

# VILLAGE COUNCIL MEETING MINUTES

**Location:** 120 Royal Crest Drive, Seville, OH 44273  
Council Chambers  
**Date:** 4/10/2023

## **MEETING DETAILS:**

Meeting Chairwoman: Leslie Miller

Recorder: Lisa Nemastil

The meeting was called to order at 7:00 p.m.

The meeting started with the Pledge of Allegiance and a prayer.

## **ATTENDEES:**

Leslie Miller

Sue Frey

Kathy Rhoads

Rick Veirheller

Matt Sturgeon

Mayor Carter

## **ABSENT:**

Brad Demiter

**AMENDMENTS TO AGENDA:** Leslie Miller made a motion to add Ordinances 2023-21, 2023-22, 2023-23, 2023-24, 2023-25 and 2023-26 to the agenda to be read this evening under Ordinances under Consideration. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

Sue Frey made a motion to move Old Business, discussion of Fiscal Officer Training to Privilege of the Floor. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

## **APPROVAL TO PAY BILLS:**

Mrs. Rhoads made a motion to approve to pay the bills. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

## **APPROVAL OF MINUTES:**

Mr. Vierheller made the motion to approve the minutes from March 13<sup>th</sup>, 2023. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

## **APPROVAL OF FINANCIAL REPORTS:**

Mrs. Rhoads made the motion to approve the financial reports from February 28th, 2023. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

## **PRIVILEGE OF THE FLOOR:**

- Mark Farnham of Wichert Insurance Agency took the floor to request the opportunity to bid on health insurance for the Village of Seville. Mr. Farnham will put together a spreadsheet for comparison and review for consideration around May or June.
- Susana Lewis, candidate for Wadsworth Municipal Court Judge and current Chief Magistrate of the Medina County Probate & Juvenile Court, took the floor to introduce herself. Ms. Lewis provided information on her background and experience as well as her various community engagement projects she is involved in. Ms. Lewis thanked everyone for their time and asked all to consider her when voting on the open seat for Judge this year.
- Fiscal Officer Training (moved from old business) Mayor Carter stated that after further review she would like to stop Fiscal Officer training for Tiffany Shultz which is being performed by the current Fiscal Officer, Jim Carrick. Mayor Carter stated that going forward, when this position becomes available it will be advertised to the public, and an interview process will take place before an individual is hired for the Fiscal Officer position. At which time an UAN representative will perform all

the training to make sure that the new Fiscal Officer is trained on the current and up to date procedure and processes to perform the duties accurately.

- Mrs. Miller made a motion to stop the Fiscal Officer training at the expense of the Village. Mr. Vierheller seconded.
- Mayor Carter opened the topic up for discussion. Mrs. Frey questioned why the training should stop? Mayor Carter explained that after further review, the meetings since the training and the amount of money paid for the training when our current Fiscal Officer was trained by a Fiscal Officer and UAN representative of Westfield Township. A position for a Fiscal Officer should be advertised and interviewed for and we already have a back-up available which is Ray Ruprect from Guilford Township. Mr. Sturgeon explained that the Village has paid approximately \$3,300 to date for training so far and the process expectations, standard and curriculum isn't well defined. Mr. Sturgeon agreed with Mayor Carter that we need to stop training. Mr. Carrick explained that he does have a curriculum and the money was in the budget under training. Sue Frey again questioned why because Mrs. Shultz is doing the training and Council approved it. Mayor Carter responded that they are reevaluating, when it first started she was going to still be working for BOPA as the Officer Manager and the Fiscal Officer and that loses the checks and balances. When it is time we will advertise for the position and she is more than welcome to apply for it just like anybody else but we can't continue to spend money. Mrs. Frey inquired when her intentions are to start the process saying that training takes time. Mayor Carter was not sure of the time. Mrs. Rhoads brought up a concern because she didn't understand why we were paying for the training because it seemed like there may be double dipping since Mrs. Shultz is receiving her full salary from BOPA and is also getting additional monies from the Village all during the same workday for training. Mrs. Rhoads also said that at the time of bringing Tiffany on for training there wasn't a clear understanding among everyone on Council as to if she was being trained just to back-up the next Fiscal Officer or if she was taking on that position. Mrs. Rhoads also had concerns because it is her understanding that BOPA will not be immediately filling Mrs. Shultz position and she is also concerned about the checks and balances. When the Fiscal Officer position is available she is welcome to apply and she would be a viable candidate. Mrs. Rhoads would like any grey area to be cleared up before we move forward. Mrs. Miller stated that she too thought that the training was just for back-up. Mrs. Miller questioned how much more training will be needed and Mr. Carrick didn't know off the top of his head. Mr. Vierheller questioned why the Village would pay to train her if we are going to open up the position for interviews. It should be an equal playing field and she can train whether at a college or elsewhere but it shouldn't be at the Village's expense. Brian Greer, President of BOPA Trustees, took the floor to thank Council and agreed that more should have been discussed on the front end and not to put the poor planning against Mrs. Shultz and asked Council to make a final decision to end it or not. Mrs. Rhoads explained that this is not personal and is nothing against Mrs. Shultz, Council just needs to get some things straightened out. Mr. Sturgeon empathized with Mrs. Shultz understanding this may be stressful for her to go through and throughout this experience we have learned that we need to be a little bit more organized on what the deliverables will be and have expectations established. The Mayor also apologized. Mr. Carrick asked if the training was to stop effective immediately and the Mayor confirmed that the training was to stop immediately.

- Roll Call: Vierheller – Aye, Miller – Aye, Rhoads – Aye, Sturgeon – Aye, Frey – No. Motion Passes.

- Mayor Carter presented a plaque that has been accepted to be displayed in the Akron 9<sup>th</sup> District Court of Appeals conference room. The plaque is a picture of the "Giants" which included the following caption, "Village of Seville, Medina County, Ohio Home of Captain Martin Van Buren Bates 7'9" and Anna Swan Bates 7' 11" 1870's founded in 1816 The Village of Seville found its way into the Guinness Book of World Records for the largest human life birth known to medical history when Anna gave birth to a son, Babe, weighing 23.75 pounds 30" long." The Mayor will get a time for when she can set it up for dedication.

**SOLICITOR'S REPORT:** Mr. Randolph gave the Solicitor's report on behalf of Mr. Lesiak. Mr. Randolph spoke regarding employee medical injury. If an employee receives a bill for an injury that occurred on the job. The Village should pay that bill and then turn it into Worker's Comp. When the claim is paid by Worker's Comp then the Village can be reimbursed. Mr. Randolph also stated that the planning commission can create an ad-hoc committee to review changes to the zoning code, members can be chosen by the

planning commission and can be whoever, the ad-hoc committee can meet with the consultant as needed and when the new codes is complete, once the new code is complete the ad-home committee will give the new code to the planning committee for an official recommendation to Council and then that is when Council will adopt the new code by ordinance. Mr. Sturgeon spoke with the Medina County Planning Office to go over the plan to revise the current zoning code and our timeline is good and he provided our scope of work. Mr. Sturgeon proposed that we also send this to the finance committee because we may have the opportunity to match the contribution due to the legal fees incurred to review the new zoning code. Mr. Randolph said that Mr. Lesiak may be able to get a quote on the cost to review the code and explained that by assembling the ad-hoc committee it will help lower the cost in legal fees that way. Lastly, Mr. Randolph announced that the Federal claim appeal has been dismissed. The only thing at the Federal Court now are the claims from the 1983.

**COMMITTEE REPORTS:**

**Government – Sue Frey**  
**Board of Public Affairs – Brad Demiter**  
**Streets & Parks – Kathy Rhoads**  
**Safety – Rick Vierheller**

**Finance – Kathy Rhoads**  
**Zoning – Matt Sturgeon**  
**Cemetery – Rick Vierheller**

**ORDINANCES UNDER CONSIDERATION:**

**2022-54**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE SUPERINTENDENT OF THE BOARD OF PUBLIC AFFAIRS TO ENTER INTO A REAL ESTATE SALES AGREEMENT AND EASEMENT AGREEMENT WITH JOYCE E. FARNSWORTH. Mr. Vierheller made a motion to remove the ordinance from the table. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes. The third reading was completed. Mrs. Rhoads made a motion to **adopt** ordinance 2022-54. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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Ordinance 2022-63 was tabled on 11-14 pending a decision by BOPA.

**2022-63**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE SUPERINTENDENT OF THE BOARD OF PUBLIC AFFAIRS TO ENTER INTO AN AGREEMENT WITH \_\_\_\_\_ FOR EXPANSION OF THE WASTEWATER TREATMENT PLANT. The second reading is complete. The ordinance remained tabled.

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Ordinance 2023-04 was tabled on 03/13/2023. Ordinance remained tabled.

**2023-04**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO APPROVING THE MINUTES AND ADOPTING THE RECOMMENDATIONS FROM THE SEVILLE HOUSING COUNCIL/TAX INCENTIVE REVIEW BOARD. The second reading is complete.

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Ordinance 2023-04 was tabled on 03/13/2023. Ordinance remained tabled.

**2023-05**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO APPROVING THE MINUTES AND ADOPTING THE RECOMMENDATIONS FROM THE SEVILLE HOUSING COUNCIL/TAX INCENTIVE REVIEW BOARD FOR THE "CREATIVE" AGREEMENTS. The second reading is complete.

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Ordinance 2023-09 was tabled 02/13/2023. This ordinance remained tabled.

**2023- 09**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE REEMPLOYMENT OF DONALD BURSON AS CHIEF OF POLICE, AND DECLARING AN EMERGENCY. The first reading was complete 01/09/2023.

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**2023-11**

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

The third reading was completed. Mrs. Frey made a motion to **adopt** ordinance 2023-11. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-13**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO ESTABLISHING ADDITIONAL PARKING REGULATIONS.

The third reading was completed. Mrs. Rhoads made a motion to **adopt** ordinance 2023-13. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-17**

AN ORDINANCE AMENDING ORDINANCE 2020-20 ADOPTING RULES AND REGULATIONS GOVERNING PUBLIC PARKS WITHIN THE VILLAGE AND ASSESSING PENALTIES FOR VIOLATION OF SAID RULES AND REGULATIONS.

The third reading was completed. Mr. Sturgeon made a motion to **adopt** ordinance 2023-17. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-18**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE VILLAGE OF SEVILLE TO CONTINUE TO PARTICIPATE IN THE MUNICIPAL LEAGUE WORKERS' COMPENSATION GROUP RATING PROGRAM FOR THE YEAR 2023.

The second reading is complete.

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**2023-20**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH \_\_\_\_\_ FOR REPAIRS AND/OR CONSTRUCTION OF CERTAIN SIDEWALKS WITHIN THE VILLAGE.

The first reading is complete.

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**2023-21**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO ACCEPTING AN EASEMENT AGREEMENT WITH THE SEVILLE HISTORICAL SOCIETY, INC. AND DECLARING AN EMERGENCY.

Mr. Vierheller made a motion to add emergency language and suspend the three reading rule. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes. Mr. Sturgeon made a motion to **adopt** ordinance 2023-21. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-22**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE SUPERINTENDENT OF THE BOARD OF PUBLIC AFFAIRS TO ENTER INTO A LICENSE AGREEMENT WITH CSX TRANSPORTATION, INC.

The first reading is complete.

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**2023-23**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ACCEPT A GRANT FROM THE FY 2023 APPROPRIATIONS ACT FROM THE ENVIRONMENTAL PROTECTION AGENCY.

Mrs. Frey made a motion to add emergency language and suspend the three reading rule. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes. Mr. Vierheller made motion to **adopt** ordinance 2023-23. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-24**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AUTHORIZING THE MAYOR AND THE FISCAL OFFICER TO ENTER INTO A LEASE AGREEMENT WITH ZACHERY ROLLINS DBA WLZR LLC, AND DECLARING AN EMERGENCY.

Mrs. Miller made a motion to add emergency language and suspend the three reading rule. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes. Mrs. Rhoads made motion to **adopt** ordinance 2023-24. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-25**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BIG IMPACT ONLINE, LLC FOR INFORMATION TECHNOLOGY SERVICES.

Mrs. Miller made a motion to add emergency language and suspend the three reading rule. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes. Mr. Sturgeon made motion to **adopt** ordinance 2023-25. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-26**

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO PROVIDING ZONING CODE SERVICES FOR THE VILLAGE.  
The first reading is complete.

**RESOLUTIONS UNDER CONSIDERATION:**

**2023-04**

A RESOLUTION OF COUNCIL AND OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE FISCAL OFFICER TO ADVERTISE FOR BIDS FOR THE SALE OF THE FORMER BOARD OF PUBLIC AFFAIRS OFFICE PROPERTY LOCATED AT 44 AND 46 WEST MAIN STREET WITHIN THE VILLAGE AND DECLARING AN EMERGENCY.

The second reading has been completed. Mr. Sturgeon made a motion to **table** resolution 2023-04. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-06**

A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING THE FISCAL OFFICER TO ADVERTISE FOR BIDS FOR SIDEWALK REPAIRS AND REPLACEMENT AND DECLARING AN EMERGENCY.

Mrs. Miller made a motion to add emergency language and suspend the three reading rule. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes. Mrs. Rhoads made motion to **adopt** resolution 2023-06. *Roll call: Frey – Aye, Rhoads – Aye, Vierheller – Aye, Miller – Aye, Sturgeon – Aye.* Motion passes.

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**2023-07**

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

The first reading is complete.

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**NEW BUSINESS: NONE**

**OLD BUSINESS:** Fiscal Officer Training – discussed under privilege of the floor.

**ADJOURNMENT:**

Mrs. Miller moved to adjourn the Council meeting. Mr. Sturgeon seconded that motion, all were in favor. The meeting ended at 8:20 p.m.

Minutes approved by: X *Carol Carter*  
Carol Carter, Mayor

X *James Carrick*  
James Carrick, Fiscal Officer