

**VILLAGE OF BALTIMORE  
COUNCIL MEETING  
May 8, 2017  
7:30 p.m.**

Council President Dwayne Mohler 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, Mike Hamilton, Bob Hankison, Jim Hochradel, Tony House, and Dwayne Mohler. Also present were Mayor Bradley Nicodemus, Police Chief Mike Tussey, Solicitor Jeff Feyko, Fiscal Officer Kathryn Jenkins and VA Teri Wise.

APPROVAL OF MINUTES: Keller moved to approve the minutes of April 24, 2017 and Hamilton seconded the motion. Minutes were approved as written with a 6-0 roll call.

APPROVAL OF AGENDA: Keller moved to amend the agenda to add Resolution 5-8-2017-5 and Ordinance 5-8-2017-6 and to change 5-8-2017-3 from an Ordinance to a Resolution. Keller moved to adopt the amended agenda and Hamilton seconded 6-0 vote. Agenda was approved as amended.

VISITORS: Steven Kenney

VILLAGE ADMINISTRATOR – Report attached. Below are some highlights of the report:

- Legislation regarding the ODNR application for improvement and equipment for the park.
- OPWC Project - Streets & Maintenance Committee: Wise, Morrison, Jenkins, and Music Councilperson House asked about whether the next Service Meeting was going to be held at Johnson Park Shelter and was told that it would be.

FINANCE COMMITTEE: Chairperson House said that there was nothing new to report.  
**The next meeting will be the fourth Monday of May – May 22<sup>nd</sup> at 5:30 p.m.**

SERVICE COMMITTEE: Chairperson Mohler had nothing new to report.  
**The next meeting will be May 15<sup>th</sup> at 5:30 p.m. at Johnson Park Shelter House.**

SAFETY COMMITTEE: Chairperson Hankinson stated the Committee met this evening. No legislation from the meeting. The County Commissioners offered to help with an upgrade to the firing range. The next meeting for the **Safety Committee is the second Monday in June - June 12th at 6:00 pm.**

RULES COMMITTEE: Chairperson Keller nothing new to report. **The next meeting for the Rules Committee is the second Monday in June - June 12th at 6:45 pm.**

FIRE BOARD REPORT: Council Representative Dwayne Mohler noted nothing new to report. **The next meeting will be Thursday, May 18<sup>th</sup> at 6:30 p.m. at station 610.**

PLANNING COMMISSION: **The next meeting will be a public hearing on the final draft of the Village of Baltimore Zoning Rules and Regulations on Thursday, May 11<sup>th</sup> at 7:00 p.m.**

SOLICITOR: The solicitor stated there are 6 new pieces of legislation on the agenda. He asked for a brief executive session after regular business regarding litigation issues and to include Mayor, Chief and VA.

POLICE:

- Reported on the Amy's Army run that was held last Sunday, 5 officers were present.
- Currently working on a Grand jury packet regarding the bank fraud case
- Monitoring RP3 for noise
- Officer Wolfel and his grandson cleaned the Police Dept. garage and washed the cruisers. That work was a National Junior Honor Society community service project for the grandson.
- Criminal damaging involving 2 female juveniles is ongoing and parents are being very cooperative

MAYOR:

- A meeting was held with the County Commissioners to discuss the firing range, the Commissioners offered their assistance and resources.
- Councilperson Hochradel asked about acquiring some of the fencing from around the new County jail site. The Chief has asked about it.
- April 30<sup>th</sup> was Tree City Arbor Day and Tree Planting Ceremony
- The first free movie will be upstairs in the Opera House this Saturday at 7:00p.m. The feature is "The Wizard of Oz", which was the first color movie originally shown there.
- Last Thursday was the National Day of Prayer. Commissioner Levacy was in attendance.
- Councilperson Keller shared that May 19<sup>th</sup> & 20<sup>th</sup> will be the annual Poppy Sale. Desiree Collins is in charge of the event.

**FISCAL OFFICER:** Fiscal Officer announced that she is retiring effective August 1, 2017. The Mayor requested a summary report of income and expenses by Department from Jan. 1 through Mar. 31 to include the salary increase for the next Finance Committee meeting. **The next Finance Committee meeting is May 22<sup>nd</sup> at 6:00p.m.**

**MOTIONS:** Keller made a motion to go into Executive Session after regular business meeting for possible litigation, personnel and economic issues. This will include all of Council, Mayor, Village Solicitor, Chief and VA. Mohler made a second. With no further discussion, a vote was taken and the 6-0 vote passed the motion.

**ORDINANCES and RESOLUTIONS:**

First Reading:

**ORDINANCE 5-8-2017-1**

**"AN ORDINANCE TO AMEND CHAPTER 1406 (INTERNATIONAL PROPERTY MAINTENANCE CODE) OF THE BALTIMORE CODIFIED ORDINANCES IN ORDER TO ADOPT AN UPDATED REVISION REGARDING WEEDS AND GRASS, AND THE DECLARATION OF AN EMERGENCY"  
SPONSOR – HOCHRADEL**

- Sponsor Hochradel made a motion to suspend the three reading rule. Councilperson House seconded and there was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.
- Sponsor Hochradel made a motion to adopt Ordinance 5-8-2017-1 and Councilperson House seconded. There was no further discussion. Ordinance 5-8-2017-1 was adopted by a 6-0 vote.

**ORDINANCE 5-8-2017-2**

**"AN ORDINANCE AMENDING SECTION 11 (DISCIPLINE) OF THE EMPLOYEE MANUAL OF PERSONNEL POLICIES AND REGULATIONS AND THE DECLARATION OF AN EMERGENCY"  
SPONSOR - KELLER**

- Sponsor Keller made a motion to suspend the three reading rule. Councilperson Hamilton seconded and there was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.
- Sponsor Keller made a motion to adopt Ordinance 5-8-2017-2 and Councilperson Hamilton seconded. There was no further discussion. Ordinance 5-8-2017-2 was adopted by a 6-0 vote.

**RESOLUTION 5-8-2017-3**

**"A RESOLUTION INDICATING WHAT SERVICES THE VILLAGE WILL PROVIDE TO A TRACT TOTALING 18.480± ACRES UPON ANNEXATION AND THE DECLARATION OF AN EMERGENCY"  
SPONSOR – HOUSE**

- Sponsor House made a motion to suspend the three reading rule. Councilperson Mohler seconded. VS Feyko made a comment that this was a standard piece of

legislation that needed to be created so it can be presented to the commissioners regarding the annexation. There was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.

- Sponsor House made a motion to adopt Resolution 5-8-2017-3 and Councilperson Mohler seconded. There was no further discussion. Resolution 5-8-2017-3 was adopted by a 6-0 vote.

**ORDINANCE 5-8-2017-4**

**“AN ORDINANCE TO AMEND THE 2017 APPROPRIATIONS ORDINANCE”**

**SPONSOR – HOUSE**

- Sponsor House stated this was an ordinance to transfer money to specific funds and made a motion to adopt Ordinance 5-8-2017-4 and Councilperson Mohler seconded. There was no further discussion. Ordinance 5-8-2017-4 was adopted by a 6-0 vote.

**RESOLUTION 5-8-2017-5**

**“A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO SUBMIT A GRANT APPLICATION AND TO PROVIDE ALL INFORMATION AND DOCUMENTATION REQUIRED TO BECOME ELIGIBLE FOR POSSIBLE FUNDING ASSISTANCE THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES NATURE-WORKS GRANT PROGRAM, AND THE DECLARATION OF AN EMERGENCY”**

**SPONSOR – MOHLER**

- Sponsor Mohler made a motion to bypass the three reading rule. Councilperson House seconded and there was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.
- Sponsor Mohler made a motion to adopt Resolution 5-8-2017-5 and Councilperson House seconded. There was no further discussion. Resolution 5-8-2017-5 was adopted by a 6-0 vote.

**ORDINANCE 5-8-2017-6**

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

**SPONSOR – HAMILTON**

- Sponsor Hamilton made a motion to bypass the three reading rule. Councilperson Keller seconded and there was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.
- Sponsor Hamilton made a motion to adopt Ordinance 5-8-2017-6 and Councilperson Keller seconded. There was no further discussion. Ordinance 5-8-2017-6 was adopted by a 6-0 vote.

Second Reading:

**ORDINANCE 4-24-2017-1**

**“AN ORDINANCE TO AMEND THE 2017 APPROPRIATIONS ORDINANCE”**

**SPONSOR – MOHLER**

- Sponsor Mohler made a motion to suspend the three reading rule. Councilperson Keller seconded and there was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.
- Sponsor Mohler made a motion to adopt Ordinance 4-24-2017-1 and Councilperson Keller seconded. There was no further discussion. Ordinance 4-24-2017-1 was adopted by a 6-0 vote.

It was determined that a motion to suspend the three reading rule for Ordinance 5-8-2017-4 had been omitted. Therefore:

- Sponsor House made a motion to suspend the three reading rule. Councilperson Mohler seconded and there was no further discussion so a vote was taken. 6-0 motion passed to suspend the three reading rule.
- Sponsor House made a motion to adopt Ordinance 5-8-2017-4 and Councilperson Mohler seconded. There was no further discussion. Ordinance 5-8-2017-4 was adopted by a 6-0 vote.

Second Reading:

**ORDINANCE 4-24-2017-2**

**"AN ORDINANCE AMENDING CHAPTER 412 OF THE BALTIMORE CODIFIED ORDINANCES (OBSTRUCTION AND SPECIAL USES OF PUBLIC WAYS) TO DESIGNATE A FIRE LANE"**

**SPONSOR – HANKINSON**

- Sponsor Hankinson ask that this ordinance go for a third reading which will be May 22<sup>nd</sup>.

OLD BUSINESS: None

NEW BUSINESS:

- Solicitor Feyko spoke about Marijuana for Medical purposes, House Bill 523, which allows municipalities to restrict medical marijuana cultivators, processing, and retail establishments. Several municipalities are passing moratoriums to be in effect on a temporary basis from six to eighteen months. We are waiting to see if Ohio adopts standards and procedures. A moratorium should be in place in the event that standards are adopted. If there is not moratorium and someone applies for permission regarding medical marijuana, the village may not be able to regulate it. Mayor Brad Nicodemus wants to have the matter on the agenda for next meeting.

VISITOR COMMENTS: Mr. Kenney asked about the location of the next Service Meeting and Council replied it will be at the Johnson Park Shelter House at 5:30 pm on Monday, May 15<sup>th</sup>

LAST CALL:

Council took a short 5 minute recess at 8:26 p.m. and then went into Executive Session.

Council returned to regular session at 9:37 pm. After a short discussion it was decide to go back into Executive Session at 9:40 pm

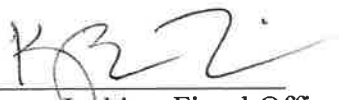
Council returned to regular session at 9:45 pm.

Councilperson Hochradel made a motion to accept Kathryn Jenkins, Fiscal Officer, letter of resignation dated May 8, 2017. Hamilton seconded the motion. With no further discussion a vote was taken and the motion passed 6 – 0 to accept the resignation letter from the Fiscal Officer.

ADJOURNMENT:

There was no further business so House made a motion to dismiss and Hamilton seconded. A voice vote unanimously called for adjournment. 6-0

The Mayor adjourned the meeting at 9:46 p.m.

  
Kathryn Jenkins, Fiscal Officer

  
Bradley Nicodemus, Mayor