

Regular Meeting of Bethesda Village Council

January 23, 2020

Mayor Samantha Burkhead called the meeting to order, Samantha led the Pledge of Allegiance.

Roll Call

Present: Mayor Samantha Burkhead, Administrator Dirk Davis, Solicitor Jeffrey Menoski, Fiscal Officer Ricky Burkhead, Ruth Saffell, Jay Van Horn, Jordan Castello, Rod Miller, Cindy Foose, Carol Merritt

Absent:

Guest(s)

Stephanie Castello, Pete Busack, Phil Castello, Dick Quinlin, Alan Stonebreaker, Nicole McCollum, Derek Roby, Fred Thompson

Reports

The Fiscal Officer E-Mailed Fund Status, Cash Summary by Fund, Fund Ledger, Payroll, Receipt Register & YTD Appropriation status reports to Council Members, Administrator, Fire Chief & Mayor. Rod Miller made a motion to approve the December 2019 Meeting Minutes and January 2020 Special Meeting Minutes, seconded by Jordan Castello, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.

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Old Business was discussed first.

Chief Pete Busack gave an update on the Oak Street property. Pete stated that the property will go up for auction on Monday and if no one buys the property, the owner will be deeding the property over to the village in order for the house to be torn down. Pete stated that if the property is purchased, the new owner would still be obligated to tear down the house as it has been condemned.

Mayor Samantha Burkhead informed everyone that the village is looking at having a website created in order to better inform the public with a calendar, special events, ordinances and such. We received a few different proposals and quotes. Mark Anderson with Gethappy.com from Quaker City was the cheapest for what was being offered. Jordan obtained the proposal for this and Jordan stated that the quote is \$262 per year for the hosting, and design. Jordan stated that any major changes would be at \$50 per hour. Cindy Foose made a motion to use Mark Anderson to develop a village website for \$262 annually, seconded by Jordan Castello, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.

Administrator Dirk Davis gave his report to council.

- Dirk stated that the village Christmas street lights are in bad shape and we only have 11 working lights. Dirk stated that we also need to look into having the electrical outlet replaced and this should cost around \$250-\$300 per pole. Dirk asked to have a committee appointed to begin planning and preparations for upgrades if we can afford it. Carol Merritt stated that she would like to see a donation drive happen and that she would donate \$500 to the cause. The recreation committee will take the lead on this project. Jay Van Horn asked if the lights would be refurbished. Dirk stated that yes if we redo the wiring and lights, that the structures are fine. Dirk and the committee are going to begin looking at options to either replace or revitalize the Christmas lights.
- Dirk stated that the Badger Meter upgrade contract has been signed and that we are waiting on a time frame for them to begin setting it up and commence training. Dirk stated that we ran into a couple issues this week with the old system and we hope the new system will fix them. Dirk stated that the finance committee and the water department employees met and discussed the options. Ruth Saffell stated that the committee would prefer to go the route of a \$1.50 surcharge for two years. Fiscal Officer Burkhead stated that the committee has decided that implementing a \$1.50 surcharge for 24 months would be the easiest and best route for the community. Rick stated that these upgrades are for the billing software and the meter reading software to work. Rick stated that the committee discussed the fact that the upgrade should be shared equally among the residents as this upgrade affects everyone equally as it is for the meter reading and not water or sewer. Council and the audience discussed. Rick stated that this surcharge should be a separate line item on the bill so that residents can see when it comes off of their bill in 24 months. Rick will prepare the updated ordinance and give to the solicitor for the next council meeting. Ruth Saffell made a motion to go the route of the \$1.50 for 24 months and to bring a revised ordinance to the next meeting, seconded by Carol Merritt, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.
- Dirk stated that a grant was filed to perform work on the park lake spillway. Dirk stated that he didn't know when we would hear about the results of our application.
- Dirk informed council that Morristown needs assistance with plowing snow as their equipment has broken down. Dirk stated that Gordon Price asked if Bethesda would be interested in plowing the main streets in Morristown, not the alley ways. Dirk asked if this is anything that council would be interested in doing. Dirk stated that the salt would be supplied by Morristown and that only man hours and the equipment would be needed. Cindy Foose made a motion to give Dirk permission to negotiate a contract with Morristown and to bring it back to council for consideration, seconded by Jordan Castello, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.

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- Dirk presented a renewal contract for the Epworth Cottage Owners leave removal and snow plowing for 2020-2022 seasons. This will pay \$1500 for leaf and brush removal and \$50 per snow plowing. Dirk stated that there is no change with this contract from last year. Jordan Castello made a motion to approve the contract, seconded by Rod Miller, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.
- Dirk informed council that he created a list of alleys that he would like to see chip and sealed in 2020. Dirk stated that this list was given to Parnell Paving to get some estimates on what it would cost to do some of the high slope alleys. Dirk stated that this will probably end up being a 3-5 year project.
- Dirk presented council with pictures of an incident on First Street where a person pulled off of the side of the road to let oncoming traffic pass. Dirk stated that this person suffered a sliced tire and they would like the village to pay for it. Dirk stated that the person drove off of the road by about two feet and that he doesn't see where the fault lies on the village. Jay asked the solicitor if he felt this was the village's responsibility. Jeff stated that he wouldn't recommend paying for it. Jay made a motion based on the advice of the solicitor that we do not pay for the tire, seconded by Cindy Foose, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Derek Roby asked where the responsibility for the edge of the road lies. Dirk stated that the village intends to ditch that street and run drainage and install a catch basin as some point.
- Dirk stated that he and Dave Green met with a representative from Hall Environmental from Newark Ohio who is an engineering firm. Dirk stated that we have been on the lookout of a new firm to work with for projects for the village. Dave stated that he was impressed with these people and stated that this company is used to working with large communities and smaller communities. Dave stated that they have various crews that work with different sized entities.

Fiscal Officer Burkhead informed council that the 2019 annual financial report is complete and available at the fiscal officer's office. Rick stated that the 2020 budget and appropriations have been submitted to the county auditor. Rick stated that the audit for 2018-2019 will be commencing soon. Rick stated that he filled out an application to have an Agreed Upon Procedures audit will is a shorter form of audit for entities who have a good audit track record. Rick stated that he anticipates the audit to start in the next 2-3 weeks. Rick asked for a motion to approve a transfer of \$5000 from General Fund to Police Fund to cover wages. Jordan Castello made a motion to approve the transfer, seconded by Cindy Foose, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Rick stated that the police fund may need additional funds before the levy revenue comes in. Rick asked for approval of a transfer of \$26,436.67 from General Fund to the Fire Fund for half of the gun bash proceeds. Ruth Saffell made a motion to approve the transfer, seconded by Rod Miller, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Rick informed council that the police fund is in debt to the General Fund for \$33,500. Rick stated that this has accumulated over the last couple years due to wages, equipment, and items needed by the department. Rick stated that he does not foresee the department ever being able to repay these advances. Rick stated that he would like council to approve him to transfer the money permanently to the police fund and repay the advances. Ruth Saffell made a motion to approve the \$33,500 transfer and to repay the advances, seconded by Carol Merritt, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Rick asked council if we will be doing the Gun Bash this year and if council wished to have another fireworks show this year. Rick stated that he would like to begin fund raising for the fireworks and begin planning of the gun bash date and locations. Dirk is going to check with the Event Center to see if we could have fireworks on July 12th 2020.

Mayor Samantha Burkhead presented to council a check for \$200 as a monthly donation of part of her mayor's salary. Samantha stated that with this money she would like to see council approve a community project. Jay Van Horn made a motion to create a community project account within the General Fund to hold this money, seconded by Carol Merritt, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Samantha stated that the first project she would like to do is to create The Bethesda Little Readers program. Samantha stated that all children, aged 0-6 years old, that live in the village, would receive a book on their birthday. Samantha stated that parents would need to sign up their children for the program and that we would have a place for children to come and get a book on their birthday. Samantha stated that reading is a very important part of a child growing up and promoting the use of their imagination. Samantha stated that she loves to see her daughter's excitement when reading and she wants others to experience that. Jordan suggested that perhaps this would be worked with the village library to have them involved also. Carol Merritt made a motion to approve the creation of the Bethesda Little Readers program, seconded by Ruth Saffell, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Rod Miller – Yes, Cindy Foose – Yes, Carol Merritt – Yes.

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Samantha offered the committee meeting updates.

- The personnel committee met and is currently working on revamping the employee handbook. The committee is going through and noting any changes and updates that they feel should be made. Dirk is going to get the committee the changes that he would like to be made.
- Samantha stated that the police committee met and that they wanted to see more coverage during the morning bus route. Samantha stated that the police committee asked that tickets be sent out certified mail to project Pete and the village to be able to verify that people received their tickets. Pete stated that this was a waste of money and that we shouldn't do it. Pete stated that there have only been a few instances of people not getting their tickets. The police committee also asked that any purchase for the police department be channeled through the finance committee due to the shortage of funds right now. The police committee also asked Pete to write down mileage on the cruiser so that we would be able to show the public that the car is out and about the town during working hours. Pete informed council that it is going to cost a lot more than \$1000 to have the computers put in the cruisers. Pete stated that the new mounts, power supplies, and batteries will cost near \$3,500 to install in both cars. Jordan stated that there should be a cheaper place to get the mounts. Pete stated that there are only two places that make computer mounts for the cars. Jordan stated that her boyfriend had one put in his truck and it was not that much. Jordan is going to help find other options also. Jay suggested that perhaps we just write the tickets manually. Pete stated that we do not want to go back to the past and that we want to keep current. Dirk stated that if we hand write them it will cause more paperwork and reports to be done at the office. Dirk stated that he is going to look in storage for the mounts that we had in the cruisers. Dick Quinlin suggested that we contact state surplus to see if there are any old state highway patrol mounts that we could use. Pete stated that it was a great idea and he will contact them.
- Samantha stated that she and Pete have been discussing how the ticket revenue works. Samantha stated that Pete informed her that tickets written in the village come directly back to the village. Pete informed her that tickets where people plead not guilty go the county and then the village receives the fine money and the county court keeps the court fees. Pete informed council that tickets written in Goshen Township go the county court and then half of the ticket value goes the county auditor and then is given to Bethesda. Rick stated that he checked and that Bethesda is not receiving any money from the county for ticket fines. Rick stated that he only received local government distribution and license taxes. Pete stated that the county court turns over \$25 to the county auditor which then comes to Bethesda. Rick stated that we are not currently receiving anything from Goshen Township tickets written. Rick stated that he would contact the county auditor to see what is going on and if we should be receiving money from these tickets. Rick stated that he just wanted to make sure we receive what is due to us or to be able to book items properly. Pete stated that Morristown and Goshen do not receive anything from these citations. Pete stated that if Goshen Township set themselves up, that they could receive part of the fine money. Rick stated that if we are supposed to be getting ticket revenue and we are that it is a problem because that it money that the police could be using for wages.
- Samantha stated that the committee discussed offering a change to the Morristown Police contract as it has not been changed in many years. The contract currently pays for 20 hours a month and \$15 an hour for the officer and \$15 for the cruiser which allows us to pay \$10 an hour to the officer plus benefits. Rick stated that he, Pete and Dirk believe we would like to see that go to \$20 per hour for each the officer and the cruiser as wages are now higher and the cost of operating is higher. Rick stated that this would allow us to pay the officer the same wage that he makes working for Bethesda. Carol suggested that we put an incrementing factor into a new contract.
- Samantha informed council that Pete told her that Goshen Township passed a levy and that they are interested in creating a police force and that Bethesda and Belmont police departments would be dissolved into Goshen Township. Pete stated that it has been discussed that the smartest thing to do is to get rid of the Bethesda and Belmont police departments and have a single department. Jeff stated that there is a piece that would need to be put on the ballot and voted on for that to happen. Samantha asked Pete how far Goshen Township is into planning this police force. Pete stated that they are not and that it was just table talk. Samantha stated that Pete told her that a levy was passed and that this was happening. Pete stated that they passed a roads and bridges levy. Samantha stated that Pete specifically stated that Goshen Township was waiting to form this department until the levy was passed and that it has now passed. Ruth stated that the current contract pays zero dollars to Bethesda. Rick stated that this is why he was concerned about the ticket revenue for the tickets Pete writes in Goshen Township. Rick stated that the contract pays no money and that we have been out patrolling Goshen Township and writing tickets and that would be a helpful source of income for the department. Rick stated that right now we are paying Pete an hourly wage to patrol Goshen Township with Bethesda tax payer money. Rick asked how this makes sense for the residents of Bethesda? Samantha stated that even Mr. Braidon suggested at the last meeting that Bethesda police department needs to stay within Bethesda and to take care of Bethesda. Dirk stated that the contract with Goshen has been in place since Tim was here. Samantha stated that the village pays Pete's wages and the costs to operate the vehicles and Pete is going out of town and patrolling and running radar in Goshen Township at the cost to Bethesda. Rick stated that we have been running on a very tight budget, we can't afford to pay for equipment for the cars, we can't afford hours for patrol and here we have our officer patrolling outside of town at the towns expense. Samantha stated that we need to sit down with Goshen and see what their plans are for police since Pete stated that they are looking at forming a police department.

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- Rick stated that each month we come to the meeting and discuss the fact that the police department has to run on little to no funds and that we can't afford wages or things the department needs and we have been patrolling outside of town at the expense of the Bethesda taxpayers. Derek Roby asked what kind of kickback Bethesda gets from Goshen Township to patrol in their area. Rick stated that we do not get any money for the Goshen contract. Jay Van Horn state he thought that Goshen Township didn't want any patrol or any tickets written in their jurisdiction and the only reason for the contract was to help the police

department when it comes to grant filing. Pete stated that they wanted tickets written but they didn't want him setting up speed traps. Cindy stated that the point is that we are using our money outside of our town where our residents do not benefit. Samantha stated that she spoke to Pete about how much time he spends outside of town and Pete informed her that he spends about half of his time outside of Bethesda. Pete stated that he usually doesn't go past the Goshen Township garage and sportsman's club road and just drives around and makes circles. Council agreed that Bethesda is paying Pete his wages and paying for the cost of operating the vehicles that Pete needs to be working in Bethesda on not in Goshen Township. Jay Van Horn stated that this isn't anything against Goshen Township but that our contract was more of a mutual aid to respond to people needing help who live in Goshen Township, not conduct regular patrols, run radar and issue citations. Jay stated that our residents want our cruiser in our town working for our residents. Council agreed that we should respond to calls if called out by 911. Jay stated that if Goshen Township is wanting to form a police department, that first off Belmont probably would not support it, and secondly the county sheriff most likely won't like it either as it is their territory. Dirk stated that consolidating is difficult because people don't like giving up their identities. Derek Roby stated that Morristown is paying for a police contract and what makes Goshen Township any better that they get a free police contract. Derek stated that there should be a contract like Morristown's written up with them as well. Samantha apologized to the audience that she was misinformed by Pete about a Goshen Township police levy and the contracts. Samantha stated that she wants everyone to have the correct and full information of what goes on with the village. She stated that this is the residents' village and they need to know everything that goes on and have a say in it.

- Solicitor Menoski stated that he would like to look over the contracts. Pete went and made copies of the Goshen Township contract and the Morristown contract. What Pete provided was a termination letter from the Goshen Township trustees dated March 21, 2019 signed by all trustees stating that the police contract would be terminated immediately. Council discussed and no one knew if a new contract was ever signed. Solicitor Menoski and Rick are going to review the minutes and figure out what is going on. The police committee is going to schedule a time to review the contracts and perhaps reach out and meet with the other entities.

The ordinance committee met and they have recommended changes to the property maintenance ordinance. Samantha stated that there should be a committee that decides which properties are in violation of the ordinances, not just the mayor. Samantha stated that this should be a group decision and effort not just that of one person. Solicitor Menoski is going to make the changes that the ordinance committee would be in charge of determining which properties are in violation and working with residents. Samantha and Jordan both stated that this is about helping residents not about targeting residents. Pete will then be notified by the committee.

Chief Pete Busack informed council that he and Jordan are working on the 432 1st Street property and helping them with the excessive cats. Jordan stated that four cats were removed and four were spayed or neutered. Currently the feral cats are being trapped so that they can get fixed as well. Jordan stated that more cats will be removed as room allows. Jordan stated that Belmont County Hoof and Paw paid for the procedures for the cats. Pete stated that we tried to help them and they are also working on getting the junk cleaned up as well. Jay stated that when people leave their animals out, these animals are also tearing up other resident's properties. Jordan stated that she is working with other agencies to move more cats if they can. Jordan stated that mating will decrease not that some of the cats have been fixed. Alan Stonebreaker stated that he has a problem with a dog running loose and a neighbor's dog was chewed up by it. Jordan stated that she and Pete will go talk to them and explain that animals need to be on a leash. Jay recommended that Alan take picture of the dog running lose.

Pete stated that the truck in the street behind the fire station needs to be removed. Pete stated that he was pretty sure we would be permitted to have it towed. Solicitor Menoski is going to review this situation and advise Pete. Pete stated that he will be attending Chief's training on March 2-6th and this training is mandatory. Pete stated that he has a large pile of computers form storage that need to be numbered, listed, and given to the Belmont county Prosecutor's office in order to receive a blanket destruction order. Pete stated that he will be working on this next week. Samantha commended Pete for providing the nice year end police reports to her and council.

Jay presented an application for Megan Hoops to be a general volunteer at this point. Cindy Foose made a motion to approve the application seconded by Rod Miller, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello - Yes, Rod Miller - Yes, Cindy Foose - Yes, Carol Merritt - Yes. Jay stated that the fire truck construction is going nicely and we hope to have it ahead of schedule, perhaps before summer. Jay stated that the fire and EMS department are always looking for new members and volunteers.

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Solicitor Menoski stated that we have been looking at the spillway issue since 2018 and we asked that the Methodist Church Conference help with this since it was their property. Jeff stated that after negotiations we have been transferred the property of the lake and park free of charge. Jeff thanked the church conference for working with the village. Jeff stated that he will be going to court on the 6th about a vehicle that wasn't moved.

Jordan Castello stated that she made an event calendar that has the entire year's calendar of events. Jordan stated that the special events have all been tentatively scheduled.

Samantha stated that Union Local is seeking donations for the 2020 after prom. We have until April first to decide if we are going to offer a donation.

Rod Miller stated that we have a water drainage issue on Second Street. Dirk stated that the public works crew, work on this every morning and that it was the result of a spring opening.

Derek Roby stated that when Pete was put in, it was stated that there were terms for Pete's probation. Derek asked what they were. Samantha stated that she asked Pete as well what the terms were and Pete informed her that there were no terms. Jordan stated that there were some terms. Ruth stated that we were supposed to have a meeting and it wasn't done. Ruth stated that we should have that meeting.

Derek stated that recently for six months there was always someone raising their voices and that now things are calmer and have settled down. Derek stated that it seems that some hatchets have been buried and we are working on moving forward. Samantha stated that it's a new year and new people and we are starting fresh and we all want to work together for the residents. Samantha stated that nothing can be accomplished by butting heads. Derek stated that he thinks things are already going better since four months ago.

Motion to pay bills by Jay Van Horn, 2nd by Jordan Castello, with a unanimous vote.

Motion to adjourn by Jordan Castello, 2nd by Ruth Saffell, with a unanimous vote.

The next meeting will be Thursday February 27th, 2020 at 6:30 P.M.

Mayor Samantha Burkhead

Fiscal Officer Ricky W. Burkhead Jr.