

VILLAGE OF NEW LEXINGTON COUNCIL MEETING

August 19, 2019

6:30 PM

MUNICIPAL BUILDING

The Village of New Lexington met in regular session with Mayor Trent Thompson presiding and the meeting being called to order at 6:30 PM. Council Members present were Dan Bethel, Kathy Chute, Jeff Danison, Susan Boyle, James Welsh, Susan Goodfellow and Doug Fox. Also present were Finance Director Heather Rockwell, Police Chief Scott Ervin, Fire Chief Jim Fain and Administrator Bo Powell.

Councilperson Welsh made a motion to approve the minutes for the August 5, 2019 meeting as read. Seconded by Councilperson Danison. All Council voted "yes". Motion carried.

Councilperson Danison made a motion to approve the minutes for the August 8, 2019 Special Council meeting. Second by Councilperson Welsh. All Council voted "yes" except for Councilpersons Bethel and Boyle who abstained due to being absent from the August 8, 2019 meeting.

Mayor Thompson stated he wanted to thank Ben Gibson for helping him get the information needed to recognize several Eagle Scouts from Troop 257. Thompson presented Alex Misner, Joey Hilliard, Cadin Gibson and Devin Hogan, who was not present, each with a proclamation for outstanding service within the community. Misner installed a flag and flagpole along with a bench at the Broadway Street Park. Hilliard installed bridges on the trails at Ludowici Celadon, Hogan made birdhouses for Fairview Assisted Living and Gibson built a gazebo at the New Lexington Elementary School. Gibson also wanted to recognize Joey Hilliard for receiving the Adams award which is the regional project of the year.

Mayor Thompson stated he passed around some pictures which he will discuss later in the meeting. Thompson reported he met with Jenny LaRue concerning crosswalks by Save A Lot, Kroger and Brown Street.

Finance Director Rockwell presented Council with the July 2019 Bank Reconciliation and July 2019 Financial Reports. Rockwell also presented Council with the Village credit card statement. Rockwell stated EMS had gone down in revenue in July, but this could be due to some electronic payments just now being received. Rockwell provided an update on the Municipal Income Tax Centralized Collection Class Action Lawsuit that the Village joined. The law firm representing the municipalities filed an appeal with the Tenth District Court. The appeal was filed on two different grounds: the State violated the single subject rule when passing legislation, and violating home rule. The Tenth District Court granted the appeal on the issue of violating home rule. Rockwell reported the loan was complete for the radios and bunker gear for the Fire Department. Rockwell stated there were no closing fees and the loan is an unsecured loan at 6% interest for 60 months with a monthly payment of \$1,681.36. Rockwell stated the payments have been sent to the two radio vendors, but she has not received the invoice for the bunker gear at this time. Councilperson Chute asked Rockwell if she had the forecast. Rockwell stated she did not. Rockwell stated she had been working on the loan, getting things ready for the Council meeting and other projects. Rockwell stated she thought the forecast was going to be done at a Finance Committee meeting. Chute stated she asked for the forecast at the last meeting so they could review it before the next Finance Committee meeting. Chute stated they would schedule a Finance Committee meeting for next week and asked Rockwell to have the forecast in their mailboxes by the end of the week. Rockwell asked Chute which funds she wanted forecasted. After some discussion, Rockwell was asked to prepare forecasts for all funds.

Bethel stated Council needs to know how the changes made to the Fire/EMS fund, affected the other funds. Thompson stated if all funds are forecasted, they can start holding department head meetings for the wish lists for the 2020 budget. Rockwell presented Council with an Ordinance for 2019 Supplemental Appropriations and a Resolution Approving the Amounts and Rates for 2020.

Administrator Powell presented Council with Resolutions for ODOT to inspect the Village bridges for 2020, 2021 and 2022 at no charge to the Village and for the engineer to enter into contract with OPWC for next year's paving. Powell stated Issue One paving for 2020 is Swigart Street, Jefferson Street, West Water Street and McKinley Avenue. The Village match is \$35,578. The match is due in the fall of 2020. Powell stated all paving projects will be checked to see if the street needs to be ground down. Councilperson Chute asked Powell to make sure the storm sewer grates are the proper height when paving is done. Powell stated Chuck Hicks (Street Department Supervisor) is making sure this is done. Mayor Thompson stated the paving on Kennedy Drive looks good. Powell stated McKee Paving from Nelsonville did the paving. Powell stated the paving on Kennedy Drive is complete and he will sign off on it tomorrow. Powell informed Council the Nuzum Street Bridge was submitted again on August 15, 2019 to ODOT for funding to repair the bridge. Powell stated the Ohio Department of Transportation looks at the criteria for the fastest failing bridges to be awarded the funding. Powell reported to Council that Andy Knisley had some health issues and will complete the survey on the alley near Summit Street as soon as possible. Powell stated they are working on the Streetscape Project. Powell informed Council there were five encroachment areas that need addressed. Councilperson Bethel asked Powell if he had been in contact with the business owners on Main Street that would be affected. Powell stated "yes".

Mayor Thompson stated he received an e-mail the previous week with complaints on drainage issues in the Fowlers Lane area. Thompson stated a resident in the area showed Chuck Hicks, Administrator Powell and himself where he thought the issue was. Thompson stated they came up with a plan to have Bob Heavener camera the line. Thompson presented Council with pictures of the area. Thompson stated Hicks contacted him on Thursday, August 15, 2019 to inform him he contacted Heavener, who found a twenty- four-inch pipe was completely plugged up. Thompson reported Heavener's crew and the Street Department removed the clog and replaced some pipe. Thompson stated there is another area along Fowlers Lane that needs work. Powell has an estimate from Heavener that needs addressed to keep water from residents' yards. Heavener is going to re-route the water to the creek. Chute stated per the procurement policy anything over \$5,000 requires a second estimate. Chute stated Heavener is invaluable to the Village. Whenever the Village calls him, he is there. Chute stated the Village can do two things to avoid having to get a second estimate. Heavener can be made an employee of the Village or he can be a contracted employee with the Village. Council discussed each option and decided it would be best to offer him to be a contracted employee. Thompson stated they did not have to get a second estimate for the work that Heavener performed on Friday because Heavener did not charge the Village for the work he performed. Councilperson Chute made a motion for Administrator Powell to contact Bob Heavener to discuss being employed as a contract laborer with the Village to avoid a second estimate. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried. Councilperson Chute made a motion for \$23,200 to be paid from the sewer fund to Bob Heavener to fix the drainage issue on South Main Street and Fowlers Lane. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.

Police Chief Ervin reported he attended the meeting at the Juvenile Detention Center on August 9, 2019. Ervin stated they discussed different ways to make the center more marketable. Ervin reported he attended the TAC meeting on August 13, 2019 and nothing has changed for the good. Ervin stated the call volume for the department has been steady. Ervin informed Council he received the permit to close the State Route for the Fall Festival. Ervin stated New Lexington City Schools is going to fully fund the second resource officer. Ervin stated this will help with police funding. Councilperson Welsh asked about making golf carts legal to drive in the Village. Welsh stated he was asked by two residents about this. Chief stated he is not opposed to legalizing golf carts. Councilperson Bethel stated he thought they should have a public meeting to get the pros and cons of legalizing golf carts and ATVs inside the Village. Thompson stated where the Village is located it is hard to tie into riding trails in the area for ATVs. Thompson stated Main Street is so busy with all the state routes going through the Village. Administrator Powell asked what the Ohio Department of Safety says on the issue. Police Chief Ervin stated they ATVS are not permitted to ride on state highways. Councilperson Welsh stated he thought it would be a good idea to have a public meeting on the issue. Ervin stated they might want to a legal opinion on the subject.

Fire Chief Fain reported he did not know why revenue was down for EMS because run volume has not gone down. Fain stated they have had ninety runs so far this month. Councilperson Chute asked if there was a way for Fain to see what the cost of each run was. Fain stated they did not have the software to track this. Councilperson Bethel asked if Fain could get the report from Corlyn. Thompson stated he asked for the EMS revenue back on August 5<sup>th</sup> or 6<sup>th</sup> and this is the first time he has seen that number. Councilperson Chute asked where he is finding this number. Thompson stated it is on the July Monthly Financial Reports presented by Finance Director Rockwell. Fain stated the Fire Department has been going around to other towns in Perry County and installing smoke detectors. Fain stated the State Fire Marshall is trying to increase the amount of smoke detectors they receive because the department seems to be the only department participating in the area. Fain reported the American Red Cross wants the Fire Department to canvas New Lexington and surrounding areas to install more detectors before winter. Fain stated the department received a check from Michigan Public Health for \$1,000 through a grant they received for smoke detectors. Fain reported to Council that Finance Director Rockwell gave him a purchase order for fire-fighter training explaining to Fain he would have to have a motion from Council to approve this. Fain stated this is for five firefighters to attend a thirty-six-hour training in Wellston. The cost of the training will be reimbursed by the state. Councilperson Goodfellow asked where they were on testing fire hydrants. Fain stated they have completed seven hydrants. Fain stated this takes approximately thirty to forty-five minutes to test each hydrant. Goodfellow asked if it would be done by the end of the year and Fain stated "no". Fain stated he was informed after the last TAC meeting that the software vendor is not able to install the fire hydrant information, they give them once all hydrants have been tested. Chute asked if, when all hydrants have been tested, will they carry a map with the information. Fain stated possibly, that they are looking at other options. Police Chief Ervin stated the map that is in the CAD system is not the map that the engineer's office just developed. Ervin stated they can't get the new map in the system. Councilperson Chute asked what happened when Fain met with the other Fire Chiefs in the area. They are all concerned about the situation and safety of the citizens. Ervin stated the situation is not good. Surrounding Counties are starting to document situations. Ervin stated there are problems with management and training. Ervin stated there is an issue with a dispatcher pulling up a map to know where to dispatch a call. Councilperson Danison stated it is up to the Commissioners to address the issue.

Jenny LaRue asked if the Village minds if the Health Department places crosswalks at Save-A-Lot and Kroger. Councilpersons Goodfellow and Danison stated they thought a crosswalk down by Save-A-Lot was too dangerous of an area for a crosswalk. Councilperson Chute asked if they should make a motion. LaRue asked about a crosswalk on State Street and W. Brown Street. Councilperson Chute made a motion for the Health Department to paint a crosswalk by Kroger. Seconded by Councilperson Goodfellow. All Council voted "yes". Motion carried.

Councilperson Chute asked if the traffic issues on the working document on State Street and W. Brown Street were complete. Mayor Thompson stated "no". Thompson stated he is still waiting on estimates for flashing stop signs. Council discussed different types of signs to place in the W. Brown Street and State Street area. Chute asked about the painting on Brown Street and State Street LaRue was referring to. Goodfellow stated Council should wait to have LaRue paint crosswalks in the W. Brown Street and State Street area until Council decides about stop signs. Powell was asked to get quotes on stop signs.

Councilperson Bethel made a motion for five firefighters to attend fire training. Seconded by Councilperson Fox. All Council voted "yes". Motion carried.

Councilperson Boyle reported on the Parks & Recreation Committee meeting held on August 11, 2019. Boyle stated the committee discussed what would be placed in the Fire Department area and when the fire trucks would be moved out of the bays. Boyle stated the stage for the Fall Festival was in process and that Fire Chief Fain and Police Chief Ervin were informed about the dimensions of the stage and the space is not an issue. Boyle reported to Council on the upcoming fundraisers planned. Boyle informed Council of the vendors and different activities planned for the Festival. Boyle stated contracts from the Perry County Commissioners and Job and Family Services have been completed to use their parking lots for the Fall Festival. Boyle stated there is

a Parks & Recreation Meeting scheduled for September 11, 2019 at 4:30 pm at the Municipal Building. A meeting was also scheduled for September 18, 2019 at 6:00 pm at the Municipal Building.

Councilperson Chute reported on the Public Safety meeting that was held on August 14, 2019. Chute stated if they knew of anyone who would like to serve on the Public Safety Committee due to never being able to contact Chelsie to let them know. Chute stated Fire Chief Fain reported to the committee that from January through June 2019 there were 122 squad runs to the communities south of the Village. Fain stated if there had been a second squad crew this number could have been 210. The New Lexington squads have extra mileage and wear and tear on them. Chute stated Fain and Mayor Thompson want to speak to the communities about contracts and possibly contracting with the Village for Fire/EMS services. Chute stated Corning may lose their squad and they already have a levy. Chute stated there is no one in these areas to respond to calls. Fain would like to hire anyone qualified from these areas who does not already work for the Village. Chute reported the Attorney stated for dual employment it is thirty hours. Chute stated she will contact the Attorney to get clarification on hours and benefits. Chute stated half of Pleasant Township Levy money goes to New Lexington and the other half to Crooksville. Chute informed Council the committee discussed how to pay for an EMS second crew. Councilperson Chute stated the committee recommends Fire Chief Fain runs his department. Chute stated Fain needs his budget to control his own hours and needs to get service to the areas in the south even if it means having a second crew. Fain will need to monitor his budget to make sure they are not in the red, monitor wear and tear on the medics and all areas of the department. Chute reported Fain is going to change how things will be done at the fair next year. Chute stated the committee recommends whatever Fain needs for the fire lane he is to do. Chute informed Council Fain is going to come up with a plan B for EMS billing if needed. Mayor Thompson stated this has nothing to do with Corlyn providing billing service to the Village. This is just a back up plan for if Corlyn is no longer able to offer services for billing to the Village. Councilperson Chute made a motion to let Fire Chief Fain run his department. Seconded by Councilperson Bethel. All Council voted "yes". Motion carried. Councilperson Chute made a motion for Fire Chief Fain to coordinate with Administrator Powell to get what he needs to make the fire lane. Seconded by Councilperson Fox. All Council voted "yes". Motion carried.

Mayor Thompson stated he wanted to give Scott Compton, the EMS Coordinator, best wishes. Compton is being deployed for active duty to Afghanistan for a year.

Councilperson Chute asked if the yellow curb painting was completed. Administrator Powell reported it was 80% done. Chute asked if State Street and Brown Street needed to stay on the working document. Thompson stated "yes".

Councilperson Bethel requested a Finance Committee meeting be scheduled. A meeting was scheduled for August 26, 2019 at 5:00 pm at the Municipal Building.

Administrator Powell requested an executive session.

Councilperson Bethel made a motion to suspend the rules and read by title only Ordinance No. 19-13 and declaring an emergency. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.  
**Ordinance No. 19-13: AN ORDINANCE AMENDING THE APPROPRIATION ORDINANCE 19-4 TO INCREASE FUNDING IN THE STREET, PARKS & RECREATION LEVY AND SEWER OPERATING FUNDS WITHIN THE VILLAGE OF NEW LEXINGTON AND DECLARING AN EMERGENCY TO MAINTAIN NORMAL OPERATIONS OF THE VILLAGE.** Councilperson Bethel made a motion to adopt Ordinance No. 19-13 as read. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.

Councilperson Bethel made a motion to suspend the rules and read by title only Resolution No. 19-11 and declaring an emergency. Seconded by Council person Goodfellow. All Council voted "yes". Motion carried.  
**Resolution No. 19-11: A RESOLUTION ENACTED BY THE VILLAGE OF NEW LEXINGTON**

**GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE BRIDGE INSPECTION PROGRAM SERVICES AND DECLARING AN EMERGENCY.** Councilperson Bethel made a motion to adopt Resolution No. 19-11 as read. Seconded by Councilperson Welsh. All Council voted "yes". Motion carried.

Councilperson Bethel made a motion to suspend the rules and read by title only Resolution No.19-12 as a first reading. Seconded by Councilperson Welsh. All Council voted "yes". Resolution No. 19-12: **A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

Councilperson Bethel made a motion to suspend the rules and read by title only Resolution No. 19-13 as a first reading. Seconded by Councilperson Welsh. All Council voted "yes". Resolution No, 19-13: **A RESOLUTION AUTHORIZING PERRY COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.**

Councilperson Bethel made a motion to enter executive session per ORC 121.22(G)(1) regarding discipline of a public employee or official with Mayor Thompson, Council, Administrator Powell and Police Chief Ervin present. Seconded by Councilperson Chute. All Council voted "yes". Motion carried.

Meeting suspended for executive session at 8:33 pm.

Councilperson Bethel made a motion to exit executive session. Seconded by Councilperson Goodfellow. All Council voted "yes". Motion carried.

Meeting resumed at 8:50 pm.

Councilperson Bethel made a motion to enter executive session per ORC 121.22 (G)(1) regarding compensation of a public employee or official with Mayor Thompson and Council present. Seconded by Councilperson Fox. All Council voted "yes". Motion carried.

Meeting suspended for executive session at 8:51 pm.

Councilperson Bethel made a motion to exit executive session. Seconded by Councilperson Fox. All Council voted "yes". Motion carried.

Meeting resumed at 9:10 pm.

Councilperson Chute made a motion to enter executive session per ORC 121.22(G)(1) regarding discipline of a public employee or official with Mayor Thompson and Council present. Seconded by Councilperson Fox. All Council voted "yes". Motion carried.

Meeting suspended for executive session at 9:11 pm.

Councilperson Bethel made a motion to exit executive session. Seconded by Councilperson Chute. All Council voted "yes". Motion carried.

Meeting resumed at 9:18 pm.

Councilperson Bethel stated no decisions were made as a result of executive sessions.

Mayor Thompson entertained a motion to adjourn.

Councilperson Goodfellow made a motion to adjourn. Seconded by Councilperson Danison. All Council voted "yes". Motion carried.

Meeting adjourned at 9:21pm.



Handwritten signature in blue ink, appearing to read "R. A. Thompson".

Mayor



Handwritten signature in blue ink, appearing to read "Lisa Spahn".

Council Clerk