AGENCY FOR THE PROVISION OF LIABILITY INSURANCE FOR THE VILLAGE.

The first reading was completed.

Mr. O'Rourke asked if the new policy had been received yet. The policy has not been received at this time but everyone will be provided a copy as soon as possible.

2014-54

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 2015.

The first reading was completed.

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This ordinance will be affected by the success or failure of the levies on the November ballot.

2014-55

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
APPROVING THE VILLAGE'S BUDGET FOR THE YEAR 2015.
The first reading was completed.

RESOLUTIONS:

Resolution 2014-16 was tabled on September 8th. The Finance Committee has recommended that the ordinance remain tabled.

RESOLUTION 2014-16

A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
AUTHORIZING THE FISCAL OFFICER TO ADVERTISE FOR BIDS FOR
DEMOLITION OF 26 WARNER STREET AND 51 WEST MAIN STREET.
The second reading is complete. The resolution remained tabled.

Old business:

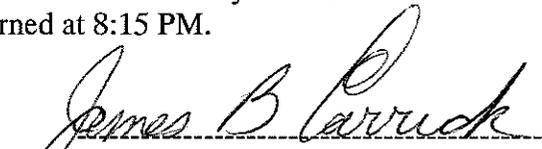
Mr. Lesiak noted that Council approval of the new Zoning Inspector is not required. As a show of support, Mr. Landis moved to approve the selection of Tom Clarkson as the Zoning Inspector. The motion was seconded by Mr. Stallard. The motion passed unanimously.

New Business:

Council observed a moment of silence to honor former Village employee Jon Barnes who passed away in September.

Mr. Landis moved to adjourn. The motion was seconded by Mrs. Carter. The motion passed unanimously. The meeting adjourned at 8:15 PM.


Gene Sulzener-Mayor


James Carrick-Fiscal Officer