

## Regular Meeting of Bethesda Village Council

September 26, 2019

Mayor Marty Lucas called the meeting to order, Mayor Lucas led the Pledge of Allegiance.

### Roll Call

Present: Mayor Marty Lucas, Fiscal Officer Ricky Burkhead, Ruth Saffell, Jay Van Horn, Solicitor Jeffrey Menoski, Jordan Castello, Administrator Dirk Davis, Chuck Little, Cindy Foose, Carol Merritt

Absent:

### Guest(s)

Stephanie Castello, Pete Busack, Phil Castello, Samantha Burkhead, Linda Reeves, Dave Green, Mark Stiles, 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. Ruth Saffell made a motion to approve the August 2019 Meeting Minutes, seconded by Jordan Castello, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello - Yes, Chuck Little - Yes, Cindy Foose - Yes, Carol Merritt - Yes.

### Regular Council Meeting Minutes

Administrator Dirk Davis gave council his monthly report:

1. Street signs that were destroyed on Lake, Willow, Judson, and Oak Streets have been paid for and will be replaced.
2. Our public works crew installed a new sewer line in Epworth Cottages and they paid us \$559.93 for the repairs.
3. The large catch basin on Belmont Road has been repaired and we have been paid back \$761.14 for the costs.
4. Muskrat Creek between First and Second Streets has been cleaned up and fixed. Greg Williams and his crew did a fantastic and professional job.
5. Dave found us a used hydraulic jackhammer that has been purchased for \$845 and a new one would cost \$2300. Dirk thanked Dave for finding this deal for us.
6. Reminder that we need to discuss the badger meter upgrades very soon.

Chuck asked Dirk if we could put up a larger One Way sign by the pizza shop. Chuck stated that we had a person come up the street and dam near hit Pete in the cruiser. Mayor asked if the person was cited. No response.

Mark Stiles discussed the alley behind North Main Street. Mark asked if that alley could be opened for use. Mayor Lucas explained where the alley is and stated that we have done some storm drainage work there as well. Mark stated that there is not time crunch. Mayor Lucas stated that we would look at it and see what would need done.

Samantha Burkhead addressed council and the audience and stated that she initially came here this evening to ask council to lower the mayor's salary for the new mayor that will take office at the beginning of the year and donate the money saved to a community events fund. Samantha stated that she understands that it would affect other peoples pay as two other people are running for mayor. Samantha state that she will still donated \$200 back to an events fund if she were to be elected mayor. Samantha stated that should she be elected mayor that she intends to give council 100% of the control and that any decision making power that was taken away from them will be given back. Samantha stated that the village should not be run from the front stoop of the city building, text messages, or from anyone's back porch. Samantha stated that the village will be run by a council of six in the council chamber in open meetings.

Linda Reeves stated that she was just observing this evening but she was saving everything for one big blow. Linda stated that she agreed with Samantha that everything should be decided by council and in the council room. Linda stated that if anyone in town has a problem with how council runs the village that they need to come to a meeting and address council. Linda stated that everyone knows that meetings are open and that people don't need to be running their mouth out in the public if they are not satisfied with decisions of council that are made. Linda stated that if people have a problem, that they need to come to meetings. Linda stated that she is running because she wants a change now.

Jordan Castello stated that she wants to see some possible changes, and wants to see things done for the good of the entire community, not just a few or those that have the money. Jordan stated that decisions will be made at this table. Jordan stated that she would like to see two meetings per month. Linda agreed on the multiple meetings per month. Jordan stated that if she becomes mayor that will happen regardless. Mayor Lucas stated that he had the idea years ago but it's hard to get everyone together. Jordan stated that she is available to talk to anyone if they wish.

Dirk asked if we could put together a town hall meet and greet. Jordan stated that the candidates shouldn't organize it. Dirk stated that there is also a council vacancy that he would like to see people come and express interest in a council seat. Jordan suggested that we have a debate format. Linda and Samantha suggested that we just do a meet and greet to have people ask questions. Dirk recommended Stan Sobel to be a moderator.

Linda asked when she was allowed to put up her campaign signs.

Mayor Lucas stated that it all sounds good and he wishes them luck as he has tried to get people here for years.

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Ruth Saffell made a motion to go into executive session to discuss personnel, at 7:45p.m., seconded by Jordan Castello, Jay - Yes, Ruth - Yes, Jordan - Yes, Carol – Yes, Cindy – Yes, Chuck - Yes.

At 8:12 p.m. Mayor Lucas declared executive session over.

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Mayor Lucas presented a letter detailing his recommendations regarding Pete Busacks probationary period.

Mayor Lucas asked for a motion to approve Pete to the permanent position. Chuck Little made a motion to appoint Pete to the permanent position of police chief, there were no motions to second.

Mayor Lucas asked for a motion to remove Pete as police chief and that he be returned to the former position of police officer. Cindy Foose made a motion to remove Pete as police chief and to return him to the position of police officer, seconded by Ruth Saffell, Cindy Foose – Yes, Chuck Little – No, Jordan Castello – Abstain, Ruth Saffell – Yes, Carol Merritt – Yes, Jay Van Horn – Yes. Mayor Lucas asked Pete if he had any comments or anything to say. Pete stated, not a word, but he stated that it looks like he wasted 18 months here.

Carol Merritt stated that Ebenezer Church is going to pave their parking lot and asked if they need a building permit. Dirk stated that the Church will need to get a drainage study and go off of an engineer's recommendations on the runoff water effect.

Jordan Castello stated that trick or treat will be on October 31<sup>st</sup> with the parade starting at 5:30 and trick or treat from 6:00-7:30. We will have our Christmas events on December 7<sup>th</sup> but we haven't settled on a time just yet. Jordan stated that sashes and crowns have been ordered already.

Dirk stated that he will have to notify the grant writer that we are not going to file for the JAG Grant because we need to have a police chief and asked council if it's ok that he notifies them. Chuck stated that it will have to be that way because that's how they voted. Ruth asked when it had to be filed and Dirk stated October 31<sup>st</sup> is the deadline. Mayor stated that he would be really surprised if council finds a police chief in 30 days. Dirk stated that he wants a motion of council to have the grant writer not write a grant application. Rick stated that he didn't remember that we had to have a chief for the grant. Dirk stated that we did and he wants council to follow through with what they did, and that we don't have a chief now because of them and that he wants them to direct him to not have the grant filed. Dirk stated that we didn't get it last year because we had no chief. Pete stated that it was the reason we didn't get it last year, that and the Eric problem. Mayor stated it was because Eric was not in the chief's capacity at that time.

Fiscal Officer Rick Burkhead presented Resolution 2019-2 which accepts the counties tax rates and amounts for 2020. Chuck Little, made a motion to approve Resolution 2019-2 and submit it to the Belmont County Auditor, seconded by Carol Merritt, Jay Van Horn - Yes, Ruth Saffell - Yes, Jordan Castello – Yes, Chuck Little – Yes, Cindy Foose – Yes, Carol Merritt – Yes. Rick stated that the park trial is being paved as we speak. Rick stated that he and the park board are very grateful of Dirk for letting the public works crew work with the paving company to make the project happen. Rick stated that they seemed to enjoy the work. Rick stated that the Gun Bash is November 2<sup>nd</sup> and there are still tickets available. Rick showed off a couple of the games for the bash. Rick stated that he and Samantha are working on the last one. Rick informed council that we have begun receiving gas and oil royalties. Rick stated that this month was only properties on one well and was only for a small portion of the month. We will know more about how much we will be getting next month. Rick stated that he and Mayor Lucas met at Wesbanco and signed off on the fire truck bonds. Rick stated that it is all complete and congratulations we purchased a new ladder truck!

Pete Busak stated not that it matters but he would present a report. Pete stated that he didn't get a report done due to a call he had to respond to. Pete stated that Eric Smith is back in the news and that he accessed our computers and did it in a way that was not good. Pete stated that he caught it and let Jeff, Dirk, and Marty know about it. Pete stated that he had a friend from Guernsey County come and fix the issue at no cost to the village. Pete stated that the new gun rack is in the car and that the cars are being restriped. Pete stated that the Mike Lucas case is finished and he is off to prison. Pete stated that there were 22 citations and a dozen warnings. Pete stated that one fight, two alarms, and one felony arrest was responded to.

Linda Reeves stated that she thinks that Pete not being chief of this village is bullshit. Linda stated that Pete has done a hell of a lot. Linda stated that everything that this man has done for the village and you people are just going to sit there and let him walk out of here. Linda stated that council should be ashamed of themselves and that Pete is the best thing that has ever happened to this town. Linda stated that he has gotten a lot of drug arrest and drugs off of our streets. Linda said shame on all of you. Mayor Lucas stated that it is not shame on all of us just the ones who vote. Mayor Lucas stated that he was in support of Pete and recommended him. Cindy stated that she made her own decisions and she doesn't have to take being yelled at. Linda stated that council has to sit there and take the abuse. Mayor Lucas stated that the members who voted out will have to answer to the residents of the village. Mayor Lucas thanked Pete for everything he has done but apparently no one else appreciates it. Pete stated that Dirk knows what he's done and Dirk supports him.

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

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

**The next meeting will be Thursday October 24<sup>th</sup>, 2019 at 7:30 P.M.**

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Mayor Marty Lucas

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Fiscal Officer Ricky W. Burkhead Jr.

**Village of Bethesda**  
112 South Main Street  
P.O. Box95 Bethesda,  
OH 43719

**Mayor Martin W. Lucas**  
Phone: 740-484-1250  
Cell: 740-296-1254  
Email: [mlrailloader@gmail.com](mailto:mlrailloader@gmail.com)

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As we are all aware, this Village's Police Department was without a police chief from, essentially, April 2018 until March 2019. Due to the low number of outside applicants for the position, council waived by ordinance the requirement that a police chief become a resident of the Village. At the March 2019 council meeting, after careful consideration, I appointed Officer Pete Busack as the Village's Police Chief (pursuant to R.C. 737.15) and this council approved by a 3-2 vote. This appointment was for a probationary period of six months which expires at the end of this month.

The Ohio Revised Code is clear as to what must happen now: in accordance with R.C. 737.17, I must now submit to Council a record of Chief Busack's service and make my recommendation that we either finally appoint him as Police Chief, or that we remove him from the Police Chief position and return him to his former position.

Prior to his appointment, Mr. Busack had been with the department since 2018. He was counseled on how to improve a few issues, which he has since done. After his appointment, Mr. Busack has accomplished the following:

1. Used his years of experience to take over running the department and improved it from its former state of disarray and lack of leadership;
2. Trained and guided younger subordinates in the operation of the department;
3. Gathered evidence and testified in court regarding ordinance violations and speeding tickets;
4. Solicited donations for the police department from several corporations;
5. Taken an interest in the maintenance of the department's fleet of vehicles;
6. Provided Council and the public with detailed monthly reports;
7. Is actively pursuing grant funding to allow the department to have more man-hours for patrol;
8. After his hours were cut, he continued to enthusiastically perform his job and went above and beyond expectations.

Mr. Busack did receive one verbal warning for failure to have his body camera turned on while securing a scene. Since discussing this with Mr. Busack, there have been no further issues.

At this time, and pursuant to R.C. 737.17, I recommend that we permanently appoint Mr. Busack as Chief of Police. However, I understand that the Revised Code allows final appointment of a Village Police Chief only with the concurrence of the Village Council. In my view as Mayor, he has satisfactorily completed his probationary period, and it is my hope that Council will concur in light of the facts I have presented tonight.

I would like to thank Mr. Busack for his service as Chief of Police, and I wish him the best regardless of how Council decides to proceed.

*Martin W. Lucas*

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Martin W. Lucas, Mayor