

VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009

The meeting was called to order at 7:00 PM by Mayor Larry Landis. The meeting began with the pledge of allegiance.

Present:

Sue Frey	Bonnie Gordon	James Lovejoy
Courtney Harlan	Richard Barbera	Ralph Smith
James Carrick-Fiscal Officer	Larry Landis- Mayor	Ted Lesiak-Solicitor

Absent: None

Mr. Lovejoy made a motion to pay the bills. The motion was seconded by Mr. Harlan. The motion passed unanimously.

Mrs. Frey made a motion to approve the minutes of the August 3, 2009 council meeting. The motion was seconded by J. Lovejoy. The motion passed unanimously.

Privilege of the floor

Village resident Kieran O'Rourke asked if the proper paperwork had been filled out and filed for a Political Action Committee to promote the passing of the police levy on the November ballot. Police Chief Don Burson said that it had not been done. Mr. O'Rourke reminded the council that the village was responsible for the flyers that had been distributed by the police department and there could be significant legal and ethic commission problems if the P.A.C. was not properly formed and the paperwork filed with the board of elections. Attorney Stan Scheetz said that some parcels of land owned by Schneider National were for sale. Mr. Scheetz gave out a map showing the parcels for sale. A copy of the map is attached to these minutes. He also asked what the village was doing with a previously created CRA district. He handed out a map of the areas in question. He said that some of the properties have not been designated to be part of the CRA district. He encouraged the council to be sure that the map was amended to reflect these properties as CRA district. A copy of the map is attached to these minutes. Mrs. Schwartz inquired about the raises given to police officers in 2009. Chief Burson said that some officers did get step raises but no senior officers received any raises. Mrs. Schwartz asked how raises were given when the public was being told the Village had no money. Mrs. Schwartz pointed out that the brochure that the police department had distributed throughout the village said there had been no police raises for three years. It was explained that the step raises were contractual and a part of the police department budget for the year. Mrs. Schwartz said that the brochure was misleading and it should be clarified because some officers have in fact received raises. Mr. Smith pointed out that several BOPA employees also received raises during 2009. It was pointed out that the raises given to BOPA employees were given from BOPA funds and not from the general fund.

Mayor's Court Report

VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009

Mayor Landis gave the current status of Mayors Court. A copy of the report is available in the Fiscal Officer's office.

Solicitor's Report

The donation of land from Sugar Shack is complete.

COMMITTEE REPORTS:

Finance

None

Government

Mrs. Frey recounted the minutes of the last government committee meeting. The minutes are available in the Fiscal Officer's office.

Zoning & Planning

None

Utilities

Mr. Lovejoy presented the Board of Public Affairs minutes. A copy of the minutes are available in the Fiscal Officer's office.

Streets

Mr. Harlan covered the minutes of the last streets committee meeting minutes. The minutes are available in the Fiscal Officer's office.

Safety

Mrs. Frey gave the minutes of the last safety committee meeting. The minutes are available in the Fiscal Officer's office.

Parks

Mrs. Gordon discussed the last park committee meeting minutes. The minutes are available at the Fiscal Officer's office.

Cemetery

**VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009**

Mr. Barbera read the minutes from the last cemetery committee meeting. The minutes are available at the Fiscal Officer's office.

Mayor Landis said that the zoning and planning committee meeting was being moved to September 21, 2009. It was originally scheduled for September 28, 2009.

LEGISLATION UNDER CONSIDERATION:

Ordinance 2008-111 AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, AMENDING SECTIONS 302; 606.02(A)(1); 607.02(A); 608.02(A); 609.02(A) AND SECTION 610.02 OF THE SEVILLE ZONING CODE ADOPTED IN ORDINANCE NO. 2007-12 WITH REGARD TO KENNELS (2ND READING)

The ordinance remained tabled.

Ordinance 2008-115 AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, ESTABLISHING AN INVESTMENT POLICY FOR THE VILLAGE. (3RD READING)

Mrs. Frey moved to untable the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Mrs. Frey moved to remove the ordinance from consideration. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

Ordinance 2009-35 AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO, REPEALING ORDINANCE 2005-03 AND AMENDING THE VILLAGE OF SEVILLE'S POLICE RULES AND REGULATIONS TO SET FORTH HIRING PROCEDURES FOR POLICE OFFICERS (3rd Reading)

The ordinance remained tabled.

Ordinance 2009-41 AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO ESTABLISHING THE ZONING OF APPROXIMATELY 77.2527 ACRES OF ANNEXED LAND FROM WESTFIELD TOWNSHIP AND 26.1014 ACRES FROM GUILFORD TOWNSHIP. (2nd Reading)

The ordinance remained tabled.

Ordinance 2009-51 AN ORDINANCE REPEALING ORDINANCE NO. 5-72, AS AMENDED AND ADOPTING RULES AND REGULATIONS GOVERNING PUBLIC PARKS WITHIN THE VILLAGE AND

VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009

ASSESSING PENALTIES FOR VIOLATION OF SAID RULES
AND REGULATIONS. (3rd Reading)

Mrs. Gordon moved to table the ordinance. The motion was seconded by Mr. Smith. The motion passed unanimously.

Ordinance 2009-52 AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AMENDING THE RULES OF ORDER OF THE COUNCIL OF THE VILLAGE OF SEVILLE, AND THE RULES FOR GIVING NOTICE OF MEETINGS TO THE PUBLIC AND NEWS MEDIA. (3rd Reading)

Mrs. Frey moved to adopt the ordinance. The motion was seconded by Mr. Lovejoy. The motion passed unanimously.

Ordinance 2009- 60 AN ORDINANCE REPEALING ORDINANCE NO. 2008-21, AS AMENDED AND ADOPTING THE MEDINA COUNTY, OHIO SPECIAL PURPOSE FLOOD DAMAGE REDUCTION REGULATIONS (2nd Reading)

Mr. Sheetz pointed out that only a few counties have adopted of these regulations.

Mrs. Frey moved to table the ordinance. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

ORDINANCE NO. 2009-61
AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
AMENDING THE 2009 APPROPRIATION ORDINANCE NO. 2008-98.
(1st Reading)

Mrs. Frey moved to suspend the three reading rule. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

Mrs. Frey moved to adopt the ordinance. The motion was seconded by Mr. Harlan. The motion passed unanimously.

ORDINANCE NO. 2009-62
AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
AMENDING THE 2009 APPROPRIATION ORDINANCE NO. 2008-98.
(1st Reading)

VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009

Mrs. Gordon moved to suspend the three reading rule. The motion was seconded by Mr. Smith. The motion passed unanimously.

Mr. Smith moved to adopt the ordinance. The motion was seconded by Mr. Harlan. The motion passed unanimously.

ORDINANCE NO. 2009-63

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO AN
AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MEDINA
COUNTY, OHIO RELATIVE TO THE PURCHASE OF MATERIALS.

(1st Reading)

No action was taken on the ordinance.

ORDINANCE NO. 2009-64

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AMENDING ORDINANCE 92-35 AS AMENDED, ESTABLISHING CERTAIN JOB
DESCRIPTIONS FOR VILLAGE PERSONNEL TO ESTABLISH THE JOB
DESCRIPTION FOR POLICE ADMINISTRATIVE ASSISTANT.

(1st Reading)

Mrs. Frey moved to add emergency language. The motion was seconded by Mr. Smith. The motion passed unanimously.

Mrs. Frey moved to suspend the three reading rule. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

Mrs. Frey moved to adopt the ordinance. The motion was seconded by Mr. Smith. The motion passed unanimously.

ORDINANCE NO. 2009-65

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE
MEDINA COUNTY JOBS AND FAMILY SERVICES

(1st Reading)

No action was taken on the ordinance.

ORDINANCE NO. 2009-66

AN ORDINANCE OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO,
AMENDING THE 2009 APPROPRIATION ORDINANCE NO. 2008-98. (1st Reading)

Mrs. Frey moved to suspend the three reading rule. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009

Mrs. Frey moved to adopt the ordinance. The motion was seconded by Mr. Smith. The motion passed unanimously.

RESOLUTION NO. 2009-15

A RESOLUTION OF THE VILLAGE OF SEVILLE, MEDINA COUNTY, OHIO AUTHORIZING AND DIRECTING THE SUPERINTENDENT OF THE VILLAGE OF SEVILLE BOARD OF PUBLIC AFFAIRS TO APPLY FOR PARTICIPATION IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND DECLARING AN EMERGENCY.

(1st Reading)

Mrs. Frey moved to add emergency language. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

Mrs. Gordon moved to suspend the three reading rule. The motion was seconded by Mr. Smith. The motion passed unanimously.

Mrs. Frey moved to adopt the ordinance. The motion was seconded by Mr. Smith. The motion passed unanimously.

Board of Public Affairs president David Johnson asked about having a single ordinance for the kilowatt hour tax transfer per year instead of having one for each month, saving the village about \$600.00 in legal fees. It was explained that this will happen beginning next month. Mrs. Gordon thanked everyone for their work on the Run for the Trails, specifically the street and police departments. Charles Marshall asked if the village could obtain a copy of the letter from GPD concerning ordinance 2009-60 that was submitted to the zoning commission. Village resident Barb Schwartz asked if the open position of administrative assistant in the police department will be posted for the public. Police Chief Don Burson said that he did not feel that it was necessary at this time because he had several promising resumes turned in just by word of mouth. Several people said that they thought that the village must post the job by law. Fiscal Officer Jim Carrick said that he had checked with Law Director Ted Lesiak and Mike Esposito from the village's Human Resources firm and both of them had said that there was no legal obligation to post the position publicly. Mr. Lovejoy was among several people that said that Chief Burson should post the job publicly even though it was not a requirement. Mr. Barbera pointed out that we need to define what exactly "posting" is. Mrs. Schwartz asked if the fiscal officer position was posted. Law Director Ted Lesiak said that in the case of the fiscal officer the council made a motion to post the job and it was done that way.

Mrs. Frey asked the other council members if the village should provide flu shots for village employees this year. After a brief discussion, Mr. Lovejoy moved to have the village provide flu shots to full-time village employees with a maximum cost of \$30.00. The motion was seconded by Mrs. Gordon. The motion passed unanimously. Village resident Ron Giauque was upset over a letter he had received concerning junk cars at his

VILLAGE OF SEVILLE
Village Council Meeting
Minutes September 14, 2009

auto repair business. Mr. Giauque was told that this was an issue that needed to be taken to the zoning committee and he should attend the next meeting on September 21, 2009 to air his grievance.

Mr. Lovejoy moved to adjourn. The motion was seconded by Mrs. Gordon. The motion passed unanimously.

The meeting was adjourned at 8:02 PM.

LARRY LANDIS-MAYOR

JAMES CARRICK-FISCAL OFFICER