

West Union Village Council

January 24, 2023

West Union Village Council met in regular session at 7:00 p.m. on 1-24-2023, at the Municipal Building. Mayor Jason Buda Presiding. Call to order, roll call and pledge to the flag: John R. Lafferty – absent, Mark Brewer – present, Jason Francis – present, Mary Jane Cambell – present, Randy Brewer – present, Donna Young – present, also in attendance: Melissa J. Hall – Fiscal Officer, Shelley Gifford – Treasurer, Jerry Kirker – Village Administrator, JR Kirker – Fire Chief, Danni Studebaker, EMS, Lt. Ryan Myers, WUPD, Visitors – Holly Johnson, Paul Brown, Marsha O’Connell, Patrick O’Connell, Sherry Larson.

**Motion** by Jason Francis, second by Randy Brewer to approve the Minutes of the regular meeting on 1-3-2023 as distributed, roll call vote: all yea, motion passed.

Paul Brown –

1). Donated Christmas banners to the Village of West Union. The banners have West Union printed on them. These are some of the ones Paul had and he replaced them with new ones. Paul requested that Jerry keep them stored down at his office. There are brackets already up around town for them. Jerry Kirker thanked Paul for the donation.

2). Parking around the Courthouse square and on his side of the street is a problem. Paul asked for another sign, or something to be done, and said that the customers that are trying to go to the businesses are having a hard time finding parking and it is a hardship. Paul asked what can be done about it. There are two County parking lots that we paid for with our tax dollars and that is where they should be parking. *Lt. Myers* said it would probably be a question for the Commissioners on the legality. *Donna Young* said that is where they are suppose to park. I have fought this for a long time. *Paul Brown* said people are parking in the handicapped parking and we can’t get anything done about it and that it is ridiculous. If there is a sign there that says handicapped parking and they are not handicapped and a cop comes by, they need a ticket. If not, I will call the OSP and I guarantee they will be happy to write a ticket. They park in these spots all the time and it is just terrible. *Donna Young* stated that Jerry had put up 30-minute parking two or three years ago. *Jerry Kirker* said they tried to put 30-minute parking in front of all the businesses all the way around the square. *Paul Brown* – “But people know that no one is going to enforce it, so they just park all day there. My question is why wouldn’t we go back to meters on the Courthouse square?” *Donna Young*, said that would be nice. *Jason Buda* stated it would cost a lot to get them, I am sure. *Donna Young* said if they want to park around the square, let them buy a pass. *Paul Brown* said that the Village is not making money, they are losing money because they are parking up there, people can’t get into Blake’s and all the businesses on the square. You are losing revenue on it. *Tom Mayes* said that Ryan has a book and he is going to look into that, that they have not used in a while, it is just on parking tickets. We are going to have to look and see if we have an old ordinance or whether they need a new ordinance passed as to whether they can just leave it on the windshield. *Lt. Myers* said we have to make sure it is legal before we can enforce it. *Tom Mayes* said that handicapped is in there, but it would be at the officer’s discretion, whether they want to leave a ticket on their windshield or have it towed. He said he will do some research on it and report back to Council and go from there. *Paul Brown* said that there was an older person today that was trying to go to Blake’s and had to park clear down in Mary Jane’s parking lot and it is ridiculous. *Mary Jane Campbell* said yes, poor thing started up the steps to ask me, can I park here, because she had to go to Blakes. *Paul Brown* said the National Bank has their parking lot in the back, so it doesn’t mean much to them, but I don’t have it, Blakes has it across the street, but there just isn’t any parking. With the Ordinance, I still have a place over there to put another handicapped parking sign, they authorized two handicapped signs and I only put one up and a military sign. *Lt. Myers* said that if you see someone parked in the handicapped spots, and they have no placard whatsoever, then call. I would be more than happy to come over there. *Paul Brown* said when you had Donna out there with the parking meters, that kept all that going on from happening. What would it cost to put new meters in? I would even chip in. Could you put one box in, at one place, mark the parking spots and then you go over and put your parking number in and card to pay. That is what they do in the city anymore.

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*Mary Jane Campbell* said she wondered if some of the folks could park at the old IGA. *Paul Brown* said he doesn't know why they can't park at the County parking lot. They complained because they didn't want to park in the County parking lot because it was gravel, so they blacktop it and now they don't park there because they are lazy. The only taxes they are paying is off what they are making. They are not paying taxes that the businesses are that are around the square. *Mayor Buda* said he would have them look into that. *Jerry Kirker* looked up the pricing and said it is \$595.00 per parking meters. With having one box, and each spot numbered, one parking box is \$5900.00, not including any other fees that comes with it. *Paul Brown* thanked everyone before leaving.

Marsha O'Connell –

We are just moving in from out of town and we have 8 hens. We are wanting to know if we can have them. *Mary Jane Campbell* stated there is an Ordinance against having any livestock animals and poultry within the city limits. *Randy Brewer* said he has been dealing with complaints about chickens. He received one tonight and last weekend. *Mrs. O'Connell* asked about the farms that are in the city limits. *Mayor Buda* explained that the farm she is referring too is not in the city limits. *Jerry Kirker* said that the old farms are grandfathered in. When they moved the corporation limits out, they were able to stay as a farm. The egg prices were mentioned. *Mrs. O'Connell* asked if they had it fenced in, could they have their chickens. *Randy Brewer* stated "no." She asked if there was a permit or anything she could buy to be able to keep them. *Mayor Buda* said no, not unless Council decides to make changes, that is basically their decision. That is one of those hard issues, I think they are great to have, but we only having two police officers, and if you allow chickens, then people would want cows next because people do not want to pay that much for milk. I have mixed emotions on chickens, but it is up to Council what they want to do. If Council decides and changes their minds, it is up to them, that is their authority. *Mary Jane Campbell* stated that we put it in the paper anytime we change anything. *Mrs. O'Connell* thanked everyone before leaving.

Holly Johnson from the Economic Development –

Stated she wants to let everyone know she is a county employee and she parks on the back street down from the Wayside Inn. No employees of the County Commissioner's office park in the front or around the Courthouse square, nor do the Common Pleas on the third floor. None of us are permitted to park on the street out there. *Mark Brewer* said they had 12 or 14 parking spots blocked off today and I had to drive around to find a place to park to go to court. I had to park at the bank today. *Holly Johnson* gave an update on the following:

- 1) CDBG applications will be open for Adams County this year. We will probably have our first public meeting February, March time frame. You will all get a card in the mail and you are welcome to come. It is a one-page application and fairly easy. *Jason Francis* stated that last year he received his after the meeting. He was wondering if they could send out an email to the clerk. *Holly Johnson*, said sure, the clerk also gets one. We will make sure you have it in time. Even if you would miss the first meeting, all you need to do is call the office and we will give you all your paperwork for it.
- 2) I wanted to let you know ARC first round Caucus with ODRC will be held February 6, 2023. That is where they do the election and where we are at. After February 6<sup>th</sup>, those applications will be available. Here is the key to that, that's very important, I want to tell you that Adams County is distressed, so right now ours is 80%, 80/20. If the Federal Government and the standards stay the same for the second time in my career, Adams County will be at risk and not distressed. We will move down to 60%. Any application that you have and want to get ARC funds, this will be a great year to get it in.
- 3) Update on the Appalachian Community Grant. Some of the consultants have been through the interviews, so the state should be picking those and making sure they are available. They will have them trained and when we get our planners for Adams County, they will have a community meeting and meet with the Council also. That way you will have everything that you have submitted, it is already in the queue, but if

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there is anything else that the public wants or you guys decide you want to be added in there, we will try to get that done. If the planners take on these projects, we will get documentation to be able to support additional grants even if we can't weave it together into the Appalachian Development Grant, we will be able to find other funds for it.

4) Solomon Airport sewer line project a \$2.8 million dollar funding. Once we get funding, we will come back and start the MOU process, if Council has interest in that at that point in time. We will talk about that a later time. 5) Land Bank, the house on SR. 41 that the Land Bank said they would pay the taxes on it, if the owner donated the property to the Land Bank. She has ghosted us and we have tried everything in our power to find her. *Jerry Kirker* said the last he heard was that she was in Hamilton County. *Holly Johnson* said she will not answer her phone calls and all the letters and taxes have come back. Our attorney and the county's attorney are working together on three houses in Peebles, once they get that process down, that will be the first house in West Union we take down in the same process. We have not forgot about it, we just can't get anyone to sign the paperwork, so we will have to go in and take the property. *Mayor Buda* asked about the property by 5/3 Bank, that he had signed papers on. *Holly Johnson* said they haven't done it yet, but it is on the list. Those will be your first two in West Union we do for you guys. We have 23, 27 in Manchester that they have on the list. Rome is no longer a village, they are now a community, so Greene township has come in and they have some in Rome they would like for us to take down. If you can think of any more properties, call us and let us know and put them on the list and we will see what we can do for you. *Mayor Buda* asked about the old IGA and when it was going to start. *Holly* said good, I am glad you asked that question. I would like to have told you it would have started six months ago, but we had an issue with our fire suppression system that went in. Pieces of the equipment were on a barge somewhere between China and here. We have got those now, but the paperwork has not all been turned in to the architect to have the state permit of occupancy done yet. Once that comes in, we will be able to have that. All of the furniture has been purchased and installed in the building. The restaurant equipment was just installed this week. We will negotiate with the two schools that have shown the most interest in it, see which one wants it. They will have to do an accreditation while we are trying to get the certificate of occupancy and then we should be ready to go. Anytime you want a tour, you are welcome to go see it. It looks pretty good. Hopefully it will be all done this year. *Mayor Buda* said someone had bought land beside the airport and asked if they will be able to tap into the new sewer system, while they are putting it in or will they have to wait until the others are done. *Holly* said yes, they will be able to be hooked up. Our goal is to hook people up as they put the line in and it goes into the design. There will be the section, and it was in the paper, the way it is. When the industrial site is done and any development that comes on SR 32, our goal was to be able to have people live 20 minutes away from where they work. All of that section will be great for housing development. The goal is to get more revenue coming in on that line. *Mayor Buda* said the other question was if there were going to be housing development there. *Holly Johnson* said she didn't know what will happen close to there. Mr. Louiso owns a lot of farm land there and I don't see him opening it up to housing development anytime soon, but the in between, like the SR136 side, they have some of that lotted off. On the other side Solomon farm over where the cattle and goats are, the FAA has to have that cleared, so they can't build right there, that has to stay exactly the way it is, that is why all the trees are gone there. That is part of the flight pattern. *Mary Jane Campbell* -is the sewage from the Industrial Park at Winchester then running to the airport and then from the airport to the Village? *Holly Johnson* - no, we are going to be putting in a new sewer plant in between West Union and Seaman, but from the Airport, it will come back to West Union. *Donna Young* asked if we will collect from the Airport back to West Union. *Holly Johnson* stated "yes." Anytime it is an unsewered area, if we go into an agreement with a village, we can charge a higher rate. It is done in other areas now. *Jason Francis* asked how much in total did the County receive for that project. *Holly Johnson* said 2.8 million. *Jason Francis* asked out of that 2.8 million, will there be set aside monies for long term maintenance? *Holly Johnson* said no, you do that off of the operating fees. *Mary Jane Campbell*

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said so, that will fall upon the village. *Holly Johnson* said yes. *Jerry Kirker* stated that is what the people pay for, it is the maintenance and disposal of the sewer. Forgiveness money is great, but sooner or later you have to do a little increase to keep it maintained. That is the trouble about West Union right now, the Village of West Union itself, on the water and sewer system is 30, 40 years behind time. With these big rains, you couldn't build a plant big enough to handle it. It takes maintenance to take care of it. That is what we have been trying to do, by upgrading and keeping the maintenance going as we do it, instead of letting fall apart. There are 50, 60 houses outside of West Union that will be hooked onto that. Outside resident's rate will be paying more just like the ones are now. Crackel Subdivision, Barnes Subdivision, Panhandle Subdivision, pay a higher rate than the people in the Village of West Union. *Holly Johnson* said it is the same way when we put the \$125,000.00 dollar sewer line in to Adams Lake, they will pay a higher rate also to compensate that. *Donna Young* asked about how the sewer line will run on Chapparral Rd. *Holly Johnson* said they haven't got to that point yet. We will get all those details down once we get a little further into it. We just got the award on it, but we do not have any paperwork yet. I don't know how long it will actually take before we get that to come in. I just wanted to make you aware of it and if you have any questions. Lt. Ryan Myers asked if she could get to him information or to dispatch, who to contact if there is an issue down at the old IGA after hours. *Holly Johnson* said he could call her.

Bill Lewis -

Came in prior to the meeting and signed his contract with the Village of West Union. *Solicitor, Tom Mayes* stated he had drafted the contract and sent it to Mr. Lewis, he reviewed it and signed it. I put in the language, the line-item for the budget. It is a contract for IT services to maintain, install, repair hardware, software components for the Village computer network systems as well as the management of user accounts, email accounts, and the Village web-site. His contract rate is \$45.00 per hour and not to exceed the amount of budgeted by Village Council, approximately \$7,000.00. There is language in there that he is an independent contractor, he was here, said he was fine with it and signed it. If you are all fine with it then have the mayor sign it and we should be done with that. That was an audit finding, correct? *Jason Francis* said if it wasn't, it would have been. *Tom Mayes* said Council will want to do a motion to enter into that contract. *Donna Young* asked how long the contract was for. *Tom Mayes* stated it is yearly, it is actually two years, a year with a year renewal and it has a clause that if we don't renew it, it will continue month to month. We will need to put it on the schedule to redo a contract every time. *Jason Francis* asked if he provides us the domain for the website and we pay that. *Tom Mayes* said the \$45.00 is just his time, you have to reimburse him for costs. *Jason Francis* said we budgeted him for \$7,000.00, so does he pay for it and get reimbursed? *Shelley Gifford* said "yes." *Jason Francis* asked if he charged a fee for that? *Shelley Gifford* said "no."

**Motion** by Randy Brewer, second by Jason Francis, to accept the contract for Bill Lewis for IT Services, roll call vote: all yea, motion passed.

Shonda Wallace - requested an executive session under ORC §121.22(G)(3) Imminent or Pending Litigation.

**Motion** by Donna Young, second by Mark Brewer at 7:33 p.m. to enter into executive session under ORC §121.22(G)(3) roll call vote: all yea, motion passed.

**Motion** by Jason Francis, second by Mark Brewer at 7:48 p.m. to exit executive session, roll call vote: all yea motion passed.

Mayor Buda asked if there are any discussions or questions regarding the bills to be paid and if everyone had a chance to look at them.

**Motion** by Jason Francis, second by Mary Jane Campbell, to approve payment of the bills submitted, roll call vote: all yea, motion passed.

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**RESOLUTION 2023- 2** - A RESOLUTION TO PAY THE VILLAGE OF RUSSELLVILLE, BROWN COUNTY OHIO, FOR A FIRE TRUCK FROM THE SPECIFIED FUNDS FOR THE VILLAGE OF WEST UNION, ADAMS COUNTY OHIO AS FOLLOWS:

\$3,000.00 Fire Operating Levy, \$10,000.00 Liberty and Tiffin, \$12,000.00 Cost Recovery.

*Jason Francis* asked if the truck the Village is selling is on the Government website yet?

*Mayor Buda* said not until you pass something later.

**Motion** by Randy Brewer, second by Mark Brewer, to pay the Village of Russellville, Brown County, Ohio, for a fire truck from the specified funds, roll call vote: all yea, motion passed.

**RESOLUTION 2023- 3** - AMENDING THE 2023 APPROPRIATIONS.

*Jerry Kirker* explained we have 3 projects that we have the grant money for, but we didn't get it on the budget. This will have to go back to David Gifford, County Auditor, to get it amended. *Tom Mayes* said you are just putting the money where it should be. *Jerry Kirker* said yes. The money is already there we just did not appropriate it in the budget.

**Motion** by Donna Young, second by Randy Brewer, to approve Resolution 2023-3, Amending the 2023 Appropriations, roll call vote: all yea, motion passed.

**ORDINANCE 2023-5**- AN ORDINANCE AUTHORIZING THE SALE OF PERSONAL PROPERTY OF THE VILLAGE OF WEST UNION NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.

*Mayor Buda* explained this is on the fire truck we are getting rid of by selling. *Tom Mayes* said we will need a motion to suspend the rules because it is an ordinance to dispose of government property. *Jason Francis* asked for a discussion as to why we are suspending the rules. *Tom Mayes* said when you are selling something of this value, you have to pass it by an ordinance to dispose of government property. And because of the time frame of buying the Russellville fire truck and selling this one and getting it off of your insurance books, so you are not paying for insurance for something you do not want.

**Motion** by Donna Young, second by Mary Jane Campbell, to suspend the rules, roll call vote: all yea, motion passed.

**Motion** by Mark Brewer, second by Donna Young, to approve ORDINANCE 2023-5, roll call vote: all yea, motion passed.

Jerry Kirker, Village Administrator

- 1) Crackel Subdivision - We are now collecting fees from usage. We have been getting phone calls about clean-up. The clean-up is going to be in the Spring because of the weather. If there are complaints, they can contact me and I will talk to them.
- 2) Panhandle – Everything is done but one main line that goes in to the Adams County Water property. It should be done in the next week or so. Once the lift station is hooked up and electric run to them, we can start processing bills and payments from them. The clean-up will start in the spring.
- 3) Adams County Water – Received a letter on a rate increase on our water sampling that they do for us four times a month, plus any emergency samples. They have raised them anywhere from \$5.00 to \$10.00 a test. *Jason Francis* asked if this was anything we could take on ourselves. *Jerry Kirker* said “No.” We use to have to

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take them to Lucasville, Ohio and once Adams County Water got everything underway and lab approved by Ohio EPA and all the equipment, we started going there. The cost of chemical has gone up. Price on a new warning siren, basically about the same price as the other one. \$24,059.40. I believe we gave \$22,000.00 for the last one we bought. *Randy Brewer* asked if there were any refurbished ones available. *Jerry Kirker* said no, you can't find them. We are working on the one we have out by the Fairgrounds, we are hoping we can get it going also. *Jason Francis* asked if this was something that the EMA downstairs could help with, funding wise? *Jerry Kirker* said he looked for some used ones, hand-me-downs, but. *Randy Brewer* asked who was the electrician? *Jerry Kirker* said Bryan Kitchen, he is a certified electrician. *Mayor Buda* asked if this was the same company? *Jerry Kirker*, said it is the same company. The only trouble with this one out here is, it runs by electric and if the power goes out, it doesn't work. These that you buy now are battery operated, 12V with a charger to keep the battery charged up. That is about the only way you can buy them now. You can't hardly buy a hard-wired siren because you can't rely on the power. *Mark Brewer* asked if this one would replace that one. *Jerry Kirker* said yes if we can't get that one working. If we get that one working and we buy this one you can put it in a different location in town. Some people in the Southeast, Lovejoy, it is hard for them to hear some times. *Randy Brewer* said he heard the one on West Street out on Lovejoy and the one by his house, they said they could hear that out on Cooper Rd. *Jerry Kirker* said the one at the Fairgrounds used to be the old fire siren for the fire department, you could hear it everywhere. It has some age on it, we rebuilt it 15 years ago. Recommended to work it in the budget.

4) Received a letter that was placed in everyone's mailbox from a water customer that had a water leak and they are not happy. They do not feel they should have to pay for it. *Jerry Kirker* asked if everyone had seen the water agreement. *Donna Young* said she thought it was always credited on the sewage. *Jerry Kirker* said on the front page it has a rebate. They were approved by the EPA in 2013, when we redid the waterlines. What we do on water usage when someone has a leak, we figure the usage and then deduct the sewer. Yes, it does cost money to process it but it is not a big cost, but then they pay for the water usage. If it is a 200,000-gallon water leak, then we take the sewer off and figure a 3,000-gallon usage then charge \$4.00 per 1,000 for the overage. That is about what the water costs the Village, about \$3.95. We give a one time a year, free pool fill. That is the way we do it and I think we had a violation or a write up on the audit, that I should bring every adjustment to Council for approval, but it says in our rules that we did back in 2013 that the Village Administration secedes. With the rebate and everything that we figured it up, the bill is going to be right at \$3,000.00 instead of \$5,100.00. *Jason Francis* asked if that was from taking off the sewer. *Jerry Kirker* said yes, it is taking off the sewer and reducing water to \$4.00 a thousand over the minimum. There was almost 1.2 million gallons of water lost here from all of the customers on the list, she was not the only one that had a leak. He mentioned that he had an elderly lady that is ninety some years of age that went through 216,000 gallons and she called to make payments. *Donna Young* asked if he gave her the same discounted offer. *Jerry Kirker* stated we give everybody the same treatment, the same as we would give any of the Council members or anyone in this room. I don't give water away, they said I had wiped off Venture Production water usage once, it is right here (on a paper) we rebated it. I have never wiped water off for anyone. *Randy Brewer* – doesn't your system down there tell you there is a heavy leak somewhere on that property or something like that? *Jerry Kirker* the meter can tell you. *Randy Brewer* said he had got a call before on one of his rentals and they said I think you have a leak somewhere. *Jerry Kirker* said yes, and we call people every day. Every time we do the meter readings, we print off a leak detection list and they get on the phone and call people. I can't help it if it is a vacant house. He asked Council to tell him what they wanted done. Stated if we treat her in the way she wants to be treated, then you have everyone in the Village of West Union that are going to be treated the same way. That is just the way I feel about it as a Village Administrator. *Donna Young*, *Randy Brewer* said they do not have a problem with the way he is doing it. *Mary Jane Campbell* stated she has paid some hefty bills over the last thirty some years. *Jason Francis* stated he has to abstain from the vote because the lady is married to someone who employs him. *Tom Mayes* asked Jerry if he was looking for a vote.

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*Jerry Kirker* said he is looking for an answer, because he was told that it wasn't going to be paid. I need to know, if this is not going to be paid, then they need to pass an ordinance or a resolution stating that anybody from this day on, that has a problem, then we are just to wipe their water off? *Donna Young* stated no, we can't do it. *Tom Mayes* suggested they could make a motion to follow the current policy, ordinance and agreement. *Jerry Kirker* stated we have to get our money back out of the water, we can't give the water away.

**Motion** by Donna Young, second by Randy Brewer, to follow the current policy, ordinance and agreement for the discounting of the water and sewer bills, roll call vote: Abstain – Jason Francis, 4 – yea, motion passed.

5) North Street waterline project and blacktopping – We have started on it. They have been out surveying and marking. All the paperwork has to be turned in to the EPA by May 2024. There will be a June meeting. We have already been awarded a little over \$400,000.00 in grant money. Kent will probably have some paperwork for the next meeting to talk about. Requested an executive session at the end for personnel compensation. *Jerry Kirker* asked if anyone had anything for him. *Jason Francis* had a copy of grant paperwork and stated he found the grant. *Jerry Kirker* stated they had already applied for it. They are in the process of getting a quote today and will be sending it in tomorrow. We are applying for more leak detector equipment and line location items. Kent's office had sent the papers to him while he was off sick. *Jason Francis* stated the Ohio Environmental Protection Agency advertised a grant that is up to \$10,000.00 for equipment, supplies and training. *Jerry Kirker* said it is filled out just waiting on the quotes. *Jason Francis* stated there is another grant with the OVRDC, the transportation study plan. They will pay up to \$20,000.00 for a study. Mary Jane and I applied for the safe streets for all grant. We applied for the implementation, we should have applied for the planning, so we had to back out of it. The proposals for the planning are due the 28<sup>th</sup> of February. *Jerry Kirker* said he thought they were delaying the first meeting, that he received an email the other day, but if you are going to do it, you need to go ahead. *Jason Francis* stated to Jerry that him and Mary Jane could probably work on that, and we can get together with you.

Kent Bryan, CT Consultant

1) Gabbert/Hale Subdivision contract – we are going to get started in Gabbert subdivision. I would like to believe this one will be completed by the end of this year if things go well. The seeding and things by the end of summer, early fall.

Danni Studebaker, WULS reported the squad had 132 runs for the month/year. *Melissa J. Hall* asked whether she was able to get the information for the Air-Med. *Danni Studebaker* said that she does the fire department ones. *Jerry Kirker* said he would take care of it. Was there a deadline on that? *Danni Studebaker* and *Tom Mayes* said it is a year in advance, so that it will not go up. *Jason Francis* said that as Chamber Members, we have that same deal, so if we don't go with him, we can go with the representative that represents the Chamber. *Tom Mayes* said the deal is that if you do it now, you lock in the same rate for an additional year or you let it run out, then you have to pay the additional.

1) Scott Combs asked about one of the squads as to whether it was going to be sold. *Jerry Kirker* said you can put it out for bid. *Danni Studebaker* asked Jerry if he had figured out anything with the title. *Tom Mayes* said he thought it was resolved, that he believes the title is in the Village's name, but if not, Danni could sign it and we can get it switched over. *Jerry Kirker* said to Melissa to make a note to look in the titles for it. *Tom Mayes* said he would need the same information he needed for the truck and he could prepare the same ordinance and then you can sell it.

JR. Kirker, Fire Chief, reported the Fire Department had 24 runs in December, 24 runs for the year.

- 1) Thanked everyone for letting them get the rescue.
- 2) Filling out the FEMA Grant again.

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*Jason Francis* – taking it we didn't get the last one. *JR. Kirker* said we are still in the running for last years FEMA Grant. We are going to fill out the one this year since we do not know if we are going to get the one from last year. They are still passing out money this year, they have something like 95-million to give out.

Lt Ryan Myers, WUPD, was not aware that he was coming so he didn't get the run totals.

*Randy Brewer* said that he told Tim that he had a complaint on chickens on McArthur Street. They asked him to come over and he said when he went over there, there were about 6 or 7 chickens running around the yards and they were not staying in one yard, they were all over the place. It had been going on since summer. *Lt. Myers* stated he was off tomorrow, but he will go over on Thursday and that he had one complaint on it and he had already talked to her.

*Mayor Buda* brought up the handicapped parking. I know you have been having major issues over there, Jerry got the signs up today. *Jerry Kirker* stated he didn't mention that, but he did get the 20' corner markers up, one handicapped sign up in front of 322, but did not put one up on North Street because he has a handicapped sign in front of his house for loading. *Lt. Myers* said his argument is with the loading. If he wants to get involved in that, it is parking, unloading, and move your vehicle. We have tried to explain it to him, if you are going to load and unload that is fine but move your vehicle. The neighbor has a handicapped placard and if he wants to park in the handicapped zone, he has a legal right to park there as well. It has been an ongoing issue. *Donna Young* said she had talked to him today. *Jerry Kirker* said that if you catch them up against the intersection, the sign is there, give them a ticket. The signs aren't cheap and I have five more to go up.

*Randy Brewer* asked if any applications for the Police Officer have come in. *Lt. Myers* said only the ones that we have talked about that I know of. *Mayor Buda* said that he had one.

Tom Mayes, Village Solicitor –

1) There was a lawsuit filed on one of our officers in Federal Court along with the Sheriff and Sheriff Deputies. We have got to get that turned in to our insurance company. Have a copy of the complaint if anyone wants to see it.

*Mark Brewer* had some questions about the lawsuit.

2) Moratorium was printed and forgot to bring it. Will bring it in February.

*Jason Francis* asked about the flowerbed situation. *Tom Mayes* stated he sent the letter and Jerry followed up. *Jerry Kirker* stated he met with the people and they were going to move the rocks and everything. It was previously brought up in Council. Jerry will check on it in the morning. *Jason Francis* said he had received an email from the lady and just wanted to follow up. It was probably in December when the email was received just wanted to make sure it was resolved.

Mayor Jason Buda

1) Asked what Council wanted to do about the requests made from Shonda. Council was in agreement to purchase the phone and add it to the Village's current plan. *Jason Francis* asked if we needed to purchase a desk. *Shelley Gifford and Jerry Kirker* believe they could find one within the Village. Melissa is to get information for the online payment.

**Motion** by Jason Francis, second by Donna Young, to allow the purchase of a replacement phone with a case and screen protector for Shonda, not to exceed \$2,000.00, roll call vote: all yea, motion passed.

2) Want to give Melissa the authorization when people call in to get put on the agenda, they have to give a reason why they are coming. *Jason Francis* said he thought they had made that rule. *Mayor Buda* said I have been letting it slide and I know other ones have too, but technically that is what Council wanted. If Council doesn't want to, it is fine too. We have had some call here recently and they don't



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give a reason. *Jason Francis* said it is not a given right to speak. They can come to the meeting but they do not have to be given the time. *Tom Mayes* said if the rule is then we have to enforce the rule. *Jason Francis* said he believes it is in there that they are not to exceed five minutes. *Tom Mayes* said it is under the Roberts Rules of Order.

Shelley Gifford, Village Treasurer – Requested an executive session on pay also.

Melissa J. Hall, Fiscal Officer – Had nothing to add.

Council member, John R. Lafferty – Absent

Council member, Mark Brewer –

1) On January 10, 2023 we had a police meeting that started at 6:00 p.m. and ended at 6:50 p.m. We talked about parking tickets, which Tom is working with Ryan on that. Also talked about discontinuing Shane Young, Margaret, and Brittany Johnson because they are inactive and have other jobs. Has Voshall shown up and worked and if he is still part-time? *Lt. Myers* stated yes. He was here last weekend and he is still part-time. *Shelley Gifford* stated 9 hours in the last two-week period.

2) We ran an ad for the weeks of the 16<sup>th</sup> through the 30<sup>th</sup> for the position of Police Chief. Interviews will be February 7<sup>th</sup> with personnel. *Jason Francis* stated it was up to the mayor to make the decision. *Mark Brewer* said the hiring for the new Police Chief would be on the February 14, 2023. They will be hired with an effective date of March 31, 2023. *Mayor Buda* stated that whoever is hired for the position needs to be aware and understand that Tim is still the chief until the 31st of March.

3) Cadets in the academy asked if they could do a ride along. There are only approximately 3 or 4 that are unaffiliated by other departments. Asking if the Village has something in place for them to do a ride along on night shift or weekend. *Lt. Myers* said yes, they have a form. They have to sit in the car, they can not get out, they can only observe. We will probably have to do another form. *Mark Brewer* said he would direct them to *Lt. Myers*. *Jason Francis* asked *Mayor Buda* if he was okay with the schedule they had put out for the hiring. *Mayor Buda* stated he was hoping to wait until March. *Jason Francis* said they decided to that because of the training aspect, but it was up to the mayor, we just need to know as the committee, what we need to do.

4) Received an application for a patrolman, what is going to be the hiring process for that. *Mayor Buda* stated that is up to you guys because of the amount of money he wants, because it is well above what our chief makes currently. He is wanting \$20.00 an hour. There was some further discussion about the pay amounts. *Mark Brewer* stated this would need to go before the finance meeting. *Jason Francis* set a finance meeting for Monday January 30, 2023 at 6:00 p.m.

5) Want to move on the purchasing a new storm siren, people need to know if a storm is coming and the weather has been crazy. *Jerry Kirker* said he would do some checking. I have the quote but I will get with one of Kent's co-workers and see if we can get a little bit of help. Have an answer next meeting. *Mark Brewer* said a couple of years ago we tried to get the ones from Hamilton County, but those were lotted out to other agencies.

Council member, Jason Francis –

1) Revisited the date for the hiring of the Chief position. *Jason Buda* stated he could not be there on the 7th. *Jason Francis* said *Mary Jane Campbell* will setup the interviews and that he has asked *Mark Brewer* to take his place on that committee for the hiring of the police chief only, since he has police experience. *Mary Jane Campbell* said she will be contacting everyone for the interviews. *Mark Brewer* said he did email an application to a police officer that showed some interest in working a couple of shifts a month on weekends at night.

2) Adams County Chamber of Commerce is holding meeting on February 15, 2023 at noon at Frisch's and lunch will be provided to go over what we receive as members. Benefits, air-evac, Hunters consulting. I think there are over 12 different

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benefits we receive as members and some of our employees can take advantage of as well.

3) We did advertise for the Zoning and the Planning Commission members. We have an application process for the zoning but not sure if it is current with our new zoning, we will need to look at Georgetown Zoning and see how we can copy theirs. *Tom Mayes* questioned what he meant. *Jason Francis* said so all their applications, the variances and all that. Georgetown has that all set up. *Tom Mayes* said it runs through their zoning enforcement officer and then it goes to the administrator, so we would have to skip that for a moment, they just need to give the application to the Village Administrator. Mayor Buda asked if Alice was going to serve on one of the committees. *Jason Francis* said you can call her, but I think she is more than happy to serve.

4) EMA meetings – I have not heard from them or received any letters, not sure if still the representative for that and asked if we had heard anything on that. *Gifford* stated we can never catch any one down there. *Jerry Kirker* said I have called Tom about our dues. Shelley has had a check ready for him for our dues for almost two weeks. I will call him tomorrow and see if he wants a check or if they want the office down stairs or if we need rent it out to someone else or use the space for ourselves.

Council member, Mary Jane Campbell –

1) Had a complaint about parking

2) Had a complaint- someone said they were going to be pumping sewage from Winchester to the airport and from the airport to here, so that is why I asked Holly to clarify. They are going to be building a new one between Seaman and Winchester, so this will answer their questions. *Jerry Kirker* said this probably came from when we met with the EPA and the County Commissioners. We were going to take on all of the County's EPA violations, which was Cherry Fork was going to come to Panhandle and then to Barnes Subdivision and into West Union. Cherry Fork backed out because of the cost. It needed to go the other way anyway. There is talk about sewer for Cherry Fork now and they probably think it is still coming to West Union.

Council member, Randy Brewer – Had nothing to add.

Council member, Donna Young – Had nothing to add.

**Motion** by Mark Brewer, second by Donna Young, at 8:53 p.m. to go into executive for ORC §121.22(G)(1) Personnel compensation, roll call vote, all yea, motion passed.

**Motion** by Mary Jane Campbell, second by Donna Young, at 9:05 p.m. to exit executive session, roll call vote, all yea, motion passed.

**Motion** by Donna Young, second by Jason Francis, that the Village Administrators, a salaried employee, will no longer be required to clock in on a time clock, roll call vote, all yea, motion passed.

Mayor Jason Buda asked if anyone had anything else? If not, I will need a motion for adjournment.

**Motion** by Jason Francis, second by Randy Brewer at 9:07 p.m. to adjourn, roll call vote: all yea. motion passed.

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Mayor, Jason Buda

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Fiscal Officer, Melissa J. Hall