

**VILLAGE OF BALTIMORE  
COUNCIL MEETING  
January 23, 2017  
7:30 p.m.**

Mayor Bradley Nicodemus opened the meeting at 7:30 p.m. with the Lord's Prayer and the Pledge of Allegiance.

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

APPROVAL OF MINUTES: The Mayor noted that in the minutes of January 9, 2016, Steve Kenney (visitor) was spelled incorrectly and needs to be changed.

No other changes were noted. House moved to approve the minutes of January 9, 2016 as amended. Mohler seconded. Minutes were approved with a 5-0 roll call vote with Hankinson abstaining.

APPROVAL OF AGENDA: The agenda was amended with the addition of Ordinance 1-23-2017-1: an ordinance amending Chapter 240 (Employee manual of personnel policies and regulations) of the Baltimore Codified Ordinances and the declaration of an emergency.

No other amendments were made. Keller moved to accept the agenda as amended Hankison seconded. The agenda was accepted with a 6-0 roll call vote.

VISITORS: Sgt. Scott Wagner, Drew DiPaolo, Steve Kenney, and Charlie Prince.

PUBLIC COMMENT: Drew DiPaolo discussed his Eagle Scout project at Alt Park which will be a deck overlooking one of the ravines at the back of the park on the east side of the larger soccer field. He explained what it would look like when completed. The cost of the project will be approximately \$930.00 and he is working on getting donations with the balance paid by the Village. The project must be completed in 2017 before he turns 18 on March 9th and he will start in the next month. This project did go through the Parks & Recreation Committee and has their approval.

Keller suggested that he go to the VFW on the first or third Thursday of the month to ask for a donation.

Hochradel made a motion to approve the project for the construction at Alt Park. Mohler seconded. With no further discussion, roll call was taken and resulted in a 6-0 vote for approval.

Mohler also made a motion to pick up any outstanding amount if he comes up short on his fund raising but not to exceed \$931.00 total with Keller making a second. The Mayor said that he had checked with the FO and confirmed that the Park Fund has sufficient funds for this project. Hankison asked questions about the equipment and costs and Drew said that would be covered by his family. The motion passed with a roll call vote of 6-0.

The Mayor requested that Drew take before, during, and after pictures of the project so it can be posted on the website. He said that Drew should get in touch with the VA if he needed anything.

Sgt. Wagner, Baltimore PD spoke on his experience. He has been on reserve status for the last 6 years here in Baltimore. He is in his 37<sup>th</sup> year of law enforcement, 10 years on SWAT team as one of two snipers on the team and a fire arms instructor. The discussion then commenced around the firing range and the impacts of the current downtown at the range and it is hampering of calibrating firearms. He presented 1533.85 Immunity in civil action concerning shooting range noise and reiterated the facts noted in the document including the fact the Village is not liable in damages in a civil action case including noise issues. The ORC further states range hours are allow from beginning at 7:00 a.m. and shut down at 10:00 p.m. Currently because we have to shut down earlier it is preventing low light or dim light training for the officers. He has concerns as a lead level instructor for officers and for citizens since training needs to be completed in all types of scenarios to make sure they are able and train to respond to issues. As far as the complaint about the bullet strike on the neighboring building by a 9 mm it would have ran out of “steam” before it hit the barn and would have pinged off the barn and could not have been imbedded. He had a conversation with the complainant and at that time the complainant said he has chased people off of his property shooting before on his property. That round did not come from our shooting range and because of distance and angles it would have had to travel it would have lost its velocity. He would like to see us get back to limited use so new officers can use it and firearms can be calibrated. Mayor stated the range is on the Safety Committee agenda and he asked if he would please attend that meeting to explain further to the Committee more details so the Safety Committee can flush this issue out further and make a decision.

No other public comments.

VILLAGE ADMINISTRATOR – In the absence of the VA, the Mayor discussed her report. He highlighted a few things:

- Item #2 under Parks and Pool – a meeting with Evan Schaffner revealed that in 2015 the \$75 not paid was to cover for Megan while she was getting married and he had also stated, because he lost the second freezer, he had to make additional trips and wanted to pay \$50 less on the 2016 balance. Council discussed and wants VA to ask Megan about being out and Evan covering for her before they waive the \$75. They also stated they want full payment for 2016 since he signed the agreement for the full amount.
- Under Wastewater: When GE was out they stated they felt there was some life left in the membranes and waiting a year to purchase a new train would probably work.
- Under Zoning: The village is set up and running with Regional Planning for Commercial Building inspections. VA along with Holly Mattei had a meeting with Fairfield County Commissioners to review how the process would work.
- VA is now getting on a number of committees to make sure we are getting Baltimore presence out there. VA attended a land use meeting last week and then the Mayor and VA sat down with the consulting firm to discuss survey and plans going forward. The Mayor also referenced the graph of income and expenses from the BDRC for the year 2015.

FINANCE COMMITTEE: Chairperson House reported that the next meeting will be the fourth Monday, February 27, 2017 @ 6:00 p.m. Finance set goals for the year and reviewed the monthly expenditures and it looks like the village is in good working order. Finance also talked to Kathryn who

said that money is available for raises up to 3% as long as the departments continue to be as frugal as they were the last half of 2016. Raises will depend on individual reviews and the Committee will make a motion for Council to approve the raises.

SERVICE COMMITTEE: Chairperson Mohler reported they met earlier tonight at 5:30 due to the holiday last week. The Committee set goals using the goals not accomplished last year with the addition of the completion of the installation of radio-read water meters and the Acker's Ditch project. The Committee talked about ADA rules and regulations, and at the next meeting, Don will bring the different types accessibility regulations to the meeting. The next meeting is scheduled for the third Monday, February 20th at 5:30 p.m. but based on the VOB's holiday schedule, the date may have to change. Any change will be posted on the website.

SAFETY COMMITTEE: Chairperson Hankison set the next meeting for the Safety Committee for 6:30 p.m. on Monday, January 30<sup>th</sup>.

RULES COMMITTEE: Chairperson Keller stated the committee met on January 9<sup>th</sup> and reviewed the job descriptions of the Administrative Assistant and the Water/Wastewater Administrative Assistant/Clerk of Courts. They would both be cross trained on both jobs and they added physical requirement descriptions to the Administrative Assistant job. The Committee also reviewed the evaluation. Keller will sponsor the motion to approve the changes tonight. The next meeting will be on an as needed basis. The pay range did not change for either position.

Council asked the pay range be added to the website notice. It was also noted that including the pay range on the job descriptions in the manual would be a good idea, and the pros and cons were discussed. The ad for the open position was posted on the website today and the ad will run in the Lancaster paper this coming Saturday and Sunday.

FIRE BOARD REPORT: Mohler reported there was nothing new but the cost of the medic was finalized at \$1,100.00 on the fire district's part because it was still under warranty. A committee has started looking at a new medic regarding pricing and models. As of last Thursday night, there is still no ruling on the fire at the firing range. Next meeting will be Thursday, February 16<sup>th</sup> at the station.

PLANNING COMMISSION: The committee met on January 12<sup>th</sup> to start review of the second draft of the zoning codes and made it about ¾ of the way through the draft. The next meeting will be Thursday, February 9<sup>th</sup> at 6:30.

SOLICITOR: The solicitor said that there was one new piece of legislation on the agenda for the evening for the reading of the amended job descriptions. VA would like to see it passed as an emergency so it can be used during job interviews.

VS reported he had received the signed agreement from the McKay's agreeing to the settlement offer from the Village.

He said that there was also a third reading of another ordinance but he recommended that it be still be tabled at this time to make sure there are no other additions or corrections before it goes to the final reading.

The VA is to print out copies of the job descriptions in color to distribute to everyone.

POLICE: The Chief distributed the Activity Report and the Calls for Service Report.

- Taking department inventory and should be completed soon.
- Taser training will take place Thursday night.
- Stepped up speed enforcement at the school zones.
- Training from state is now at 20 hours instead of the 11 hours it was last year and the Chief is working on a way to pay for the extra training since it is an unfunded mandate.
- Unit 751 needs some repairs
- Discussion about lowering the speed limits on Market Street. The Chief talked to the Chief at Pataskala as to what they did since ODOT was resistant to change even though the area on Market Street is clearly residential. We have line of site issues and lowering speed will make it a much safer environment. Also there is no safety buffer on those sidewalks, so if a vehicle missed the curb, they will be right up on the sidewalk. He will discuss the issues more in-depth in the next Safety Committee meeting and recommends we change the signs from 35 to 25 along Market.

MAYOR: The Mayor stated we received a letter from Rumpke announcing the new rates. He said that we now have a contract which allows them to change the rates quarterly for a fuel adjustment. He said that this defeats the idea of a contract. There followed a discussion about trash bills going up and missed trash pickup. The new rate information, which has gone up \$0.49, will be posted on the website. This contract will be going out to bid this year.

He also reported our WTP has won state and National awards for construction and remodel of commercial buildings.

The Mayor is still waiting on setting up a meeting with Superintendent to discuss some items.

The first production of the Children's Theater will be High School Musical on February 10<sup>th</sup> and 11<sup>th</sup>. It will be at the High School until the Opera House is completed. Another fund raiser will be the Downtown committee "Uncorked" event which will be April 29<sup>th</sup> at the VFW at 7:00 p.m. Plans for movies in the Park are being finalized for 5 Fridays in June with films yet to be decided. The same church as last year will be sponsoring and showing them at Johnson Park.

FISCAL OFFICER: Representatives for the Baltimore Festival would like a proclamation but Mayor said he will contact them and then bring back the information to Council. The FO asked if the Council could at least guarantee August 3-5 for use for the festival so that the festival committee can get commitments from vendors, etc.

Hochradel made a motion to reserve August 3, 4 & 5 for the Baltimore Festival at Johnson Park pending necessary legal work and adoption of resolution and Mohler seconded. Motion passed 6-0.

MOTIONS: Based on input from the Fiscal Officer and the VA, House made a motion to approve up to a 3% raise depending on the employee's evaluation. Hankison seconded and with no further discussion, a vote was taken and passed 6-0.

Hankison made a motion to approve December financials and it was seconded by Mohler. With no further discussion, a vote was taken and the motion passed 6-0.

ORDINANCES and RESOLUTIONS:

FIRST READINGS:

ORDINANCE 1-23-2017-1

“AN ORDINANCE AMENDING CHAPTER 240 (EMPLOYEE MANUAL OF PERSONNEL POLICIES AND REGULATIONS) OF THE BALTIMORE CODIFIED ORDINANCES AND THE DECLARATION OF AN EMERGENCY”

- Sponsor – Keller

Keller stated this ordinance has been through committee.

Motion was made by Keller to suspend the three reading rule. Second was made by Hochradel. No discussion. Roll call vote was 6-0 and motion was approved.

Motion was made by Keller to adopt Ordinance 1-23-2017-1. Second was made by Hochradel. No discussion. Roll call vote was 6-0. Ordinance 1-23-2017-1 adopted January 23, 2017.

THIRD READINGS:

**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**

Motion was made by Keller who stated that Ordinance 7-11-2016-1 still needed to be tabled.

OLD BUSINESS:

- **Establish 2017 goals**
  - Stay within appropriations for 2017
  - No other goals stated based on Committee goals
- **Evan Schaffner payments for concession stand.** Verify manager position for 2015 and pay full rate for 2016.

NEW BUSINESS:

- **EAGLE SCOUT PROJECT** – Discussed earlier in the meeting under Public Comments section.

- **HOURS OF CODE ENFORCEMENT OFFICER** – Hochradel wanted to know the hours Skip would be available for him to talk to. Hochradel stated he has pictures to show him so the Mayor will contact him to let him know to reach out to him. Mayor would also like to include them in the legal complaint he is creating. Pictures were taken when potential buyers were looking at the building to purchase.
- **LIGHTS OUT ON WASHINGTON AND TOWER** – Mohler stated there were a few lights out in this area and the Chief said he will check out.

VISITOR COMMENTS: None

LAST CALL:

Keller asked for the print out of all of the Committees and Meetings. The Mayor will supply.

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

The Mayor adjourned the meeting at 8:55 p.m.

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Kathryn Jenkins, Fiscal Officer

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Bradley Nicodemus, Mayor