

**VILLAGE OF BALTIMORE
COUNCIL MEETING
September 12, 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 Jim Hochradel, Mike Hamilton, Bob Hankison, Dwayne Mohler, and Tony House. Chuck Keller was absent. Also present were Mayor Bradley Nicodemus, Fiscal Officer Kathryn Jenkins, Village Administrator Teri Wise, Solicitor Jeff Feyko, and Captain Bill Putnam.

APPROVAL OF MINUTES: House moved to approve the minutes of August 22, 2016; Hamilton seconded. Minutes were adopted in a roll call vote, 4-0, with Mohler abstaining.

APPROVAL OF AGENDA: House moved to amend the agenda to change the sponsor of the tabled Ordinance 6-27-16-2 (sidewalks) from Keller to House; and to add Resolution 9-12-16-5 (health insurance, emergency). Hankison seconded. The motion was affirmed in a 5-0 roll call vote.

VISITORS: Steve Kenney

PUBLIC COMMENT: None

VILLAGE ADMINISTRATOR'S REPORT: A written report was provided. The elevated water tank will be emptied overnight and is expected to be down for 3 to 5 days. Wise provided a graph showing season expenses (more will be coming) and revenue for the pool. Some Village tasks have been put on hold as employees work to resolve water issues. The VA distributed a list of zoning violations she and the Police Chief have been dealing with; Council will begin to receive a revised version as a monthly report. A new document has been created and is on the Shared (Y) drive to help track Ordinances.

The Village received a complaint last week from a resident who thought raw sewage was going into Paw Paw Creek. On investigation, the Village discovered a broken tile from a home on Main Street near the bridge. The Village reported the situation to the Ohio Environmental Protection Agency and health department. The property owner is in the process of getting a contractor to repair it.

The Mayor noted that the pool is showing a \$15,000 loss this year, which will increase some when all expenses are in but is still better than the \$25,000 loss in 2015. Wise attributed some decline in attendance after the first month to discoloration of the water. A plan for the 2017 pool season will be developed soon.

FINANCE COMMITTEE: The next meeting will be held at 6:15 p.m. September 26.

SERVICE COMMITTEE: House said that some residents provided input for the 2017 paving grant application, due next month. Max Baer's request for an agreement with the Village on water service for his home at 305 Canal Road should be discussed by the whole Council in executive session as a legal matter. More will be known about the needs of the elevated water tank after it is inspected this week. The Water department is preparing to add orthophosphate and polyphosphate once approval from the EPA is received to combat rust in the water, and the inside of the elevated tank will receive a rust coating.

SAFETY COMMITTEE: The Committee will meet following the September 26 Council meeting.

RULES COMMITTEE: The Committee will meet at 6 p.m. September 19.

FIRE BOARD REPORT: A written report was submitted. No major issues with equipment. The next meeting will be held at 6 p.m. September 15 at Station 610.

PLANNING COMMISSION: The September meeting was canceled for a lack of agenda items. The Board of Zoning Appeals will consider two variance requests at its October 13 meeting, which is also the night that the Planning Commission will begin to review Fairfield County Regional Planning Commission's proposed changes to the VOB Zoning Code.

SOLICITOR: Several new pieces of legislation are self-explanatory. The ordinance concerning health insurance for Village employees must be passed by the September 26 meeting to beat the policy's October 1 effective date. The Solicitor told the Fairfield County Land Bank that VOB would like to receive ownership of two properties under current land bank control; he has asked if additional action is needed by the Village to further the process but hasn't received an answer from land bank staff.

POLICE: See activity report. Captain Putnam said a suspect had been identified in park break-ins and investigation continues. Unit 751 is now in service as the School Resource Officer's car. A suspect who attacked an officer with a butcher knife has been indicted on two felonies. Officers are conducting compliance checks to make sure local businesses aren't selling to minors. Chief Tussey represented the department at a September 11 observance in Lancaster. Officers are investigating a debit card scheme that may involve 10 or 20 victims. The Chief will be in Worthington on Tuesday in regard to the local PAARI (Police-Assisted Addiction Recovery Initiative) project, which was well received by the local ministerial association last week.

House thanked the department for its restraint in handling the knife incident, which could have turned out much worse.

MAYOR: The Opera House was the site of a music video filmed two weeks ago and today received donation of the organ case that belonged to the 1920s-era Palace Theatre organ. Live music and guided tours of the Victoria will be held from 1 to 4 p.m. Sunday. The children's theater program will stage a junior version of "High School Musical"; a date hasn't been set. Tickets are being sold for a 1920s murder-mystery dinner theater fundraiser to be held from 6 to 9 p.m. October 22 at the Baltimore VFW.

Trick-or-Treat in the Village is set for 6 to 7:30 p.m. October 27.

Letters updating residents on the water situation were mailed last week.

The Baltimore Pint House will have its grand opening Thursday.

An open house for input on street paving was held before the Service Committee meeting. The three people who attended all live on Dorchester Drive and all said positive things about the responsiveness of the Street Department to the many issues the street has had. Service Committee considered the feedback from these residents and, because of the very poor/poor grading of Dorchester, is recommending that Dorchester, Circle Drive and Circle Court** be repaved in 2017. In addition, the committee recommended that Bigerton, Fairview from Main to Mill, and Romulus from Water Street to the Village boundary be chipped and sealed, possibly with help from Liberty Township. Water Street also would benefit from chip-and-seal but there may not be enough resources to do it, the Mayor said. He was glad to get paving feedback from some residents but disappointed that others who complained online did not show up to make a pitch for their streets.

**NOTE: The street was incorrectly identified as Circle Court (there is no Circle Court only Circle Drive) - the correct street name is Tremont Court

Saying he had not noticed any change in Rumpke's service habits, the Mayor asked whether Council members had. No one had observed any change in pick-up times or number of trucks.

Facebook pages: Hochradel had not talked yet with Marsha Hall, but Bob Kalish said he does not have administration privileges for a VOB Facebook page and understood the Mayor's concern about admin access.

House asked for additional input from Council on 2017 street paving priorities. The Committee's feeling was that those who bothered to come and ask should be the next area to be resurfaced; Council did not offer a contrary opinion.

FISCAL OFFICER: None

MOTIONS: House moved to go into executive session at the end of regular business to discuss a legal matter. Hankison seconded. Motion passed in a unanimous roll call vote, 5-0.

ORDINANCES and RESOLUTIONS:

FIRST 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

The Solicitor said he stumbled across regulations on recreational equipment in another section of VOB ordinances and will look for it again. Later in the meeting he found it in the supplementary district regulations section of the VOB Zoning Code. Feyko will copy that section (1246.06) and distribute to Council members.

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

The ordinance covers two pickup trucks and the Police Department’s Mustang. Council debated on whether it needed to be passed as an emergency; it was held to a first reading.

ORDINANCE 9-12-2016-3

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

Hankison moved to suspend the three-reading rule; House seconded. Motion was affirmed 5-0 in a roll call vote. Hankison moved to adopt; House seconded and all present voted to adopt, 5-0.

ORDINANCE 9-12-2016-4

“AN ORDINANCE REQUESTING APPROVAL FROM THE AUDITOR OF STATE FOR APPROVAL OF FUNDS FOR TRACKING CEMETERY, PARKS, POLICE AND MAYOR’S COURT AND THE DECLARATION OF AN EMERGENCY” – SPONSOR: HANKISON

The Fiscal Officer explained that auditors told her that because of the source of the money in these funds, VOB needed to get special permission from the Auditor of State to set up these funds (already in use). If the Auditor does not allow them to be established, the money will need to be returned to and disbursed from the General Fund. The Solicitor said he was unaware of VOB ever having to request this kind of permission. Jenkins said she does not understand or know the reasoning behind it but verified with Government Services that auditors are correct. She is hoping the request is approved because tracking money this way allows the Village to more clearly see the sources of revenue for each fund and how much the General Fund contributes to each. Hankison moved to bypass committee; Hochradel seconded. All present affirmed the motion in a roll call vote, 5-0. Hankison moved to suspend the three-reading rule; Hochradel seconded. All present affirmed the motion in a roll call vote, 5-0. Hankison moved to adopt. Hochradel seconded and it was passed by a unanimous roll call vote, 5-0.

RESOLUTION 9-12-2016-5

“AN ORDINANCE TO AWARD A CONTRACT TO ANTHEM BLUE CROSS-BLUE SHIELD OF CINCINNATI, OHIO, TO SUPPLY HEALTH INSURANCE TO THE VILLAGE OF BALTIMORE AND THE DECLARATION OF AN EMERGENCY” – SPONSOR: HOUSE

House moved to suspend the three-reading rule; Hankison seconded. All present affirmed the motion in a roll call vote, 5-0. House moved to adopt. Hankison seconded and the motion passed in a 5-0 roll call vote.

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: HOUSE

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: None

NEW BUSINESS: Mohler asked if VOB needs to patch the asphalt that is deteriorating in front of the law offices on Main Street (former Ben Franklin). The VA will check on it.

The VA said she took Tyler Householder to lunch last week to mark his one-year anniversary with the Village. Householder will be working with the Engineer to do some surveying.

The Village has a position description for an Engineer, and the notes from the meeting that former VA Marsha Hall had with Don Morrison when he was hired. The two descriptions are not the same. House asked that the Rules Committee be tasked with examining the descriptions and fix the discrepancy. Before Morrison joined the Village as Engineer, the Village was paying between \$100,000 and \$150,000 a year in engineering retainers and fees, House said. At the time, Morrison agreed to work 29 hours a week but has worked many more hours than that, which he has documented. The Mayor asked that at its meeting next week, the Rules Committee establish the date for another meeting to consider the Engineer descriptions and facts, and to go from there.

VISITOR COMMENTS: None

LAST CALL: House commented that Carroll Mayor Tammy Drobina recently had a five-minute Council meeting.

EXECUTIVE SESSION: The Mayor called a brief recess at 8:30 p.m. and went into executive session to discuss a legal matter at 8:35 p.m.

RETURN TO REGULAR SESSION: Council came out of executive session at 8:57 p.m.

OTHER BUSINESS: Council discussed residential street parking including parking campers on the street for a long time. Current ordinances state that recreational vehicles need to be placed at the back of the property when not in use. Mohler expressed a concern that residents with no

access to the rear of their property would have to rent storage. Another parking issue concerns inoperable vehicles with current tags that have been sitting in one place for a long time. The Solicitor will research this issue further.

Hamilton asked about the fence at Baltimore Grill since Bernie's two-week extension from the previous extension has expired. Bernie installed the fence incorrectly (wrong side out) and was supposed to fix that by installing additional fencing facing the house being shielded. Council instructed that he be sent a notice of violation.

ADJOURNMENT: House moved to adjourn at 9:10 p.m. The motion was affirmed in a 5-0 voice vote.

Kathryn Jenkins, Fiscal Officer

Bradley Nicodemus, Mayor