

Regular Council Meeting
July 13th, 2011

The meeting of the July 13th, 2011 Regular Council Meeting was called to order with the Pledge of Allegiance by Mayor Robert Bickley.

Roll call: present- Dickman, Fox, Kovesdi, Maloney and Wolf. Absent-Jenkins. Also present- Administrator Bruce Bowie, Fiscal Officer Mary Bruno and Solicitor Vickie Ruffing.

Motion by Fox, seconded by Kovesdi to approve the Minutes of the June 22nd, 2011 Council Minutes after correcting the motion by Jenkins, seconded by Dickman to return the “no turn on red sign” in Safety, under Old Committee Business. Vote-all yeas, motion carried.

Motion by Fox, seconded by Kovesdi to approve the Council Bills for July 13th, 2011 in the amount of \$19,887.62. Vote-all yeas, motion carried.

Motion by Kovesdi, seconded by Maloney to approve the Utility Bills for July 13th, 2011 in the amount of \$38,041.95. Vote-all yeas, motion carried.

Citizens Participation

Lawrence Smith spoke to Council and the audience, announcing his retirement as Street Superintendent on July 31st, 2011 after 42 years of service. He stated it was an honor to work for the Village, thanking everyone for the opportunity. Smith was given a round of applause when he finished speaking.

Mary Basterash asked Council to consider letting the audience speak again at the end of the meeting to address any questions or concerns that may have been addressed after the Citizen Participation portion of the meeting.

Pete Schade, of the Erie County Health Department spoke to Council on an option for the vacant house at 27 S. Main Street. Schade said the owner signed a statement of no formal objection of action. The house must be formally condemned, followed by a 30 day waiting period. The Health Department has money to do the demolition, at a 50/50 price with the Village. The total price to demolish and haul away would be about \$7,500.00. A lien would then be placed on the house, and if any money is recovered, it would be split between the Village and Health Department. Motion by Maloney, seconded by Fox to go forward with the proposal. Vote-all yeas, motion carried.

Beginning September 1st, 2011 the Health Department will administrate the Care-A-Van, and will be looking for volunteer drivers. Currently the Care-A-Van is run as a county job.

Larry Schell addressed Council about the conflict management the Fiscal Officer and Administrator were ordered to attend. He told Council not to go forward with it, as it would take extra money.

Schell told Council he does not like the sidewalk policy, that Council should take a look at it.

Schell then spoke to Council about the Fiscal Officer’s comp time he said he discovered while looking through the Codified Ordinances to find who he should ask for financial reports from. He said it was not legal for the Fiscal Officer to have comp time for anything over 32 hours a week. He stated he would be mad, as Bruce Bowie is after working 40 hours a week and not given comp time. The Fiscal Officer told Schell Bowie is entitle to, and has taken comp time at time and a half. Bowie stated he asked the Mayor about comp-time years ago but was never given an answer. Bowie then said the Fiscal Officer told him he was entitled to comp time and a half. The Fiscal Officer clarified to Bowie she never told him that, she is not his boss and would have no authority to do so. Bowie then said he has taken comp time and a half, but wasn’t comfortable with it so he stopped. The Solicitor addressed Schell with notes and documentation form 9 years ago, through full Council decision and unanimous vote to draw up the Fiscal Officers job description through ordinance, giving her comp time and a half after 32 hours, which is the hour she works and is paid for each week. Bruno then brought up the conflict management, stating she had

called Maggie Lewis of the Ohio Commission of Dispute Resolution 4 times before reaching her, fulfilling her orders to schedule. Lewis had further questions she said needed to have answered by the Solicitor. No one else spoke on the conflict management issue.

Pam Crosby addressed Council on the new police chief's job. She questioned why Council would not have promoted from within if they had the qualified personnel. She thought an officer who knows the public and community would be an asset.

Tammy Vitaz, representing the Milan Melon Festival spoke to Council about the upcoming festival. She said there are currently 8 people on the entire committee, and the frustrations that come with such a small group and a large festival. She had a few issues to discuss with Council, such as paying for police after 11:00 p.m. at night when the festival closes. She felt the festival was paying for keeping watch over the bars. She asked if the Village sends letters to the bars addressing how the police are paid. She stated the Wonder Bar has always been very supportive and helpful to the Melon Festival and the committee. Vitaz also took issue with the amount of over-time the police chief has collected in years past. Currently the agreement between the Village and festival committee calls for the festival to be responsible for half of the chief's overtime, up to \$500.00. Bruno wanted to clarify the festival was invoiced for \$500.00 last year for Chief Ward's overtime, but did not directly pay that invoice. Instead, it was at that time the Village was made aware of \$500.00 agreement between the ride operators and the Chief of Police, a practice that had been going on for many years. Former Chief Ward was the recipient of that money, with the Village having no knowledge of receipt of it. Ward told Council last year he used it for his Police Association. that was closed down after last year's festival. Vitaz felt that amount should be put towards the over-time, and made that point clear to Council. Victor Mooney asked where he could see the financials of the Melon Festival and Vitaz told him they will soon be put on-line. She stated, to the best of her memory, the festival made about \$3,000.00-\$4,000.00 last year. The year before, the festival was in the hole. Melon Festival Committee meetings are usually held on the 1st Sunday of the month, 6:00 p.m. at town hall.

OLD COMMITTEE BUSINESS

Streets, Sidewalks and Storms Sewers-Motion by Maloney, seconded by Fox to go forth with the 3 catch basin projects by RS Bores. Vote-all yeas, motion carried.

Motion by Maloney, seconded by Fox to authorize the ADA handicap ramps project by DL Smith. Vote-all yeas, motion carried.

Motion by Maloney, seconded by Fox to authorize an urgent catch basin repair at E Front Street. Vote-all yeas, motion carried.

Motion by Maloney, seconded by Wolf to authorize the 2 asphalt projects at Old State Road, and at Williams Street. Vote-all yeas, motion carried.

Safety-Motion by Fox, seconded by Dickman to accept the Mayor's recommendation to consider hiring James Rose as the Chief of Police for the Village of Milan, with a 6-month probationary period. Vote-all yeas, motion carried. A committee comprised of Milan resident Greg Bodkin, Council Members John Fox and Art Dickman and the Mayor interviewed 14 potential candidates. Fox read Rose's biography. Rose spoke to Council and the audience stating he agrees promotions should come from within, when they can, but vowed to prepare his officers to take his job when the day comes for him to leave. If he hasn't, he will have not done his job.

Finance-For insurance purposes, an updated employee manual was recommended and presented to Council. Council has always chosen to not have a handbook, and it is unusual to not have one. The Solicitor felt it may be better to not create our own. The one presented to Council tonight was through the Ohio Plan template. Council recommends not adopting an employee manual at this time.

Regional Planning, Building Codes & Inspection- Seasonal swimming pools must be inspected for a one-time electric permit.

A meeting will be held to determine how to cover the retiring street superintendent's duties.

Utilities-The electric department completed an isolation switch on Huron Street.

The electric department completed preparations for Johns Manville temporary power.

The electric department also installed a new pole behind Johns Manville in preparation for the new service to the remediation room.

The survey work at Johns Manville has been completed.

The Fiscal Officer will travel to Findlay to talk with Courtney and Associates about the finalization of the electric study.

Well #4 was recently cleaned, with plans to have another one done this year.

Civic Contact and Historical Preservation-None

Parks and Trees- Motion by Fox, seconded by Kovesdi to authorize the additional \$775.00 for the ash tree that was missed during the ash tree process.

NEW COMMITTEE BUSINESS

Streets, Sidewalks and Storm Sewers-None

Safety-None

Finance-Motion by Maloney, seconded by Fox to adopt the 2012 Budget. as presented to council at tonight's Public Hearing. Vote-all yes, motion carried.

Regional Planning, Building Codes & Inspection-None

Utilities- The Village will stay with Erie County Health Department for plumbing inspections, including the Huron County portion of the Village.

A second lightening strike damaged a number of the water plant electronic controls, and an insurance claim will be filed.

Motion by Maloney, seconded by Kovesdi to allow Nancy Justice to attend the SSI Mix for schooling in September in Mason, Ohio. Vote-all yeas, motion carried.

Civic Contact and Historical Preservation-Motion by Wolf, seconded by Maloney to allow the Edison High School Band the use of the parking lot on the west side of the square as a fund raiser during Melon Festival. Vote-all yeas, motion carried.

Motion by Maloney, seconded by Kovesdi to allow a sign for the "Go Take A Hike" on September 11th, sponsored by the Milan Birthplace and Museum, to be placed in the square after the end of the Melon Festival. Vote-all yeas, motion carried. Wolf abstained from the vote.

Parks and Trees-None

UNFINISHED BUSINESS

North Coast Business Journal's July issue features Milan.

Some of the new Ohio State Budget changes that will impact Milan are: utility usage information, estate tax, Prevailing wage, and competitive bidding.

LEGISLATION

AN ORDINANCE AMENDING ORDINANCE NO. 411-02-06 DESIGNATING THURSDAY AS RESIDENTIAL GARBAGE PICK UP DAY WITHIN THE VILLAGE OF MILAN. Motion by Wolf, seconded by Fox to bring this ordinance to its first reading by title only. The change in the ordinance is the insertion of the word residential, as well has wording for holidays that may impact regular Thursday pick up. Vote-all yeas, motion carried.

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Motion by Dickman, seconded by Kovesdi to excuse Fox from tonight's meeting.

Motion by Dickman, seconded by Kovesdi to adjourn. Vote-all yeas, motion carried.

Mayor Robert C. Bickley

Fiscal Officer Mary Bruno