

MINUTES OF THE April 5, 2010 COUNCIL MEETING

Darlene Steele called the meeting to order at 7:18 p.m.

Council members present: Doug Eakins, Gene Sidner, Sheila Nelson, Randy Otis, Cory Coburn, Jim King, Darlene Steele. Also attending were Mayor Scott Hockenbery, Finance Director Jack Herrel, Parks and Recreation Director Jack McDowell, and Administrative Assistant/ Clerk of Council Kristina Eitel.

Prayer by Don Gardner

Pledge of Allegiance led by Darlene Steele

Motion to adopt the agenda by Sheila Nelson and seconded by Randy Otis.

Roll Call-All Yeas

Motion to adopt the minutes of the March 15th, 2010 Council meeting by Sheila Nelson and seconded by Randy Otis.

Roll Call-All Yeas

Recognition of Guests:

A. Ron Parsons discussed the reason for the need to have resolution 10-022 below passed. He mentioned only a few items have changed mainly the services will not be available until the annexation has been done and the commissioners asked that this resolutions state this information. Also, he added that the meeting with the commissioners he attended last week along with several council members and the mayor went really well. They met with the developers for the grocery store to clear up some concerns. Mr. Parsons stated that everyone is in agreement with the type of loan that the Village will possibly assist with but the obligation ultimately is the responsibility of the land/ property owners. This loan would be through OWDA, which is a government loan at a low interest rate. The Village would acquire this loan and a lien would be placed on the property owners land and the Village would be reimbursed through land assessment payments collected by the Madison County Auditors and these monies would be sent to the Village of West Jefferson. Mr. Parsons mentioned that this is similar to the loan that we assisted for the water tower project.

B. Bill Houk and Paul VanHorn from the Jefferson Fire Department attended the meeting to discuss the need for another Fire Levy. The last fire levy was done in 1999 and it was projected to last 10 years but with good fiscal management they were able to extend the monies for another year. Mr. Houk mentioned that inflation has affected the fire department as well and they are operating on a budget from 1999. Several things have increased in price such as gas, diesel fuel, fire gear, etc. He also added that with the monies from the last levy they were able to purchase two (2) EMS trucks, a fire truck and hire on four (4) full-time employees. They are asking for council support on the 11 mill replacement levy. Rudy Denes from the audience mentioned that the fire department does an excellent job and that he is proud of our fire department. Mayor Hockenbery added a suggestion that we include a resolution for the next council meeting that supports the Fire levy. Council was in agreement.

Old Business:

Review resident concerns from last meeting. (None)

New Business:

Ordinance 10-021, authorizing a supplemental appropriation in the General Fund in the amount of \$20,000 for 2009 tax refunds.

Discussion: Jack Herrel informed Council that the several companies mostly out on 29 take out tax on everyone because they have no way of separating at this time and

several drivers work out of state and are not required to pay Village taxes, and due to this we will have to refund these individuals. Mayor Hockenbery mentioned that we are taking in more monies than we are used to due to the new development and naturally we will have more refunds. Mr. Herrel mentioned that the Village is not losing any revenue.

Motion to adopt Ordinance 10-021, by Jim King and seconded by Doug Eakins.

Roll Call-All Yeas

Resolution 10-022, a resolution informing the Madison County Commissioners of services available to 20.8624 acre tract and the 155.997 acre tract located in Jefferson Township, and more fully described in a petition for annexation to the Village of West Jefferson.

Discussion listed above under recognition of guest section A.

Motion to adopt Resolution 10-022, by Gene Sidner and seconded by Doug Eakins.

Roll Call – All Yeas

Resolution 10-023, accepting the resignation of Eugene O. Sidner from the West Jefferson Village Council.

Discussion: Gene Sidner stated that he feels that it is the right time to move. West Jeff has done good job getting new businesses out here and that is our future. He also mentioned that he worries the economy won't be getting better soon and we have several senior citizens throughout our community getting by with their monthly income, which is difficult to do. Mr. Sidner added that he wants the grocery store but this will take time, lots of meetings and commitment which takes away from his family. He has enjoyed himself on council but it's time to move on. Council members added they will miss him and appreciated his service over the last 18 ½ years. Mayor Hockenbery added that his resignation will take effect May 18th.

Motion to adopt Resolution 10-023, by Sheila Nelson and seconded by Cory Coburn.

Roll Call – All Yeas

Resolution 10-024, authorizing an engagement of the auditor of states local government services division to perform training and reconciling services for the Village and authorizing a supplemental appropriation of \$17,500.00 in the general fund, technical and professional services account.

Discussion: Jack Herrel mentioned that the amount may not be accurate and the final cost could be half this amount. Mayor Hockenbery added the time spent and paperwork that will be needed is unknown and this estimate is high. Cory Coburn asked if we knew of the date this will start, Mr. Herrel replied that we do not at this time.

Motion to adopt Resolution 10-024, by Randy Otis and seconded by Sheila Nelson.

Roll Call – All Yeas

Motion not to ask for a hearing before the Ohio Division Liquor Control in the matter of Bambino's Pizza and Wings, LLC, 23 W. Main Street West Jefferson, Ohio 43162 on the application for a class D Liquor permit.

Discussion: Mayor Hockenbery stated that we typically do not ask for a hearing on a class D. Cory Coburn mentioned that they have been working on this for two years now, which was held up by previous property owners, issue has now been resolved and they can now move on.

Motion to except to not ask for a hearing, by Cory Coburn and seconded by Jim King.

Roll Call – All Yeas

Discussion on possible Ordinance amending Ordinance 92-068 by adding section XVII, establishing rules governing the meeting of public bodies such as council, council committees, commissions, boards or any other public body of the Village pursuant to the open meetings act, and repealing Ordinance 94-029 passed March 21, 1994.

Discussion: Mayor Hockenbery stated that it would be a great way to utilize our website, but we will have to take into consideration that the Charter cannot be changed and we will have to follow those guidelines first and foremost. Council members mentioned they will look over this Ordinance and will discuss options at a later date.

Committee Reports:

Finance: Darlene Steele set up a meeting scheduled downstairs in the Village Council Chambers on Tuesday April 13th @ 6:00 p.m.

Police: None

Employee Benefits: None

Public Service: None

Development: None

Parks and Recreation: Sheila Nelson mentioned she included in the council packets minutes from the March 23rd, 2010 meeting.

Special Events: Cory Coburn set up a meeting scheduled for Saturday April 10th following the business council meeting to be held at the Jefferson Township Hall. This meeting will start at 10:30 a.m.

Director of Finance Report: Jack Herrel mentioned that the reports are higher than normal and he will investigate to the cause of the higher numbers.

Director of Public Service Report: None

Director of Parks and Recreation Report: Jack McDowell mentioned that the trees have been planted at Westwood Park. He also stated that the new Street Superintendent did a great job and that it's nice to have someone around that is familiar with the equipment and knows what he is doing. He also mentioned that construction of the Shelter house started today and he anticipates this project to be completed in about two (2) weeks.

Mayor's Report and Recognition: Mayor Hockenbery introduced the new Street Superintendent Alan Farley. He stated the he is doing a good job and looking forward to the completion of several projects over the summer. He also discussed two issues regarding Council member Cory Coburn. He informed Council that to some it appears as though Mr. Coburn has attempted to use his position as a member of council to benefit financially, or in his own self interest, by not having to personally, or have the property owner of the business he is involved with, pay the delinquent utility bill. This is due to an unpaid \$226.61 water bill for Westwood Dari Treat. This bill was not paid by the previous owners last September, and the water had been shut off for non-payment. Mr. Coburn is now operating the business and sub-leasing from building owner Todd Stage. The Village Service Director Harold Walker informed both Mr. Stage and Mr. Coburn that this bill would need to be paid before Coburn could open the business; Coburn informed Walker that he had Supreme Court documents that contradict the policy that the Village of West Jefferson has in place. Mr. Walker asked Coburn to get him a copy of the document and if it was contradictory to Village policy, he would not hold the property owner responsible. Mayor Hockenbery stated that Council Member Coburn never provided the documents and instead paid the delinquent balance the following Monday. The second issue Mayor Hockenbery discussed was in regards to a member of council questioning the legality of a current policy used by the Village, but has not brought this to the attention of anyone to be looked at or corrected. Mayor Hockenbery feels that Council member Cory Coburn has failed to meet his obligation as a council member and violated the public's trust. He is asking that council president

conduct an investigation on this matter, and take immediate action on this issue. Darlene Steele stated she will meet with council and Village department officers to investigate these allegations' and ask Mr. Coburn if he had anything he wanted to say. Mr. Coburn stated he has nothing to say at this time.

Recognition of Clerk and Council: None

Additional Business: None

Motion to pay bills by Doug Eakins and seconded by Gene Sidner.

Voted by Acclamation of Council

Motion to approve Then and Now Certificates over \$3,000.00 by Doug Eakins and seconded by Gene Sidner.

Voted by acclamation of Council

Motion to adjourn at 8:30 p.m. by Sheila Nelson and seconded by Gene Sidner.

Voted by Acclamation of Council

Clerk of Council

President of Council