

**VILLAGE OF BALTIMORE
COUNCIL MEETING
November 14, 2016
7:32 p.m.**

Mayor Bradley Nicodemus opened the meeting at 7:32 p.m. with a moment of silence (since he had received a complaint about prayer before the meeting) and the Pledge of Allegiance.

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

APPROVAL OF MINUTES: Keller moved to approve the minutes of October 24, 2016 as written. Hankison seconded. Minutes were approved with a 5-0 roll call vote with Hamilton abstaining.

APPROVAL OF AGENDA: Keller moved to accept the agenda as amended with the sponsors identified for 4 new pieces of legislation and noting Keller as the sponsor for the second reading legislation. Hankison seconded. The agenda was accepted with a 6-0 roll call vote.

VISITORS: Charles Prince, Daryl Bowling (Utility Services), Jamie Mock, Rusty Mock, Harold Kraft (VOB Code Enforcement Officer)

PUBLIC COMMENT: Rusty Mock of 2480 Leonard Road addressed council with his safety concerns regarding a bullet he found lodged in the side of one of his barns about 3 weeks ago and requested further investigation and attention to the issue. Mr. Mock has been in contact with Chief Tussey regarding the situation because the Mock's felt it might have been a bullet from the VOB shooting range training but he wants everyone to look at the safety aspect of it whether or not it is someone shooting, training or trespassing at the range or along the creek or even in the park. There are a couple of other neighbors between the shooting range and Mr. Mock's property so if it originated at the range it would have had to travel across those properties before it reached the Mock property - 2500 feet from the creek side and the trajectory was in a downward angle. Chief Tussey explained the type of bullet and the condition it was found in probably excludes it from any ammunition that is used at the firing range. He has engaged an expert to examine the bullet (Sgt. Collins SWAT team commander) and the trajectory path it would have traveled to see if they can isolate the origination area it could have come from. Chief said it looks like maybe a 9 mm bullet which was just a lead round and the Chief does not know of anyone on staff that carries it. Chief says he is positive it was not a VOB round or a County Sheriff round based on the type of bullet and in fact he does not know of a police department around that uses this type of ammo. The area behind the lower range has been intentionally left to become over grown with trees and the upper range has a stop so he does not see how a round could have traveled from either site to Mr. Mock's barn. Chief told Mr. Mock that someone should be contacting him by the end of next week and if not to give him a call.

VILLAGE ADMINISTRATOR (see documents): **1.** Daryl Bowling from Utility Services addressed council with the company's proposal to enter into a maintenance agreement with the Village of Baltimore for the repair and maintenance of the elevated water tank. The agreement will be for a period of 10 years with specific items to be addressed each year. **2.** New Code Enforcement Officer Harold "Skip" Kraft gave an overview of his first two weeks and the plan to move forward with code enforcement in the Village. He said that housing in VOB is sad with some good areas and some areas that need attention from a code enforcement perspective. The village didn't get here over night and it will take a while to get the village to where it should be and this is the first step forward. He is looking for help for village residents from some of our good neighbor or social organizations, churches, Boy Scouts, and even low costs loans. **3.** VA reported the work on the Village office entrance will begin this weekend starting on Friday, November 18th in the evening.

A stakeholder survey was passed out to the Council members to see what they would like to see in the way of metrics for 2017. The VA asked that it be returned next week so it can be shared with staff.

Block heaters at both the Company Street and Southwest lift stations were found to be non-functioning and had to be replaced. Cost to replace both is around \$200.

Councilperson Keller asked about whose responsibility it was or who needs the training for the kitchen

areas in the shelter house and concession stand to satisfy the health department. VA will make sure all regulations and requirements will be met and she will check further into the athletic organizations bringing food into the parks.

FINANCE COMMITTEE: Next meeting will be Monday, November 28th at 6:15 p.m.

SERVICE COMMITTEE: The following was discussed in Service tonight:

- Membrane pricing was discussed and a matrix of yearly replacement costs distributed which amounts to a quarter of million dollars for total replacement.
- Commercial Zoning contract with Fairfield County Zoning and Planning needs to be passed next meeting on 11/28/2016 because it has to go through the Fairfield County Commissions and be in place prior to January 1, 2017.
- Next meeting will be on Monday, December 12, 2016 @ 6:00 p.m.

SAFETY COMMITTEE: Minutes have been distributed. No additional legislation was proposed but an inquiry regarding possible existing legislation or the need for new legislation for obstructions at intersections if vegetation is on privately owned property was discussed. Next meeting will be on Monday, November 28th at 8:00 p.m. or immediately following Council.

RULES COMMITTEE: Rules will be scheduling a meeting in the near future.

FIRE BOARD REPORT: Fire levy did pass. Next meeting of the Fire Board will be this Thursday, November 17th.

PLANNING COMMISSION: A meeting was held on Thursday, November 10th to finish up the second working session on the 1st draft for the complete rewrite of the VOB zoning codes. The next working session for the 2nd draft will be on Jan 12, 2017. A copy of the 2nd draft is expected to be delivered to the committee by mid-December for review before the next meeting. Prior to the Jan 12th meeting, the Committee will hold a meeting on Thursday, December 8th to discuss development regulations and other suggestions from residential development regulations for other Villages which Holly and team will forward to us for review.

SOLICITOR: Four new pieces of legislation are on the agenda for the evening. Solicitor requested an executive session to discuss potential litigation and personnel issues.

POLICE (see reports): The Chief reported on issues that occurred in the Village from last weekend and covered what the department has been doing over the past couple of weeks pointing out that the extra patrols in the neighborhoods have had a positive effect on recent issues with vandalism. Councilperson Hamilton asked if there were any calls around South Street or Basil Park disturbances but Chief said he received none.

MAYOR: Mayor thanked Chief and Harget for all of their work since he sees them in Lancaster at the Court and also applying for search warrants in addition to their time in the village. Mutual aid help from outside of the Village was great on Friday night so, when residents talk about out police doing calls outside of the Village, they should be informed that this establishes relationships for when we have issues within the Village. Mutual aid came from Basil Fire, State Highway Patrol, Sheriff's department, and Pickerington last Friday and it is great the Village has this type of support. The Mayor and VA made a visit to the Paper Mill to view operations, to meet everyone, and to also keep the line of communication open. The Mayor thanked Councilperson Keller for taking down the flags in the Village. The Mayor noted that Fiscal Officer Jenkins will be participating in a MSD lock up this week so she will need to be "bailed" out. The community tree lighting ceremony is scheduled to take place on Sunday, December 4th at dark - approximately 5:30. The Mayor thanked Councilperson Keller again for the invitation to the VFW anniversary banquet.

FISCAL OFFICER: The Fiscal Officer said that she has been busy working on the 2017 budget and trying to get it refined. FO goal is to get the Village into the UAN payroll software by the end of the year. It is going to be difficult to get her comp time used before the end of the year. Jeff will look into

how we can do her comp time. Ordinance 11-24-2016-1 on the agenda can go to a second reading.

MOTIONS: Keller moved that Council go into Executive session with Kraft, Mayor, VA and Chief. House seconded the motion with no discussion and roll call vote was 6-0.

ORDINANCES and RESOLUTIONS:

FIRST READINGS:

ORDINANCE 11-14-2016-1
“AN ORDINANCE TO AMEND THE 2016 APPROPRIATIONS
ORDINANCE” – SPONSOR – Keller

Ordinance will go to second reading

ORDINANCE 11-14-2016-2
“AN ORDINANCE TO AMEND CHAPTER 1406 (INTERNATIONAL
PROPERTY MAINTENANCE CODE) OF THE BALTIMORE
CODIFIED ORDINANCES IN ORDER TO ADOPT AN UPDATED
VERSION (2012) OF THE INTERNATIONAL PROPERTY
MAINTENANCE CODE, TOGETHER WITH UPDATED REVISIONS
TO SAID CODE, AND THE DECLARATION OF AN EMERGENCY” –
SPONSOR – HANKISON

Councilperson Hankison made a motion to bypass Committee. Keller seconded. In response to a question, Kraft explained the differences between the 2009, 2012 and 2015 codes and Feyko explained this was a bare bones ordinance and other changes such as penalty escalation policy, etc. would be coming but this was the first step. Councilperson Hankison asked if 2012 was a more restrictive code and Kraft said no, it just gives the village more ability to act quickly.

Councilperson Hankison stated we would not have another Safety Meeting until next month so he made a motion to bypass Committee and Keller seconded. A roll call vote resulted in approval 6-0.

Councilperson Hankison then made a motion to suspend the 3-reading rule and to pass the ordinance as an emergency. Keller seconded and, with no discussion, a vote was called for and the motion was approved by a 6-0 vote.

Councilperson Hankison then made a motion to adopt Ordinance 11-14-2016-2 and Keller seconded. The motion was approved by a 6-0 vote.

ORDINANCE 11-14-2016-3
“AN ORDINANCE AUTHORIZING THE VILLAGE
ADMINISTRATOR AND FISCAL OFFICER TO CONTRACT WITH
SUEZ WATER ADVANCED SOLUTIONS FOR THE IMMEDIATE
MAINTENANCE AND CLEANING OF THE VILLAGE’S ELEVATED
WATER TANK, AND THE DECLARATION OF AN EMERGENCY” –
SPONSOR - HOUSE

For clarification Suez is the parent company of Utility Services whom Daryl Bowling represents. Councilperson House pointed out the request had been through committee as well as discussed at the last Council meeting. No other discussion took place so House moved the 3-reading rule be suspended with Hankinson seconding. A roll call vote was called and the motion passed 5-1 with Mohler voting no.

Councilperson House then made a motion to adopt Ordinance 11-14-2016-3 and Keller seconded. The motion was approved by a 6-0 roll call vote.

ORDINANCES and RESOLUTIONS (CONT.):

ORDINANCE 11-14-2016-4

“AN ORDINANCE TO APPROVE THE 2017 BUDGET” – SPONSOR -
KELLER

Ordinance 11-14-2016-4 will go to Second Reading on November 28th.

SECOND READINGS:

ORDINANCE 10-24-2016-2

“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

This is the ordinance regarding nonpayment of sewer utilities and is applicable for both residential and commercial customers. Ordinance 10-24-2016-2 will go to Third Reading.

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:

Yellow lines on Basil Street – Tim is not sure we can do but he will follow up and give us an update for the next meeting.

PEP loss control reply – The VA is in the process of creating a reply based on future projects we will be doing

Cafeteria Plan – After numerous communications with the village insurance company representative, the solicitor, and the AFLAC salesperson as well as internet research and research in the village files no formal agreement with the IRS for a Section 125 Cafeteria Plan could be found. Research showed that the village would have to apply for the Plan and renew annually and FO Jenkins suggested the village no longer withhold money from employees and instead the employees could deal directly with AFLAC. Council agrees with FO and an announcement will be made at Wednesday’s staff meeting with employees and notice sent to AFLAC. Councilperson House said it is the way the Fire District also handles it.

Patio Railings on Downtown Business – This matter will be discussed later in executive session

Banked or Donated time for employees – This proposal needs to go to Rules Committee to see if a policy could be adopted for VOB. Councilperson Hochradel states we did at one time but Councilperson House states we just need to document procedure. Rules Committee set a meeting for Monday, November 21st at 1:30 p.m. at Village Hall.

NEW BUSINESS:

Councilperson Mohler stated he saw the fence has been repositioned at Bernie's.

The Mayor stated Council would take a 3-minute recess and then enter into Executive Session at 9:30 p.m. to discuss possible litigation and personnel issues. Council came out of Executive Session at 10:25 p.m.

VISITOR COMMENTS: None

LAST CALL: None

ADJOURNMENT: House made a motion to dismiss and Hankinson seconded. A voice vote unanimously called for adjournment.

The Mayor adjourned the meeting at 10:25 p.m.

Kathryn Jenkins, Fiscal Officer

Bradley Nicodemus, Mayor