

MINUTES OF A REGULAR MEETING OF THE
COUNCIL OF WAITE HILL, OHIO

December 12, 2011

Pursuant to notice given, the Council of the Village of Waite Hill, Ohio, met at the Waite Hill Village Hall at 8:00 a.m., on Monday, December 12, 2011, with Mayor Arthur D. Baldwin presiding. The following members of Council were present:

Ryan Cox	Karl Scheucher
Ken Dery	Richard Steudel
Robert Gale	Courtenay Taplin
Robert Ranallo	

Also in attendance were Clerk-Treasurer Janet Mulh, Law Director Stephen Byron, Police Chief Arnold Stanko, Service Director Gary Earl, and residents Dave Kurtz, Mark and Lauren Gardner, Chris Legros, Nan and Bill Hatchtel, Tom Ruple, Lisa O'Brien and Sally Podrasky.

The minutes of a Regular Meeting of Council held November 14, 2011, had previously been distributed to Council. Mr. Taplin moved that the minutes be approved as submitted, which motion was seconded by Mr. Cox.

Roll Call:	Yeas:	Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
	Nays:	None

Motion carried
Minutes approved

Council then discussed the status of the Village Hall project. The "can" lights went out and are not working. They are under warranty and will be replaced. The Village will be directly paying the subcontractor who installed the flat roof, in order to obtain the warranty and so that he will perform some of the repair work that was necessitated by the improper installation of the balustrades. The Architectural Board of Review agreed that the Village Hall did not require balustrades above the flat roof, and they could be omitted from the final project. It was agreed by Council that the Village should receive a credit for the non-performance of that work. The Village is accumulating a final punch-list for the contractor to perform in the spring, within one-year of the time that the Village took possession of the building.

Resolution No. 2011-17 "A Resolution authorizing and directing the payment of certain sums" was read. After discussion, Mr. Gale moved that said Resolution be adopted as read, which motion was seconded by Mr. Steudel.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Resolution No. 2011-17 adopted

Ordinance No. 2011-15 – “An Ordinance amending the annual appropriation ordinance of the Village of Waite Hill to change certain appropriations for the fiscal year ending December 31, 2011, repealing certain ordinances and declaring an emergency” was read for the first time. After discussion, Mr. Gale moved to suspend the rule which requires that ordinances be read on three different days, which motion was seconded by Mr. Cox.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Rule suspended

After discussion, Mr. Dery moved to adopt Ordinance No. 2011-15, which motion was seconded by Mr. Steudel.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Ordinance No. 2011- 15 adopted

Ordinance No. 2011-16 – “An Ordinance making a temporary appropriation for the first three months of 2012 and declaring an emergency” was read for the first time. After discussion, Mr. Gale moved to suspend the rule which requires that ordinances be read on three different days, which motion was seconded by Mr. Taplin.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Rule suspended

After discussion, Mr. Taplin moved to adopt Ordinance No. 2011-16, which motion was seconded by Mr. Gale.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Ordinance No. 2011- 16 adopted

Ordinance No. 2011-17 – “An Ordinance providing for the submission of proposed charter amendments to the electors of the Village of Waite Hill, Ohio and declaring an emergency” was read for the first time. After discussion, Mr. Steudel moved to suspend the rule which requires that ordinances be read on three different days, which motion was seconded by Mr. Taplin.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Rule suspended

There was extensive discussion regarding the policy options for the selection of a successor Mayor and Council Officers. Different versions of Ordinance No. 2011-17 were discussed as possible policy choices for changing the Charter. All of the versions which were proposed to change the current charter language included language that would require an election to fill a vacancy in the office of Mayor. That election would be held at the next general election that occurred more than one hundred twenty (120) days after the vacancy occurred. The legislation also provided that a separate issue would be submitted to the voters to change the Charter to permit a Mayor to appoint a designee to sit on the Architectural Board of Review and the Planning and Zoning Commission, rather than requiring the Mayor, personally, to sit on that Board and Commission as is currently provided by the Charter. Council considered two policy options within the proposed ordinance that would change Section 2.17 of the Charter. First, whether the Council should have the Vice President of Council succeed, automatically, to the office of President of Council, if the President of Council succeeded to the office of Mayor, or if there should be an election for the office of Council President at that time. It was concluded that there should be a new vote for Council President at the time the office became vacant. The second issue related to what persons could be appointed to the office of Mayor, if neither the President nor Vice President agreed to become Mayor. The options were to limit the possible selection of a Mayor to the current members of Council or to permit Council to select any registered elector as the Mayor. The consensus was to permit Council to select any registered elector as Mayor.

Mr. Byron then drafted and read the proposed final language of Section 2.17 of the Charter, which was inserted into Section 1 of Ordinance No. 2011-17. Mr. Steudel moved to amend Ordinance No. 2011-17 to conform to the ordinance with the draft ordinance that Mr. Byron had prepared and read. Mr. Cox seconded the motion.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Ordinance No. 2011-17 amended

Mr. Gale then moved to adopt Ordinance No. 2011-17, as amended, which motion was seconded by Mr. Steudel.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Ordinance No. 2011- 17, adopted
as amended

Mr. Cox reported, on behalf of the Finance Committee, that the cash flow for the Village was positive.

On behalf of the Planning and Zoning Commission Mr. Dery advised Council that the Architectural Board of Review had agreed that the balustrades that had been designed for the flat roof, and the improper installation of which had caused the flat roof to leak, need not be reinstalled – that the absence of the balustrades would not adversely impact the design of the building.

Mr. Taplin reported that the Village was in a position to purchase a new Dodge Charger police vehicle pursuant to a state-bid contract with Greve Chrysler. Mr. Taplin moved to authorize the purchase of a 2012 Dodge Charger from Greve Chrysler, in accordance with a state-bid contract, in an amount not to exceed twenty-five thousand dollars (\$25,000) and to declare as surplus property the Village's 2005 Crown Victoria, which has mileage in excess of 75,000, and which is being traded in as part of the consideration for the new vehicle. Mr. Dery seconded the motion.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried

Purchase and trade-in of vehicles authorized

Mr. Gale moved to adjourn to executive session for the purpose of discussing the appointment and compensation of public officials and to discuss pending or imminent litigation. Mr. Cox seconded the motion.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Council adjourned into
Executive Session at 9:29 a.m.

Mayor Baldwin excused himself from the executive session at 9:29 a.m.

Mayor Baldwin reconvened the meeting at 9:54 a.m.

There being no further business to come before the Council, Mr. Dery moved to adjourn the meeting, which motion was seconded by Mr. Scheucher.

Roll Call: Yeas: Cox, Dery, Gale, Ranallo, Scheucher, Steudel, Taplin
Nays: None

Motion carried
Meeting adjourned at 9.55 a.m.

Mayor

APPROVED: _____, 2011

ATTEST: _____
Janet Mulh, Clerk-Treasurer