

**VILLAGE OF BALTIMORE  
COUNCIL MEETING  
May 22, 2017  
7:30 p.m.**

Mayor Brad Nicodemus opened the meeting at 7:30 pm 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 May 8, 2017 with Mohler seconding the motion. There was no further discussion. Minutes were approved as written with a 6-0 roll call.

APPROVAL OF AGENDA: Mohler moved to approve the agenda with Hamilton seconding. The agenda was approved with a 6-0 roll call vote.

VISITORS:

Mayor reminded everyone they would have a total of 5 minutes each to address council.

Firing Range

- Kelly McCauley (Fairfield County resident): She is representing her family since her grandfather gave land for the wastewater treatment facility plant but it was never meant to be used for anything but a park like setting. Sally Ayers – land for \$1.00, Guy Whiley did a lot for the town. Lesson to be learned is don't give your land to the city because they are not going to obey your wishes. Family is upset and is considering legal action.
- Jerry Mock (Fairfield County resident): The range is unsafe and needs to be shut down. He got a copy of an email to Carrie Brown from the VA that complaints were based on emotion, not facts. He had a picture of a tree on Mr. Fisher's property to show that it is a serious situation since he concerned not with the bullets that hit the trees but with the ones that did not.
- Rusty Mock (Fairfield County resident): The expert who looked at the bullets on behalf of the village; results were not shared with them only the statement that the Baltimore Police force uses a different type of round. What gain is Baltimore getting from this? Outsiders use the range and have no clue of what is in the area around the range. He is appalled.
- Jamie Mock (Fairfield County resident): Asked who does the schedules and who posts on websites? Why are they set and then changed? Doesn't feel safe to bring the grandkids and sit in the yard. Feels they are being lied to.
- Laura Vidmire (Fairfield County resident): Can't take a chance with our children. Changes need to be made to make it safe.
- Brody Adams (Fairfield County resident): Build something to block the bullets so they don't get out.
- Greg Fisher (Fairfield County resident): Has Girl Scouts and other groups out from time to time. Doesn't think the town has the capability of making it safe. Wants some kind of containment system, more dirt isn't going to do it. Last Saturday the shooting started at 9am and still shooting at 4:15 pm. If you could set a time frame then parents would know when it was open. Why is it open on Memorial Day weekend? Rusty sent a drone up two weeks ago and when everybody saw it they went to their cars. It must not have been law enforcement doing the shooting since they hid. Gun range is not being supervised. Doesn't think the town is working with residents.
- Karen Santor (Fairfield County resident): The sound is beyond annoying. Glassware collection shook on the shelf. She lives way east of the range. Glad there is no one with PTSD living around there because they would not be able to take it. Do they pick up the lead bullets? The month of June has 10 days scheduled, 1/3 of the month has to listen to gunfire. Keep hearing excuses. Those who have higher political aspirations, we will remember this and say you are irresponsible. Need to make safety improvements and sound barriers. Should be supervised with record of who is shooting which weapon using what ammo.
- John Fisher (Fairfield County resident): Should not have scheduled on Memorial Day weekend.
- Jim Landis (Fairfield County resident): Did not speak but had questions. How often does the Police Department go back there? What is the benefit to Baltimore? What is the cost to maintain the range to send officers back there? Does Baltimore receive money from any of other academies?

- Ernie Mock (Fairfield County resident): Start by thank you for eliminating use of the range on Saturdays beginning July 1<sup>st</sup>. It is a good start. When was decision made to eliminate Saturday usage? Why won't Village engage in a dialog? Eight law enforcement entities from outside the Village get free usage. Residents have to endure the noise, safety and environmental hazards. No benefit to the Village of Baltimore. Regarding the rental rate for the range – it is free for all in-county agencies and \$500.00 a year for two police academies to use it. Why? Fairfield County Commissioners offered county taxpayer dollars for use on the range which is unsafe and not needed. What makes it beneficial? Why does it exist? Are you aware that the police can utilize an indoor OPOTA certified firing range for annual certification absolutely free of charge? How can you justify jeopardizing the public and pollution of the Erie Canal and Walnut Creek? How can you justify noise pollution for residents? Not responsibility of Baltimore residents to provide a free firing range. All you have done is agree to schedule Saturdays off. 1.) Baltimore officers can use an indoor range for free 2.) Not responsibility of your office to provide a free shooting range for other municipalities or businesses.

One question, is the gun range on the agenda? Can you put the gun range on every agenda hereafter?

Hochradel stated that when it is stated that legal counsel has been retained, we cannot answer any questions.

VILLAGE ADMINISTRATOR – (See attached report) Highlights of the report are below:

- Pool – The new pump has been installed and we are filling the pool.
- May 11<sup>th</sup> we held an OPWC grant public informational meeting which was well attended. Plan to have two more public meetings.
- Water – We are not closing for lunch now. Office hours will be 8:00am - 4:30pm the VA will post the new hours after Memorial Day.
- Letters were sent out to high grass properties about which complaints had been received and notice of the new ordinance has been posted on the website.

FINANCE COMMITTEE: Chairperson House reported from the meeting that was held tonight. The financial reports and reconciliations for February, March, and April were reviewed. A report was provided detailing how much money is needed to cover employee raises to the end of the year. Funds are available. Muni-Link billing system was chosen for the water department and the related cost was given. Council member Hochradel asked about two unpaid bills. The Mayor indicated he directed them to be paid. Hochradel and the Mayor want a detailed explanation or itemization of what made up the total expense.

**The next meeting will be the fourth Monday of June – June 26th at 6:00 pm.**

SERVICE COMMITTEE: Chairperson Mohler was not in attendance at the last meeting. Councilperson House reported that it was a short meeting which was held at Johnson Park Shelter House just before the public information session on our OPWC grant. The pool concession stand will be run by the pool managers. Peg is now being assigned to conduct inspections of the Shelter Houses after each rental. She is filing a report on each which is then reviewed before deposits are returned. The sanitary sewer manhole database is 95% complete. Two hydrants are yet to be repaired. The public information session went very well and about a dozen people attended. More information sessions will be held as the project progresses.

**The next meeting will be held the third Monday of June - June 19<sup>th</sup> at 5:30 p.m.**

SAFETY COMMITTEE: Chairperson Hankinson nothing new to report.

**The next meeting will be held the second Monday in June - June 12th at 6:00 pm.**

RULES COMMITTEE: Chairperson Keller nothing new to report. If there is an agenda, the Rules Committee will meet at the regularly scheduled time.

**The next meeting will be held the second Monday in June - June 12th at 6:45 pm.**

FIRE BOARD REPORT: Council Representative Dwayne Mohler noted nothing new to report. The medic unit is still on schedule still six months out for delivery from the company in Elkhart, Indiana. The old green fire truck was put out bid online. Someone is interested in purchasing it for about \$1000.00.

PLANNING COMMISSION: The meeting was the public hearing held May 11th. There are a few updates to the proposed Zoning Code. The Commission voted to send total rewrite of the Zoning

Code to Council for consideration. There will be a public hearing on June 12th to consider amendments to the Zoning Code. Copies of the updates will be provided to Council.

**The next meeting will be a public hearing on the updated final draft of the Village of Baltimore Zoning Rules and Regulations on Monday June 12<sup>th</sup>.**

SOLICITOR: The solicitor stated there are no new pieces of legislation on the agenda. There is one piece of legislation up for a third reading. He asked for an executive session after regular business for litigation, personnel and economic development land acquisition matters to include Council, Mayor, Chief and VA.

POLICE: (see attached report)

- Officers attended the Kirkersville showing and funeral.
- A contractor has given an estimate for improvements to the range.
- Officers are working a missing juvenile report which also involves sexting.

Hochradel had questions regarding the firing range. What kind of money will need to be spent to upgrade the firing range? It will depend on the number of cubic yards of dirt needed. One thousand cubic yards would cost \$ 13,075.00 including bulldozer work. He expressed that he understands the concern of the residents about noise and the people using the range responsibly.

MAYOR:

- Movies in the Park will begin in June.
- Safety – At the next meeting he would like to have legislation to define a habitable dwelling. Requirements to include, running water and wastewater, dwelling would receive a placard as uninhabitable if it doesn't have those. Make it a criminal offense that is jail able to occupy a home that is not habitable.
- Welfare checks should include whether the inside is less than desirable.

FISCAL OFFICER: Fiscal Officer spoke about the budget which will need to hold a public hearing in June – more details to follow.

MOTIONS: Hankinson made a motion to approve the financial reports for April and May with House seconding. With no further discussion a vote was taken and the 6-0 vote passed the motion.

Mohler made a motion to go into executive session following regular business to discuss, legal, personnel and economic development land acquisition matters with Keller seconding. With no further discussion a vote was taken and the 6-0 vote passed the motion.

ORDINANCES and RESOLUTIONS:

Third 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 made the motion to adopt the ordinance. Councilperson Keller seconded. There was no further discussion. Ordinance 4-24-2017-2 was adopted by a 6-0 vote.

OLD BUSINESS: Marijuana for medical purposes and economic development will be discussed during executive session.

NEW BUSINESS:

- Councilperson House asked about surveillance cameras for the gun range. He also asked about the fencing at the jail. He was advised that he needs to talk to Alex Lape. Maybe need cameras at the wastewater treatment plant also.
- Councilperson Keller advised that on Memorial Day the VFW group will march through town to the cemetery.

- Mohler asked the VA had anyone look at the trees around the cemetery he brought to last meeting? VA Wise responded that it had not been done yet. She will ask Steve to review them to see if they need to be removed.
- Councilperson Keller mentioned that some of his neighbors have complained about dogs running loose and people not cleaning up after their dogs in the parks.

VISITOR COMMENTS: All visitors had left by this time.

LAST CALL:

Mayor reminded everyone that the children's theater production this summer will be "Honk" and he is the proud father of one of the ducklings.

Council took a short recess at 9:01 pm. and then went into Executive Session.

Council returned to regular session at 10:50 pm.

NEXT MEETING:

**The next meeting will be held the second Monday in June – June 12<sup>th</sup> at 7:30pm**

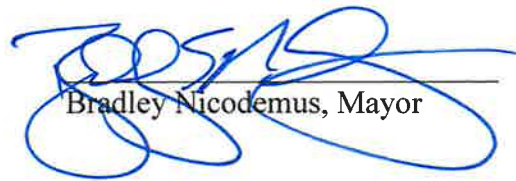
ADJOURNMENT:

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

The Mayor adjourned the meeting at 10:51pm.



\_\_\_\_\_  
Kathryn Jenkins, Fiscal Officer



\_\_\_\_\_  
Bradley Nicodemus, Mayor