

# RECORD OF PROCEEDINGS

## VILLAGE OF MCCONNELSVILLE COUNCIL

### REGULAR SESSION

Held: October 18, 2011

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The Village of McConnelsville convened in regular session from 6:30 P.M. to 7:26 P.M. in the McConnelsville Village Office. Mayor John Wells called the meeting to order with the following members and visitors present:

|                                |         |
|--------------------------------|---------|
| Councilman Tom Bragg           | Present |
| Councilman Rhett Matheney      | Present |
| Councilman John Finley         | Present |
| Councilman Kevin Morrow        | Present |
| Councilwoman Michele Blackburn | Present |
| Councilwoman Mary Gessel       | Present |

**EMPLOYEES:** Chief of Police Rocky Woodburn, Fiscal Officer Ellen M Henry, Solicitor David Tarbert

**VISITORS:** Sara Hurst

#### **Invocation**

Invocation given by Mayor John Wells.

#### **Pledge of Allegiance**

Lead by Mayor John Wells.

#### **OLD BUSINESS**

##### **Minutes of October 4, 2011**

Councilwoman Gessel made a Motion to approve the minutes of the previous meeting, seconded by Councilman Matheney.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

##### **Special Minutes of October 11, 2011**

Councilman Bragg made a Motion to approve the special minutes of October 11, 2011, seconded by Councilwoman Blackburn.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

#### **NEW BUSINESS**

##### **Bills of the Village**

Councilman Bragg made a Motion to add a bill for the Village of Malta in the amount of \$7,814.26, seconded by Councilman Morrow.

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Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilman Morrow made a Motion to add a bill for Kate Love Simpson Library in the amount of \$450.00, seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilwoman Blackburn made a Motion to approve the bills as amended, seconded by Councilman Morrow.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

#### **Public Particiaption**

Buckeye Energy Brokers, President Tom Bellish addressed Council, explaining the gas and electric aggregation program that will be on the ballot for the voters of McConnelville Village to vote on. He passed out his presentation (see attached).

Mr. Bellish stated he has been working on setting the program up; AEP just sent him proposed changes today. They are switching the cap in 2012 at 21%; 2012 at 29%; 2014 at 41%; and full 100% in 2015. This will be on a first come first serve basis with none left currently for commercial businesses.

Mr. Bellish stated Washington County, Marietta, Newark, Mount Vernon, Fremont, Findlay, Sunbury, Reynoldsburg, Canton, Stark County Townships, East Liverpool and several others are having it on their ballot this year also.

Mr. Bellish noted PUCO has not approved this plan yet; however, they want to be ready if they do. He has a form for the Mayor to sign and have notarized as part of the set up of the program. Mr. Bellish stated to do the Opt-In Program, you do not need ballot approval; just the Opt-Out.

Mr. Bellish stated this would not be a village owned system; it would still be owned by AEP. The billing would virtually be the same; it would still be one bill from AEP. The AEP portion could still be budgeted; however, the portion from the other supplier would be the actual billing as it cannot be budgeted at the current time.

Mr. Bellish explained the Opt-In and Opt-Out proposals. On the Opt-In; the resident would call in and request to be in the program, whereas; if we do the Opt-Out, the resident would have to call in not to be part of the program.

The Opt-In guarantees to save each and every resident that signs up for it seven percent. The Village will receive a \$10 per customer enrollment.

Councilwoman Blackburn questioned if the customer would have to stay until May of 2014 or they would have a termination fee? Mr. Bellish stated yes.

Mr. Bellish explained the Opt-Out discount is eight percent; and, the village would get \$25 per customer enrollment. The original plan is the Opt-Out; however, they are waiting to see what PUCO does. They are trying to give the best opportunity savings based on what they know.

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Mayor Wells stated the bottom line is on the electric, assuming our ballot initiative voters go forward with aggregation; we will save residents eight percent and the worse case scenario is residents can Opt-In and save seven percent based on the rate in December. Mr. Bellish stated he will need to double check to see if the Opt-In can still be used if it is not voted in.

Councilman Bragg questioned if it was going off kilowatt use? Mr. Bellish stated the price to compare is transmission and generation and that is what the discount you would save would come off from.

Councilman Matheney questioned if this is what the County switched with as their bills went up thirty percent. It was noted they went with a different company and used it only for themselves.

Councilman Bragg questioned if we were staying with the Opt-Out Program if it passed on the ballot. Mr. Bellish stated they are wanting to send out letters to do an Opt-In; and if PUCO decides in favor of it, then we would do the Opt-Out in January and those who opted-in; discounts would increase from seven percent to eight percent automatically.

Mr. Bellish stated this is a raw proposal and there are a lot of things you could do with it. This is just how it was presented to them today.

Councilman Bragg questioned why the town meeting was after the election. Mr. Bellish stated if it passes on the ballot; they are required to hold two public hearings. They are currently set for November 15, 2011 at 4:00 PM and 6:00 PM. Then the Council will adopt the plan of operation.

Councilman Finley questioned if Council was required to attend the public meeting. Mr. Bellish stated no; however, it is on council meeting evening.

Mr. Bellish stated these Public Hearings are to explain the program to the community and answer their questions.

Councilwoman Blackburn stated she thought it would be good to explain it to people before the election so they will know whether or not they wish to vote for it. Mr. Bellish stated that was why they were here at tonight's meeting to get the information out to the public through the newspaper. They will also have a press release in the paper.

Councilman Finley questioned where the public hearing will be held. Mayor Wells stated here in Council Chambers; and, if it is too large they will move on to the Opera House.

Mr. Bellish went on to explain the Natural Gas aggregation is a simpler program. If it passes, we will get offers from suppliers at that time. Mr. Bellish stated that program has been up and running for 12 years now. If it passes, it will start in March as it is a more seasonal utility and most people have already signed up for this winter; and, Columbia Gas changes their pricing in April. We will want to know what they are offering before we set up a price.

Mayor Wells stated they were here earlier in the year and explained this to us; however, in the middle of it, the PUCO came in and changed the rules. Mayor Wells stated he appreciated them coming back and presenting it to us again.

Councilwoman Gessel questioned if this was just for the residents of the Village. Mr. Bellish stated he was not sure how they would verify where you actually lived; it might be for everyone with a McConnelssville zip code.

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Mayor Wells questioned if Council needed to take any action tonight. Mr. Bellish stated no the next step would be to sign the agreement; and, the paperwork to put it on the ballot gave the Mayor the permission to sign off on that.

#### **Fiscal Officer Ellen Hemry**

Fiscal Officer Hemry reported September's month and year to date expenditures and percentage of the year to date budget for the following departments: Police Department month to date \$25,347.59; year to date \$192,441.44, or 64%; Mayor's Court month to date \$967.41; year to date \$7,686.45, or 61%; Parking Facilities month to date \$818.52; year to date \$8,293.48, or 60%; Swimming Pool month to date \$13,947.04, year to date \$46,376.20, or 66%; Street M & R month to date \$8,538.17; year to date \$57,995.88, or 57%; Water Fund month to date \$12,903.02, year to date \$129,479.83, or 70%; Sewer Treatment month to date \$19,163.60, year to date \$184,536.02, or 70%; Sewer Fund month to date \$9,318.99, year to date \$74,179.44 or 68% of the YTD budget.

Fiscal Officer Hemry reported the Police Department went over budget due to purchasing tires for the Dodge Intrepid, repairs to the 2000 Ford, and graphics for the new cruiser; Mayor's Court went over budget due to sending the clerk to a seminar; Street Department went over budget due to purchasing street paint, hot mix, and repairing the red service truck; Water Fund went over budget due to purchasing prv's, a pressure transducer, and repairing the red service truck; Sewer Department went over budget due to videoing the Fifth Street sewer line, surveying, and repairing the red service truck.

Fiscal Officer Hemry reported September's month and year to date revenue and percentage of the year to date budget as follows: General Fund month to date \$54,414.70, year to date \$524,741.96, 95%; Street M & R Fund month to date \$6,560.80, year to date \$60,135.13, 73%; Water Fund month to date received \$38,212.65, with \$3,959.34 of that being from Morgan Meigs, year to date \$336,992.80, 84%; Sewer Fund month to date received \$47,341.63, with \$8,520.37 of that being from Malta for Sewer Operations and Maintenance, year to date \$406,622.46, 91% YTD budget.

Fiscal Officer Hemry reported September is 75% of the year; all of our expenditures are under and our revenues are over except for the Street M & R Fund.

#### **Mayor John Wells**

Mayor Wells announced that he reappointed Steve Inman to the park board.

#### **Resolution 11-25**

Mayor Wells introduced Resolution 11-25, A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR 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 AND DECLARING AN EMERGENCY.

Councilman Matheney made a Motion to suspend the rules requiring three separate and distinct readings and place on emergency measure, seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

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Councilwoman Blackburn made a Motion to adopt Resolution 11-25 on emergency measure, seconded by Councilwoman Gessel.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Resolution 11-25 was duly adopted.

#### **Resolution 11-26**

Mayor Wells introduced Resolution 11-26, A RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN THE SEWER FUNDS.

Councilwoman Blackburn stated the figures VA Brown were requesting totaled more than \$5,000. Councilwoman Blackburn made a Motion to change the line item of gasoline to \$900 so the figures would balance, seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Resolution 11-26 is amended.

Councilman Bragg made a Motion to suspend the rules requiring three separate and distinct readings and place on emergency measure, seconded by Councilwoman Gessel.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilman Matheney made a Motion to adopt Resolution 11-26 as amended on emergency measure, seconded by Councilman Finley.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Resolution 11-26 was duly adopted.

#### **Finance Committee**

Councilwoman Gessel requested the Finance Committee have a committee meeting on Monday, October 24, 2011 at 12:00 PM in council chambers.

Councilwoman Gessel also noted the light in the hallway isn't working properly and it appears as if we are closed; she asked for permission to get it fixed. Mayor Wells stated yes, it was OK for someone to be contacted to repair the wiring.

#### **Public Safety Committee**

Councilman Finley reported the new cruiser was in service.

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#### **President of Council**

Councilwoman Blackburn stated at the last meeting she was voted in as President of Council and she would like to resign from that position effective immediately.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Abstain; Councilwoman Mary Gessel, Aye.

Councilwoman Blackburn's resignation was accepted.

Mayor Wells stated in light of Councilwoman Blackburn's resignation; council needed to elect a new President.

Councilman Matheney nominated Councilman Finley, seconded by Councilwoman Blackburn.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman John Finley, Abstain; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

Councilman Finley is now President of Council.

#### **Resignation of Mayor John Wells**

Mayor Wells stated he was resigning as Mayor effective immediately. Mayor Wells stated he has been Mayor for eight years for the Village; Councilman Finley will be Mayor effective January 1, 2012 and he felt there wasn't any reason he couldn't take over as Mayor now.

#### **Swearing in of new Mayor**

Councilwoman Blackburn swore Councilman Finley in as Mayor and he took over the meeting.

#### **Re-election of President of Council**

Due to the resignation of Mayor Wells and Councilman Finley now becoming Mayor; there was the necessity to re-elect a President of Council.

Councilman Matheney nominated Councilwoman Blackburn, seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Abstain; Councilwoman Mary Gessel, Aye.

Councilwoman Blackburn is now President of Council.

#### **Chief of Police Rocky Woodburn**

Chief Woodburn reported in the month of September, the Police Department had driven 3,507 miles and used 317.9 gallons of gasoline. The police department issued 35 warnings, 13 traffic tickets, 15 misdemeanor citations, making a total of 28 tickets issued. Chief

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Woodburn reported total hours worked for all officers was 737 hours 54 minutes; they issued 5 crash reports and 21 incident reports.

Mayor Finley stated he had a meeting with Chief Woodburn today and will be soon scheduling a meeting with all the officers.

Mayor Finley reported a resident had talked to him about the parking in front of the old school. Mayor Finley turned the matter over to the Streets and Alley Committee to review and see if it should be changed to parallel parking from diagonal parking.

Mayor Finley stated he would like to have a meeting scheduled with Malta in regards to the Joint Water as soon as possible. Councilman Bragg stated he would take care of getting one scheduled.

#### **Adjournment of Meeting**

Councilwoman Blackburn made a Motion to adjourn, seconded by Councilman Bragg.

Votes were: Councilman Tom Bragg, Aye; Councilman Rhett Matheney, Aye; Councilman Kevin Morrow, Aye; Councilwoman Michele Blackburn, Aye; Councilwoman Mary Gessel, Aye.

The meeting was adjourned till November 1, 2011 at 6:30 P.M. at the McConnelsville Village Office.

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John W. Finley  
Mayor

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Ellen M. Henry  
Fiscal Officer

All formal actions of the Village of McConnelsville concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.