

**VILLAGE OF BALTIMORE**  
**COUNCIL MEETING**  
**September 26, 2016**  
**7:30 p.m.**

Mayor Bradley Nicodemus opened the meeting at 7:33 p.m. with the Lord's Prayer and Pledge of Allegiance.

ROLL CALL: Members of Council present were Chuck Keller, Mike Hamilton, Bob Hankison, and Dwayne Mohler. Tony House and Jim Hochradel were absent. Also present were Mayor Bradley Nicodemus, Fiscal Officer Kathryn Jenkins, Solicitor Jeff Feyko, and Police Chief Mike Tussey.

APPROVAL OF MINUTES: Hankison moved to approve the minutes of September 12, 2016; Hamilton seconded. Minutes were adopted in a roll call vote, 4-0.

APPROVAL OF AGENDA: The Mayor asked that a motion authorizing the Village Administrator to prepare and submit a grant request to the Ohio Public Works Commission be added under motions and that Keller be added as the sponsor of Ordinance 9-26-2016-1. Keller moved to accept the agenda as amended. Hankison seconded. The motion was affirmed in a 4-0 roll call vote.

VISITORS: Charles Prince, Heidi Comstock, Tiffanie Chalfant

PUBLIC COMMENT: Tiffanie Chalfant on Factory Street, who has started the Facebook page We Love Our Town Baltimore Ohio, said that the thrust of the page is positive and to come together to solve problems. Almost daily, someone raises a question about or posts pictures showing "yellow water" in the Village. Their biggest concern, she said, is that no one from the Village comes to collect a water sample. Some page contributors have threatened to take their concerns to news channels if they don't get answers.

Heidi Comstock, who recently moved from Monroe to E. Market St., said her husband urged her to stop complaining online and take concerns from Facebook to the Village to get them resolved; that's what they're doing. The water quality has gone from milky to orange and does not taste good. Comstock said she called the EPA and received an update about what is being done, but she's not happy that her family of five is paying \$200 a month for "disgusting" water. Cleaning out the hot water helped, and in the last few days water has been clear and good.

The Mayor said his impression of the Facebook page is that it is a "negative bitch fest," starting with a post in the spring about a swing in a Village park that actually had been vandalized and was not reported to the Village. He asked for the names of those who say they requested water samples from the Village so that he could follow up. The Mayor said that some social media posters complained about the condition of their streets, yet when he had a two-hour open house for residents to make street resurfacing suggestions, only three people attended. Complaining on social media is not the way to get things done, he emphasized; calling the Village office is. When a resident calls about a water problem, the Village Administrator dispatches someone to collect a sample at that location. Mohler said that there were probably 50 samples in the hall.

The Mayor described the steps VOB has taken to correct water issues, including flushing lines, flushing again, and draining and cleaning the elevated water tank. After an ortho phosphate and polyphosphate injection of the system, which awaits EPA approved, the next step will be another complete flush. The Village has been working with Ohio Rural Water as it figures out how to define, isolate, and fix the issues, which seem to affect only certain areas and only intermittently. He said that if residents plan to clean their hot water tank, let the Village know and the Village will instruct them on how to take water readings before and after cleaning the tank so that those gallons can be deducted from water bills. Some residents may have to flush hot water tanks again after the distribution system flush.

Issues may not be resolved until late 2016 or early 2017, but the EPA is in the loop and knows how hard VOB is working to identify and fix problems.

Chalfant said that she and Comstock wanted to be able to speak positively on behalf of the Village and be able to tell page participants what they need to do to help themselves and the Village.

The Mayor told them that there's a place on the Village's website for residents to file a complaint that

goes directly to the Village Administrator.

Comstock said she recently moved to a house across the street from RP3, a bar. She described numerous problems she has witnessed in the 26 days since living there, including loud music; a broken fence; and patrons throwing a broken table at the window of a second-floor room where kids were sleeping, breaking into vehicles, and getting behind the wheel when they can hardly stand up. When she saw the table being thrown at the window, she called police.

Chief Tussey said one problem is that the Village has only part-time policing overnight and never any more than one officer on duty. When RP3 opened in 2013, the Chief said he got probably 25 or 30 phone calls about the clientele being Nazis and bushwhacking people. The department's policy provides zero tolerance for drunken drivers, but staffing doesn't allow for an officer to be parked outside the bar every night to enforce it.

The Chief urged those who have complaints about a bar to report them because the Chief needs a history of complaints for the Liquor Control Board to take action against a permit holder. Comstock said she is not looking to pull anyone's liquor license or spoil anyone's fun, but she doesn't want patrons to hurt anyone by driving drunk either. She fears retaliation by patrons against herself or her family. The Chief said there's no requirement for a caller to provide his or her name when calling in a complaint. Calls are entered in the Computer Assisted Dispatch, which allows an officer to quickly see how often there's been a problem at that location. When no calls are received, nothing is entered in the CAD.

VILLAGE ADMINISTRATOR'S REPORT: The Mayor delivered the Village Administrator's report as Teri Wise is at the International City and County Management Association conference in St. Louis. Work continues on the Ohio Public Works Commission grant application; the VA will consult with District 17 representative Sue Spiker for feedback and suggestions before she submits it.

VOB awaits EPA approval of its ortho phosphate and polyphosphate injection plans. The elevated tank was back up on Friday, and the water from it looks clear. The tank was rated 4 on a 10-point ascending scale. VOB awaits the inspection report containing a suggested 5-year maintenance plan for the tank and costs.

The Board of Zoning Appeals will hear two setback variance requests for residential additions at its meeting October 13. The VA continues to work with Chief Tussey on zoning issues. Rules will provide an update on sewer and water. The VA participated last week in the Lancaster Fairfield County Community Action Curbside Recycling panel.

FINANCE COMMITTEE: Keller said Finance met tonight and continues to watch its spending on Streets, Water and Wastewater. The Committee went over the OPWC application and is forwarding appropriations changes for Council approval.

SERVICE COMMITTEE: House is absent. The Committee will next meet on October 10.

SAFETY COMMITTEE: The Committee will meet after tonight's Council meeting.

RULES COMMITTEE: The Committee met for over two hours September 19 and answered all the questions Jim Hochradel had, finding disagreement on only a couple of points. The next meeting will be held at 6 p.m. October 3 and include a discussion of the job description for the Village Engineer. Updated water and wastewater rules may be presented at the next Council meeting.

FIRE BOARD REPORT: Mohler handed out August minutes. The fire district's chief and assistant chief have been meeting with various organizations about the November ballot request. All equipment is in service. Hamilton asked Mohler to find out how many levies the department has and how many mills they raise.

PLANNING COMMISSION: The Board of Zoning Appeals will consider two variance requests on October 13, and the Planning Commission will begin to review Fairfield County Regional Planning

Commission's proposed changes to the VOB Zoning Code.

SOLICITOR: Three new pieces of legislation on the agenda will have to be held to first readings since two councilmen are absent. Two have been through committee; one is an ordinance passed annually adopting the updates to VOB's codified ordinances as prepared by American Legal Publishing.

POLICE: Police took a report this morning from a resident of South Main who said that a car was gone, along with one of two overnight guests. The car was found in Lancaster where it had hit a telephone pole; police are still trying to unwind exactly what happened.

The Mayor, Kristie Sisson and the Chief have been meeting with agencies in the county, including the school, Harcum House, the sheriff's office, and Lancaster PD. An addiction recovery facility in Florida flew two representatives to Ohio after seeing the recent Eagle Gazette story, and has offered seven treatment beds (about \$28,000 per bed) for rehabilitation. Tussey will meet Tuesday with the director of nursing at Fairfield Medical Center, which is interested in partnering with Baltimore in cases where detox is needed before a person is sent for treatment out of state. The ministerial association is supportive and will try to recruit the needed volunteers from their congregations. The group is now working to raise money from some corporate donors and civic organizations to fund one-way airline tickets to out-of-state treatment (Florida), which includes some time at a halfway house with a part-time job and help finding an apartment and fulltime job. The success rate for people who rehab while staying in their home community is only about 10 percent, but it's about 60 percent when the addict is removed from familiar surroundings and relocates elsewhere.

The Chief said that Lancaster has asked for Baltimore's help in starting a program there. The sheriff's office is planning to get a representative from the Florida treatment facility to talk with jail staff in Hocking, Perry and Fairfield counties to help addicts under the age of 26 access recovery help through their parents' health insurance, which will open up treatment options.

An ongoing drug abuse problem has been reported to police that is complicated and also involves zoning.

In recent tobacco/alcohol compliance checks of area businesses, several violations were discovered.

The department will evaluate a drug resistance program being touted by the Patrol that relies on the participation of student leaders, especially athletes.

Residents have reported a flurry of counterfeit checks. The checks come in a cardboard mailer and look very real. Recipients are asked to cash the check and take out a certain amount of money and send the rest to the sender as a processing fee. The Colorado bank on which the checks are drawn "was not amused" when the Chief called them.

MAYOR: The Ohio History Connection Open Doors event on September 18 was well attended.

Because Rumpke has not been responsive to the Village's complaints, the Mayor has put up an online survey asking if residents want recycling to be part of VOB's next contract. So far, 77 percent of respondents do. Hamilton said Waste Management recycles all of their trash; other services also are available. Mohler said Rumpke's price is a lot lower than he used to pay and he has no complaints.

FISCAL OFFICER: The Village had its Budget Commission hearing at the beginning of August and Council passed rates and amounts during the second meeting of August.

Mohler said he asked Rumpke to remove one smelly trash can from 804 W. Market St.; it resulted in a \$150 bill to the Village, apparently for the unpaid trash bill at that residence. The FO said the charge will be assessed to the property owner.

MOTIONS: Keller moved to approve the August financials; Hankison seconded. The motion was affirmed in a 4-0 roll call vote. Keller moved to authorize the VA to prepare and sign

documents for the OPWC application. Hankison again seconded and all present voted in favor of the motion in a 4-0 roll call vote.

ORDINANCES and RESOLUTIONS:

FIRST READINGS:

ORDINANCE 9-26-2016-1

“AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES IN CONFLICT THEREWITH; AND THE DECLARATION OF AN EMERGENCY” – SPONSOR: KELLER

The ordinance will have a second reading October 10.

RESOLUTION 9-26-2016-2

“A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), TO EXECUTE CONTRACTS AS REQUIRED, AND THE DECLARATION OF AN EMERGENCY” – SPONSOR: HANKISON

The ordinance will have a second reading October 10.

ORDINANCE 9-26-2016-3

“AN ORDINANCE TO AMEND THE 2016 APPROPRIATIONS ORDINANCE” – SPONSOR: HANKISON

The ordinance will have a second reading October 10.

SECOND READINGS:

ORDINANCE 9-12-2016-1

“AN ORDINANCE AMENDING CHAPTER 452 OF THE BALTIMORE CODIFIED ORDINANCES (PARKING) TO LIMIT TRAVEL TRAILER AND RECREATIONAL EQUIPMENT PARKING, AND THE DECLARATION OF AN EMERGENCY” SPONSOR: HANKISON

Safety Committee will discuss this ordinance tonight, so any proposed changes will be presented before the third reading at the October 10 meeting.

RESOLUTION 9-12-2016-2

“A RESOLUTION EXPRESSING THE VILLAGE’S INTENT TO SELL SURPLUS VILLAGE PROPERTY BY INTERNET AUCTION, AND THE DECLARATION OF AN EMERGENCY” SPONSOR: HOCHRADEL

This resolution allows the VA to sell the Mustang and two pickup trucks online. A third reading will be scheduled for October 10.

ORDINANCES and RESOLUTIONS (CONT.):

TABLED ORDINANCE:

ORDINANCE 6-27-2016-2

“AN ORDINANCE TO AMEND CHAPTER 1276 (PLANNING & ZONING CODE – SPECIAL REGULATIONS) OF THE BALTIMORE CODIFIED ORDINANCES TO ADOPT A SIDEWALK INSTALLATION POLICY AND THE DECLARATION OF AN EMERGENCY” – SPONSOR: KELLER

No action taken.

SUSPENDED ORDINANCE:

ORDINANCE 7-11-2016-1

"AN ORDINANCE AMENDING CHAPTER 1026 OF THE BALTIMORE CODIFIED ORDINANCES (WATER AND WASTEWATER RULES AND REGULATIONS) IN ORDER TO UPDATE AND CLARIFY VARIOUS PROVISIONS" – SPONSOR: KELLER

No action taken.

OLD BUSINESS: A copy of the sewer shutoff ordinance from Carroll was included in Council packets. The ordinance permits the village to plug up a customer's sewer for nonpayment. Mohler said it's a lot of expense for nonpayment. The Mayor said the owner owes the Village \$70,000 and \$100,000 is assessed on taxes. Mohler agreed it was justified. The ordinance was assigned to Service Committee to discuss at its October 10 meeting.

NEW BUSINESS: Council members also received a letter from the City of Lancaster terminating the commercial building services agreement. The VA will have more to say about the Village's plans at the next meeting, the Mayor said.

VISITOR COMMENTS: None

LAST CALL: None

ADJOURNMENT: The Mayor adjourned the meeting at 8:38 p.m.

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Kathryn Jenkins, Fiscal Officer

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Bradley Nicodemus, Mayor